

Minutes of a Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, April 12, 2004 at 6:07 p.m.

PRESENT: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson and Wagner

ABSENT: None

ADOPTION OF MINUTES 74/04 Moved by: Councillor Wagner
Seconded by: Councillor Brennan
RESOLVED THAT the Minutes of the regular meeting of Council held at City Hall on Monday, March 22, 2004 be approved as circulated. Carried.

HEARINGS:

CPR Station Municipal Heritage Designation – By-Law 04-8220 – 2nd & 3rd Reading Public Hearing
No one was present to speak on or oppose this issue.

75/04 Moved by: Councillor Porter
Seconded by: Councillor Keryluk
RESOLVED THAT the public hearing to designate the CPR Station as a Heritage Site now be closed. Carried.

The Portage Heritage Advisory Committee (PHAC) received a request from the “Save the Canadian Pacific Railway Station Committee” dated November 10, 2003 for consideration of municipal heritage designation for the CPR station in the City of Portage la Prairie.

The CPR station is considered representative of the historical development of western Canada, the real gateway to the west. The request to designate the building municipally has also come from Historic Sites and Monuments Board of Canada. The Save the CPR Committee requires confirmation of either provincial or municipal designation under the Heritage Resource Act in order to prepare the requisite Order-In-Council authorizing the sale for the station to the committee. Portage Heritage Inc. and the Save the CPR Station Committee signed a 20-year land lease and an agreement for the sale of the station, which took effect, August 1, 2003.

On November 27, 2003 the PHAC evaluated the historical and architectural information of the CPR Station recommending to proceed with municipal heritage designation.

Copies of the Municipal Notice of Intent and of By-Law No. 04-8220 were served to the Minister of Culture, Heritage and Tourism c/o Historic Resources Branch, the Canadian Pacific Railway Company, Portage Heritage Incorporated Save the CPR Station Committee, Portage la Prairie Land Titles Office and the Portage la Prairie Planning District. In addition, notice of this public hearing was published in the Daily Graphic on March 4 & 5, 2004 as required per The Heritage Resources Act.

76/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie read By-Law 04-8220 being a by-law to municipally designate the CPR Station as a Heritage Site, for a second time. Carried.

RESOLVED THAT the Council of the City of Portage la Prairie read By-Law 04-8220 for a third time, finally pass, sign and seal the by-law designating the CPR Station as a Municipal Heritage Site.

Carried.

In Favour: Councillors Brennan, Wagner, Keryluk, Porter, Quinn, Robinson and Mayor MacKenzie.

Tax Levy By-Law –
04-8223 – 1st Reading

Public Hearing

No one was present to speak on or oppose this issue.

77/04 Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the public hearing to give 1st reading to the Tax Levy By-Law now be closed.

Carried.

On February 9, 2004, City Council adopted the 2004 budget for the City of Portage la Prairie. The Tax Levy By-Law is comprised of the 2004 budget in the Financial Plan and sets the mill rates needed to raise the tax dollars. The 10 year Capital Plan makes up part of the Financial Plan.

The 2004 Budget Estimates provide for a 3.1% increase in the municipal tax rate. The tax rate is based on the budgeted amount of dollars the municipality requires to meet its obligations in 2004. This amount of \$7,412,433 is spread over the entire assessment base of the City.

The municipal tax rate is \$31.655 for every \$1,000 of the assessment portion that is subject to taxation – an increase of \$0.95 from 2003.

Residential property assessed at \$80,000 in 2003 and again in 2004 would see an increase in municipal taxes of \$34.00.

It is part of our mandate as a municipal corporation to collect school taxes on behalf of the School Board and Province. The local school division's 2004 tax levy increased by 6.6%. On the above example of \$80,000 home, this would be an increase of \$44.57.

78/04 Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the General and Utility Operating and Capital Budgets for 2004 be amended to the amounts listed in the Financial Plan.

RESOLVED THAT By-Law 04-8223, being a by-law of the City of Portage la Prairie to authorize the levying and raising of property taxes for school and municipal purposes for the year ended December 31, 2004 be given 1st reading.

Carried.

Ms. Joyce Dalmyn, Crown Prosecutor, indicated that she intended to speak during the Public Hearing of the Tax Levy By-Law. She requested that the City reconsider the decision to close the Community Policing Office and the deletion of the Crime Prevention Coordinator position. She requested that the City ensure the forums be continued.

DELEGATIONS:

Brian Rushton – Community Justice Forum

Mr. Rushton spoke in favour of the City continuing to support the Community Justice Forum. He requested that the City ensure that the forums be continued.

Ms. Joyce Dalmyn – Crown Prosecutor

Ms. Dalmyn spoke in favour of continuing the Community Forum. She requested that the City continue to provide funding to supply some administrative support to this program.

CORRESPONDENCE

The correspondence for this period was reviewed.

COMMITTEES:

Finance, Legislative & Property Committee:

The Finance, Legislative and Property Committee respectfully submits the following report:

Unpaid Water & Sewer to Taxes – By-Law 04-8213 – 1st Reading

This is part of the normal monthly procedure to allow unpaid water and sewer accounts to taxes.

