

Minutes of a Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, August 23, 2004 at 6:00 pm.

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

**ABSENT:**

**ADOPTION OF MINUTES** 202/04 Moved by: Councillor Quinn  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council Minutes of August 9 2004 be approved as circulated.  
Carried.

**DELEGATIONS:** None.

**HEARINGS:**

Variation – Kevin & Bernadette LeLievre Kevin LeLievre spoke to Council in support of this variation request. Discussion was centred mainly on the request for the 12m wide driveway.

203/04 Moved by: Councillor Brennan  
Seconded by: Councillor Wagner  
RESOLVED that the public hearing for the variation request of Kevin & Bernadette LeLievre now be closed.  
Carried.

The applicants, Kevin & Bernadette LeLievre, are applying for a variation order to allow:

- 1) the east side yard (street side of corner site) requirement to be reduced from 3.6 m to 1.22 m
- 2) the corner setback requirement to be reduced from 3 m to 1.22 m on south side
- 3) the corner setback requirement to be reduced from 3 m to .6 m on east side
- 4) the residential driveway maximum width requirement to be increased from 6 m to 12 m.

This building is in an R1 – Single family dwelling district.

The application has been circulated to the various City Departments with concerns being expressed regarding the visibility on rear back lane corner AND the maximum driveway width.

The house immediately east has a garage within .6 m of south side and west rear property. The house directly across on 10<sup>th</sup> Street has a garage within .6 m of south side and rear property. The applicant has an existing 1.83 m fence on rear property and side. By building a garage back 1.22 m on the south side and .6 m in the rear, better visibility will be created.

Public notices have been sent to all property owners within a 100 meter radius.

204/04 Moved by: Councillor Brennan  
Seconded by: Councillor Wagner  
RESOLVED THAT, in the matter of the variation request of Kevin and Bernadette LeLievre, at the property known as 402 10<sup>th</sup> St. N.W. and legally described as Lot 20, Block 8, Plan 100, Parish of Portage la Prairie,

- 1) APPROVE the variation request to allow the east side yard

requirement to be reduced from 3.6 m to 1.22 m; and

- 2) APPROVE the corner setback requirement to be reduced from 3 m to 1.22 m on the south side; and
- 3) APPROVE the corner setback requirement to be reduced from 3 m to .6 m on the east side; and
- 4) APPROVE the request to increase the residential driveway maximum width requirement from 6 m to 12 m.

Carried.

## **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 04-8230 – 2<sup>nd</sup> and 3<sup>rd</sup> Reading

This By-Law was given first reading on August 9, 2004.

- 205/04 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED that By-Law 04-8230 being a by-law to authorize unpaid water & sewer charges be added to taxes be read a second time.  
Carried.

RESOLVED THAT By-Law 04-8230 be read a third time, finally passed signed and sealed.

Carried.

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

Adding Unpaid Trailer Licenses to Taxes – By-Law 04-8236 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

This by-law was given first reading on August 9, 2004.

- 206/04 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT By-Law 04-8236 being a by-law to authorize unpaid 2004 trailer license fees as per Schedule “A” be added to taxes, be read a second time.  
Carried.

RESOLVED THAT By-Law 04-8236 be read a third time, finally passed, signed and sealed.

Carried.

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

Monthly Activity Reports

Council reviewed the monthly activity reports for July.

### **City Planning & Economic Development**

The City Planning and Economic Development Committee respectfully submits the following report:

Financial Support – Campus Manitoba

At the request of Southport Aerospace, the City, Rural Municipality and the Portage School Division have been meeting over the past several

months with representatives from Southport Aerospace and Campus Manitoba to discuss the costs associated with the rental of space for Campus Manitoba related programs.

Courses in Portage la Prairie are delivered up to the Masters level and are fully accredited. The Southport location is staffed by a coordinator who provides academic and logistical support for students with further academic support provided through the on-line writing center and off-campus library services.

Currently, Southport Aerospace has been the sole supporter of Campus Manitoba since it started in September of 2000. The program occupies 1028 sq ft of space and the current program enrollment is approximately 90 students.

Southport Aerospace has forgiven the rental costs for the existing space, valued at \$12,000/year for the past four years and is now facing the situation where it cannot continue to provide prime rental space with no off-setting revenue to assist in deferring actual costs.

Southport Aerospace has asked the City, Rural Municipality and the Portage School Division to consider the following proposal:

- Southport will continue to provide classroom and office space as status quo until December 31, 2004.
- Southport will provide additional classroom and office space (from 1028 sq.ft. to 2251 sq ft.) at an inclusive rate of \$11 per square foot plus an annual cost of living increase over a five-year term.
- Campus Manitoba to contribute funds to cover additional costs of utilities, maintenance, and relocation costs.
- Southport to provide a gift in kind of one third of the net rent with the City, Rural Municipality School Division providing an equal share of the balance or \$4,724.67 each annually which would be adjusted subject to the consumer price index of Manitoba for a five-year term.

