

Minutes of a Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, July 26, 2004 at 6:04 p.m.

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

**ABSENT:**

**ADOPTION OF MINUTES** 178/04 Moved by: Councillor Quinn  
Seconded by: Councillor Porter  
RESOLVED THAT the Council Minutes of July 12 2004 be approved as circulated.  
Carried.

**DELEGATIONS:** Citizen of the Year – Mrs. Judy Nagribianko

Mayor MacKenzie presented Mrs. Judy Nagribianko with the Citizen of the Year Award.

**HEARINGS:** Public Hearing – Variation – Tess & Joe Achtemichuk

No one appeared to object or support this variation request.

179/04 Moved by: Councillor Brennan  
Seconded by: Councillor Wagner  
RESOLVED THAT the public hearing for the variation request of Joe & Tess Achtemichuk now be closed.  
Carried.

The applicants, Joe & Tess Achtemichuk, are applying for a variation order to allow rear yard requirement of 7.5 m to be reduced to 6.163 m.

This building is in an R1 – Single Family Dwelling District.

The application has been circulated to the various City Departments with no concerns being expressed.

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

180/04 Moved by: Councillor Brennan  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Joe & Tess Achtemichuk to vary the rear yard requirement of 7.5 m (25 ft) to be reduced to 6.163 m (20.25 ft) at the property known as 2042 Crescent Road W. which is legally described as Lots 3 and 4 and the south-westerly 3.3528 m (11 ft), Block 11, Plan 371, Parish of Portage la Prairie.  
Carried.

**Public Presentation – Solid Waste Control Management** Councillor Quinn made a public presentation on the Solid Waste Cost Management 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- This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to taxes.

8229 – 2<sup>nd</sup> & 3<sup>rd</sup>  
Reading

- 181/04 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT By-Law 04-8229 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a second time.  
Carried.
- THAT By-Law 04-8229 be now read a third time, finally passed, signed and sealed.  
Carried.

2003 Audited Financial  
Statements

The Municipal Act requires that audited financial statements be received by the municipality before June 30 of every year and be reviewed at the first regular meeting after receiving the report.

The audited statements reflect a 2003 year-end surplus in the General Operating Fund of \$96,013 and a 2003 year-end surplus of \$38,351 in the Utility Operating Fund as previously reported on March 8, 2004.

- 182/04 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT the Audited Financial Statements for the twelve months ended December 31, 2003 be adopted.  
Carried.

Award of Tender –  
Janitorial Services

This tender is for Janitorial Services to be performed at the City Operations Department, Water Pollution Control Facility, Water Treatment Plant, Portage Library, R.C.M.P building/ Public Safety building, and City hall for a two-year period.

This tender was advertised in the Daily Graphic newspaper, and the City web site.

The tender closed on June 29, 2004 and the bids were opened publicly at 2:00 of that same day.

Both of the submitted bids are well below the budgeted amounts for the four months remaining in 2004. All prices below are net of the G.S.T. rebate, and represent the cost for four months of service.

Both of the Bidders currently hold contracts with the City of Portage la Prairie to clean its various buildings.

- 183/04 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT the contract for Janitorial Services for the City of Portage la Prairie for a two-year period, as specified in tender 04 OPS 016, be awarded to A. Leader Building Cleaning Services of Canada Ltd. for their submitted price of \$128,913.60 including GST.  
Carried.

Solid Waste User Fee

A press release on solid waste user fees was read in Council under New Business on July 12, 2004.

- 184/04 Moved by: Councillor Keryluk  
Seconded by: Councillor Wagner  
RESOLVED THAT this matter be tabled until the Monday, August 9<sup>th</sup>, 2004 Council Meeting.  
Carried.  
Councillor Quinn abstained with explanation.

Monthly Activity  
Reports

Council reviewed the monthly activity reports

**City Planning &  
Economic  
Development**

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

Tourism Awareness  
Week – For Information  
Only

Council reviewed a report outlining the Tourism Awareness Week and recommendations for next year including a proposed name change.

Skills Link Program –  
Quarterly Update – For  
Information Only

Council reviewed a Quarterly update on the Skills Link Program and noted that there are currently six people placed in training positions under the program with space left for four more.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Public Safety  
Committee**

The Public Safety Committee respectfully submits the following reports:

Open Air Fire By-Law –  
04-8228 – 1<sup>st</sup> Reading

The City's Fire By-Law, currently under review, contains a clause that bans burning of any material within City limits except in a barbecue or similar device, and provides special permission for the burning of Dutch Elm and other forestry material. It was considered beneficial to move that information to a new Open Air Fire By-Law.