79/04

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law 04-8213 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a first time. Carried.

City Planning & Economic Development Committee

The City Planning & Economic Development Committee has nothing to report.

Public Safety Committee

The Public Safety Committee respectfully submits the following report:

Community Policing Workshop

Councillor Wagner extended an invitation to Council and the Community to attend the Community Policing Workshop on Wednesday, April 14, 2004 at 7:00 p.m. at the Herman Prior Centre.

Animal Control By-Law Amendments – By-Law 04-8224 – 1st Reading

The Animal Control By-Law No. 02-8165 was passed in December of 2002. Under that by-law, residents are allowed to have no more than 3 dogs, or 3 cats, or 3 of a combination of each. Since that time, concerns have been heard from some pet owners who have pets over the allowed limit.

The amendment proposes that a resident may apply for a permit to keep more than 3 pets for a one-time, non-refundable cost, as shown in the Fees and Charges By-Law. An inspection would be made upon the premises by the Animal Control Officer, and a hearing held. If approved, a permit would be issued. Annual inspections would then be made on the premises at a cost indicated in the Fees and Charges By-Law. The cost of the first inspection is included in the application fee.

Council requested that the Excess Animal Permit application form be amended to indicate that the final decision to issue the permit is Council's, and cannot be appealed.

80/04

Moved by: Councillor Wagner

Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 04-8224, a by-law to amend the Animal Control By-Law 02-8165 to provide for Excess Animal Permits, be now introduced and read a first time, as amended in Schedule "E". Carried.

Waterworks Committee

The Waterworks Committee respectfully submits the following report:

Request for Funding – Manitoba Water Services Board

A study of the City's water distribution system was completed in 1999 with the financial assistance of the Manitoba Water Services Board. The study highlighted a number of deficiencies with respect to water pressure in the water distribution system and available fire flows in several areas of the City. It recommended several upgrades including a new pump station at the Water Treatment Plant, a new south water supply main, several upgrades to various pipes throughout the City, and a long term

upgrading strategy for the development of the City.

The next phase of the water distribution system-upgrading program includes the addition of a watermain from Alexander Avenue to Wilkinson Crescent at Meighen Avenue in order to improve water quality and available water flow for fire protection. Council has committed \$56,000 for this work with the expectation of receiving \$24,000 from the MWSB, for a total budget of \$80,000. After further review, it is expected that this work will cost nearly double the budgeted amount.

There is a budget of \$500,000 for the 2004 water and sewer main renewal program, with no allowance for grants from the MWSB. It is recommended that the City apply for funding for the renewal work.

If the MWSB funds 30% of the entire work, it would equate to a grant of \$238,000.

81/04 Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED That the City of Portage la Prairie apply to the Manitoba Water Services Board for funding in the amount of \$238,000 for the construction of a watermain from Alexander Avenue to Wilkinson Crescent and for the renewal of various watermains and sewer mains. Carried.

Transportation Committee

The Transportation Committee respectfully submits the following report:

227 Landfill

Councillor Keryluk advised that he has received numerous complaints about garbage being lost of loads on the way to the 227 Landfill Site. He indicated he would follow-up with Administration and the RM to determine what can be done to discourage people from transporting unsecured loads.

West Nile Virus

Councillor Quinn inquired about what the City is doing to combat the West Nile Virus. Mayor MacKenzie advised that there has been some coverage in the local paper. Councillor Keryluk advised that the Province will lead in controlling the spread of West Nile.

Community Services Committee

The Community Services Committee respectfully submits the following report:

La Verendrye Parent
Advisory Council –
Request for an Outdoor
Rink

The City of Portage la Prairie's Outdoor Rink Grant Policy has been in effect since 1998. The purpose of the policy is to provide a maximum grant of \$500 to assist neighbourhoods create and maintain an outdoor skating rink for community use.

The La Verendrye School Parent Advisory Council (PAC) completed an application for the Outdoor Rink Grant on March 1, 2004.

In 2002 and 2003, the La Verendrye School PAC was approved for the full \$500 grant however, the funding was never issued as the rink was not built.

82/04 Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie approve the request for grant funding in the amount of up to \$500.00 to the La Verendrye School Parent Advisory Council as per policy #ECD-CD-AB Outdoor Rink Grant Policy. Carried.

Knights of Columbus –
Request for Community
Permit

The Knights of Columbus Council #4250 (Knights) was approached by the Manitoba Softball Association (MSA) to host one of six provincial Mixed Slo Pitch Tournaments. The Knights agreed to host the event and are responsible for gate proceeds, canteen and a beer garden. They have requested a Community Event Permit for the Republic of Manitobah Park on May 29 and 30, 2004 for the purpose of a beer garden to be located near their concessions and the washroom facilities. The tournament expects 32 teams from within Manitoba.

The MLCC has granted a total of five community event permits for use in the City of Portage la Prairie during the fiscal year commencing April 1, 2004. There have been no other requests, however, it is anticipated that the extreme sport festival and the new community festival this summer may require community event permits.