207/04 Moved by Councillor Brennan  
Seconded by Councillor Wagner

RESOLVED THAT the City of Portage la Prairie commit to providing Campus Manitoba \$4724.67/year for a five-year term commencing January 1, 2005, which shall be adjusted annually in accordance with the Manitoba Consumer Price Index, as the City's contribution to the Campus Manitoba Program, subject to the Rural Municipality of Portage la Prairie and the School Division approval of the same financial payment.  
Carried.

Monthly Activity  
Reports

Council reviewed the monthly activity reports for July.

**Public Safety  
Committee**

The Public Safety Committee respectfully submits the following report:

Monthly Activity  
Reports

Council reviewed the monthly activity reports for July.

Councillor Wagner congratulated the Fire Department and their use of the infrared camera that saved a life.

**Waterworks  
Committee**

The Waterworks Committee respectfully submits the following report:

Monthly Activity  
Reports

Council reviewed the monthly activity reports for July.

**Transportation  
Committee**

The Transportation Committee respectfully submits the following report:

Household Hazardous  
Waste Day

Councillor Keryluk reminded the public that the next Household Hazardous Waste Day will be on September 11, 2004, and encouraged people to bring their hazardous waste products to the Operations Department that day for disposal.

Monthly Activity  
Reports

Council reviewed the monthly activity reports for July.

**Community Services  
Committee**

The Community Services Committee respectfully submits the following report:

Potato Festival

Council extended congratulations to Karen Wiebe and the Potato Festival Committee on a successful 1<sup>st</sup> Annual Potato Festival.

Aquatic Suspension  
Policy – ECD-CD-AM

In the past, and as recent as this season at Splash Island there have been incidents which jeopardize participant safety as a result of misbehaviour. These include disobeying posted rules, foul or obscene language to patrons or staff, fighting and threatening patrons or staff. In general, these occurrences are rare, but when an incident does occur, staff require clear disciplinary guidelines to effectively deal with the patrons.

The proposed policy directs that patrons may be warned up to three times, but as few as once, during a single swim session at which time they will be documented and suspended for the remainder of the day at the discretion of the Senior Lifeguard.

The second offence will result in a three-day suspension at the discretion of the Senior Lifeguard.

The third offence will result in a fourteen-day suspension at the discretion of the Senior Lifeguard and approval of the Director of the Economic and Community Development Department or his/her designate.

Any additional offences shall be referred to the City Manager and/or City Council for recommended action, including the option to suspend for the remainder of the season.

At Council's request, the policy has been amended to provide zero tolerance for any personal or physical abuse.

208/04

Moved by Councillor Porter

Seconded by Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie adopt policy number ECD-CD-AM titled "Aquatic Suspension Policy. Carried.

Recreation Inventory

The City of Portage la Prairie's Economic and Community Development Department has initiated an inventory of all community programs offered in the City throughout the year in the areas of sport, recreation/leisure and culture/art.

The goal was to produce a valuable community resource that lists all the organizations and their activities in the City of Portage la Prairie so that community residents would have a better understanding of available

recreation activity options.

A similar resource, the Central Plains Information Guide, is developed annually by the Daily Graphic.

The inventory represents the known organizations in the City that provide some level of recreation programming.

Small Engine Boats on  
Crescent Lake

Council was advised there has been much positive feedback on this idea. Councillor Porter assured the public that this step would not be a prelude to allowing bigger boats and motors.

Monthly Activity  
Reports

Council reviewed the monthly activity reports for July.

**DEFERRED  
BUSINESS:**

None

**NEW BUSINESS:**

Water & Sewer Penalty  
By-Law 04-8238 – 1<sup>st</sup>  
Reading

In light of a recent court case in Ontario regarding penalty rates, the Public Utilities Board has issued an order for municipalities to remove the flat rate for late payment charges on utility bills.

Currently a penalty rate of 10% is applied to late water & sewer bills. The order requires the City to reduce this penalty rate to 1¼ %. The by-law would take effect the date of the Order, August 5, 2004.

The City collects approximately \$36,000 in penalty for these late payments. Reducing the rate to 1¼ % will reduce penalty revenues by approximately \$31,000.

209/04

Moved by Councillor Robinson  
Seconded by Councillor Keryluk

RESOLVED THAT By-Law 04-8238, being a by-law to amend the water and sewer penalty, receive first reading.  
Carried.