This new by-law prohibits open fires upon any land within City limits, unless an Open Air Fire Permit is first obtained. With the issuance of a permit, the owner has agreed:

- to contact the Fire Department before and after the burn;
- to supervise the fire at all times
- to ensure the direction of the smoke will not be a nuisance to the neighbours or hamper vehicle travel; and
- to be fully responsible for any damage or injuries resulting from the fire.

With the increasing popularity of outdoor burning appliances, it was determined that regulations should be enacted to govern the use of fire pits, outdoor fireplaces, chimineas, and stoves. The new by-law provides guidelines and restrictions for existing or new installations of outdoor burning appliances, including distance from buildings, property lines and combustible materials; size of the appliance; and the material from which the appliance was made. Permits will be required for all new installations to ensure these standards are met. The Fire Chief or his designate may issue a permit for an existing fire pit or outdoor fireplace, or he may prohibit its use if he considers it unsafe or unacceptable.

Permit applications for open fires or for outdoor burning appliances, together with information on the requirements and restrictions, are available at the Fire Hall. There is no charge for the permits.

185/04

Moved by: Councillor Wagner  
Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 04-8228 being a by-law to regulate open air fires and the use of fire pits, outdoor fireplaces and stoves, be now introduced and read a first time.

Carried.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Waterworks  
Committee**

The Waterworks Committee respectfully submits the following report.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Transportation  
Committee**

The Transportation Committee respectfully submits the following report:

Award of Paving Tender

The tender for the 2004 Pavement Contract was advertised in The Daily Graphic, and Construction Data. The tender closed and bids were opened on Tuesday, July 6, 2004.

The work in the tender includes:

• Overlays:

Fisher Ave. - 8<sup>th</sup> St. N.W. to Royal Rd.  
Countess Ave. – 5<sup>th</sup> St. S.E. to 9<sup>th</sup> St. S.E.  
Sixth Street S.E. – Saskatchewan Ave. to King Ave.  
Sixth Ave. – 3<sup>rd</sup> St. N.E. to Rail Spur  
Meighen Ave. – Campbell Place to Bridge Road  
Hazel Bay – Goodale Drive to Cul-de-sac  
Kelly K Street – Crescent Rd. to Sunset Dr.

The contractor has scheduled the work to begin September 1, 2004 and to be completed by September 15, 2004.

186/04

Moved by: Councillor Keryluk

Seconded by: Councillor Porter

RESOLVED That Council award the tender for the 2004 Pavement Contract, as specified in tender 04-OPS-015, to Mulder Construction & Materials Ltd. for the tendered price of \$276,024.16, including GST. Carried.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Community Services  
Committee**

The Community Services Committee respectfully submits the following report:

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

Delegation – Mark  
Verwey & Larry Dewis

Mark Verwey & Larry Dewis appeared as a delegation during Committee requesting financial assistance to complete the construction of Diamond #9 at the Republic of Manitobah Park. This item to be forwarded to the 2005 Budget Committee.

They outlined their progress to date, additional capital improvements requested as well as the benefits to the City of Portage la Prairie.

**DEFERRED  
BUSINESS:**

None

**NEW BUSINESS:**

Portage Inn – Request to  
Extend Hours of  
Operation

The Portage Inn wishes to extend their hours of operation to accommodate the anticipated crowds during the Portage Potato Festival on Saturday, August 7, 2004. They have requested that Council consider an extension to 3:00 a.m. that day.

In the opinion of the Manitoba Liquor Control Commission, extensions of operation for licensed facilities may be granted with approval from the City of Portage la Prairie. The Liquor Control Act, section 100, states that a licensed facility may request this extension to accommodate a special event of a community, municipal, provincial or of national significance.

Council in June of 2003 declined a similar request from the Midtown Motor Inn to accommodate the Western Senior Open Fastpitch Championships.

Another concern refers to the original intent and nature of the Portage Potato Festival. Organizers of the event have stated that the event is a non-alcoholic event. The approval of extension of hours for the Portage Inn would be permitting more time for the consumption of alcohol for the anticipated crowds of the festival, which is not in the true spirit of the event.

187/04 Moved by: Councillor Porter  
Seconded by: Councillor Brennan  
RESOLVED THAT the request from the Portage Inn to extend their hours of operation to 3:00 a.m. during the Portage Potato Festival on Saturday, August 7, 2004 be denied.  
Carried.

**OLD BUSINESS:** None

**ADJOURNMENT:** The meeting adjourned at 7:00 p.m.

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Mayor

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Manager of Administration