In addition, the Knights have secured liability insurance to host the beer gardens and will be required to submit a copy of such policy and their security plan at the time of signing the City's facility use agreement.

Management was instructed to contact the Manitoba Liquor Control Commission to find out the basis for restricting Community Event Permits to five and if the number of permits could be increased.

83/04 Moved by: Councillor Porter

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie approve the request from the Knights of Columbus Council #4250 to obtain a community event permit for their Manitoba Softball Association Mixed Slo Pitch Tournament to be held at the Republic of Manitobah Park May 29 and 30, 2004.

Carried.

**DEFERRED
BUSINESS:**

None.

NEW BUSINESS:

Sale of City Land

The City of Portage la Prairie has received an unconditional offer to purchase three lots in the west end of the City directly north of Craig Dunn Motor City for \$10,000/acre, which is the City's asking price.

The total land mass is 2.94 acres which equates to \$29,400 in total. The property is zoned C3- Highway Commercial and provides for land uses for those businesses requiring large site areas to provide retail and personal services adjacent to major streets in suburban areas of the City.

The offer was open until March 31, 2004, however, Kinosaos legal counsel have agreed to extend the offer of closing time to April 15, 2004 to coincide with the meeting date of Council.

The purchaser has verbally agreed to cover 50% of the cost of paving Park Avenue as a condition of sale. This condition is consistent with the other sales of properties in that area.

84/04 Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the Council of the City of Portage la Prairie authorize the sale of 2.94 acres of land legally described as: Lots 6,7 and 8, Block 1 Plan 1810 PLTO in the City of Portage la Prairie to Kinosaos Holdings Ltd. for the total price of \$29,400.00 excluding GST.

AND FURTHER THAT the Purchaser be responsible for their own costs relating to the sale and transfer of this property;

AND THAT the Purchaser be responsible to cover 50% of the total costs related to paving only that portion of Park Avenue East that directly abuts Lots 6, 7 and Block 1 1810 PLTO in the City of Portage la Prairie and that payment be made to the City within 12 months.
Carried.

Purchase of Eight
Committee Room Chairs

Council reviewed a report on the purchasing of new Committee Chairs.

85/04

Moved by: Councillor Quinn
Seconded by: Councillor Keryluk

RESOLVED THAT Administration purchase eight Committee Room chairs at a cost not exceeding \$3,200 plus GST.
Carried.

Red River College –
Letter of Thanks – For
Information Only

Councillor Keryluk passed on thanks from Jim Warrener, School Coordinator of Red River Community College for allowing the school to tour the Water Treatment Plant and for the job well done by Doug Campbell.

OLD BUSINESS:

None

Regional Library Board
– 04-8221 – 3rd Reading,
and Agreement with RM
of Portage la Prairie By-
Law 04-8222 – 3rd
Reading

City Council previously agreed to a proposal to create a regional library in accordance with a briefing memo dated August 25, 2003 that stated, “Under the RM’s proposal, the RM would pay \$7.50 per capita to the Library and discontinue their recreation grant.” By-Law 04-8221 to provide for the establishment of a regional library was given first and second reading on February 23rd and has now been approved by Municipal Board Order No. D-04-003.

By-Law 04-8222 amending the recreation agreement between the City and the Rural Municipality of Portage la Prairie was also given first and second reading on February 23, 2004. Both by-laws are now ready for third readings.

86/04

Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT By-Law No. 04-8221 being a by-law to provide for the establishment of the Portage la Prairie Regional Library be now read a third time, finally passed, signed and sealed.
Carried.

87/04

Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT By-Law No. 04-8222 being a by-law to amend By-Law No. 7692 being a by-law authorizing the City to enter into a recreation agreement with the Rural Municipality of Portage la Prairie be now read a third time, finally passed, signed and sealed.
Carried.

88/04

Moved by: Councillor Porter
Seconded by: Councillor Brennan

WHEREAS at the Organizational Meeting held on November 10, 2003, Council of the City of Portage la Prairie appointed Councillor Brennan and six citizen members to the Portage la Prairie City Library Board;

AND WHEREAS By-Law 04-8221, the City and Rural Municipality of Portage la Prairie agreed to establish, maintain, and operate a regional library, in accordance with provisions of Part III of the Public Libraries Act;

AND WHEREAS Schedule “A” to By-Law No. 04-8221 specifies that the Library Board shall consist of six members, three who shall be appointed by the City and three who shall be appointed by the RM;

NOW THEREFORE BE IT RESOLVED THAT Council of the City of Portage la Prairie appoint Councillor Ken Brennan, Ms Evelyn Braun and Mr. Irvine Ferris as the City's representatives on the Portage la Prairie Regional Library Board.

AND FURTHER THAT Council extend its appreciation and thanks to former Board Members, Eva Shewchuk, Brad McMurray, Gary Little and Bob Turner, for their contribution to the Portage la Prairie City Library Board.
Carried.

ADJOURNMENT:

The meeting adjourned at 7:00 p.m.

Mayor

Manager of Administration