Gathering of the Orange  
Welcome Ceremony –  
Closure of Streets

The Gathering of the Orange event is scheduled to take place at Fort la Reine Museum August 27-29, 2004. This event, held for the first time in Canada, provides a forum for Allis Chalmers collectors to show their tractors and vintage farm equipment, as well as view a history of pioneer life on the prairies at our museum.

To kick off this major event, a tractor parade from Oakes, ND will come into our community and be welcomed at a small ceremony at City hall. The caravan will come in on Hwy 240, along Crescent Road to 4<sup>th</sup> Street SW, north to Saskatchewan Avenue, and east to City Hall. After the ceremony, the parade will continue eastbound to the Fort la Reine Museum. Approximately 30 tractors are expected to take part in this parade.

One lane of eastbound traffic on Saskatchewan Avenue from 2<sup>nd</sup> Street West to Royal Road will be closed to mitigate any vehicular, tractor, and ceremony spectator conflicts.

210/04

Moved by Councillor Keryluk  
Seconded by Councillor Porter

RESOLVED THAT the southerly eastbound lane of Saskatchewan Avenue from the easterly limit of 2<sup>nd</sup> Street W. to the westerly edge of Royal Road be closed to traffic for the Gathering of the Orange Tractor Parade Welcoming Ceremony from 8:30 a.m. to 9:30 a.m. on Friday, August 27, 2004;

AND FURTHER THAT no parking be allowed in this area from 7:00 a.m. to 9:30 a.m.  
Carried.

**OLD BUSINESS:**

Amendment to Traffic  
By-Law – Speed Limit  
Zones – By-Law 04-  
8327 – 1<sup>st</sup> Reading

The Director of Operations has examined the maximum speed limit zone on Saskatchewan Avenue E. where the current speed limit changes from 50 km/h to 70 km/h eastbound adjacent to Windsor Estates, and from 70 km/h to 50 km/h westbound at the same location. This portion of Saskatchewan Avenue is considered a Designated Highway, for which the City is the Traffic Authority, and the Province provides maintenance and Traffic Control Devices.

With the development of Windsor Estates, Good Shepherd Church and the car wash in recent years, there is an increase in the number of turning movements, from both eastbound and westbound traffic across the oncoming lanes of traffic. Moving the speed limit transitions further east would reduce the risk of collisions due to turning movements in this area.

The Traffic By-Law states the speed limit within the City is 50 km/h unless otherwise posted. Currently, there is no schedule in the by-law which specifies speed limit zones which are not 50 km/h.

At the meeting on August 9, Council resolved to reduce the speed limit zone on Saskatchewan Avenue E. in the area of Windsor Park Estates. The attached By-Law 04-8327 makes the necessary changes to the Traffic By-Law to bring this into effect.

211/04 Moved by Councillor Keryluk  
Seconded by Councillor Porter

RESOLVED THAT Council of the City of Portage la Prairie give first reading to By-Law No. 04-8327, a by-law of the City of Portage la Prairie to amend Traffic By-Law 01-8105 to add Schedule “I” Speed Limit Zones.  
Carried.

Regional Landfill

On July 12, City Council appointed a committee to conduct the feasibility of establishing and operating the landfill site under an authority. An authority is an independent incorporated body made up of its own board of directors with powers as granted by the Lieutenant Governor in Council.

The scheme proposes that both the City and the RM jointly operate the 227 solid waste landfill site, calling it the “Portage la Prairie Regional Landfill”.

The proposed scheme describes the operation and services of the authority, setting of fees and proposed financial plan to establish and operate the landfill under an authority.

The Regional Board would be made up of 3 members of Council each from the City and the RM. The Board would set a fee schedule each year for each classification of waste received from its member municipalities or any category of its customers as indicated in Schedule “A” of the scheme and will, as nearly as possible, equal or exceed the operating costs in order to make the facility self sustaining.

The required joint public hearing to present the proposed scheme to the public was held August 19 at 7:00 p.m. at the Herman Prior Centre.

Upon Councils’ approvals of the scheme by resolution from both municipalities, the scheme will be submitted to the minister requesting that regulations be made by the Lieutenant Governor in Council.

212/04 Moved by Councillor Keryluk  
Seconded by Councillor Porter

RESOLVED THAT Council approve the scheme to establish and operate an authority for the 277 landfill site as proposed and that the scheme be submitted to the minister requesting that regulations be made by the Lieutenant Governor in Council.  
Carried.

**ADJOURNMENT:**

The meeting adjourned at 6:45 p.m.

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Mayor

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Manager of Administration