

Minutes of a Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, June 28, 2004 at 6:02 p.m.

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

ABSENT: Councillor Quinn & Porter

ADOPTION OF MINUTES 142/04 Moved by: Councillor Wagner
Seconded by: Councillor Robinson
RESOLVED THAT the Council Minutes of June 14, 2004 be approved as circulated.
Carried.

HEARINGS:

Variation – Trevor Found No one appeared to object to or support this variation application.

143/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED that the public hearing to vary the front yard requirement of Trevor Found now be closed.
Carried.

The applicant, Trevor Found, is applying for a variation order to allow the front yard requirement of 7.62 meters to be reduced to 2.62 meters to allow for a deck.

This building is in an R1-60 – 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 (330 foot) radius.

144/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Trevor Found to vary the front yard requirement of 7.62 meters (25 feet) to be reduced to 2.62 meters (8.61 feet) at the property known as 305 Caithness St. which is legally described as Lot 2, Plan 21013, PL94 Parish of Portage la Prairie.
Carried.

Variation – Mellco Developments Ltd. No one appeared to object to or support this variation application.

145/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for a Variation Request from Mellco Developments Ltd. now be closed.
Carried.

The applicant, Mellco Developments Ltd. are applying for a variation order to vary the front yard from the required 7.5 m to varying distances of between 6m to 7.15 m for the construction of one 6-plex unit and 1 duplex unit.

This building is in an R3 – Multiple family dwelling districts.

Mellco Developments Ltd. had applied for a variation in 2002 for this piece of property and after being approved they built one 6-plex unit. An extension was approved in 2003 for the initial variation. They now

require a new variation to continue on with the construction of the remaining units.

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

146/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Mellco Developments Ltd to vary the front yard from the required 7.5 m to varying distances of between 6m to 7.15 m for the construction of one 6-plex unit and 1 duplex unit at the property known as 21 Brookside Crescent and 10, 14, 18, 22, 26, 30, 34, 38, 42, 46, 50, 54 & 58 Jack Cavers Place which is legally described as Parcel 2&3, Block 2, Plan 35629, Parish of Portage la Prairie.

Carried.

Variation – Derek &
Sasha Grimeau

No one appeared to object of support this variation request.

147/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the public hearing to allow for the variation request of Derek & Sasha Grimeau now be closed.

Carried.

The applicant, Derek & Sasha Grimeau, are applying for a variation order to allow a side yard, with no attached garage or carport, to be reduced from the required 5 m to 2.926 m to allow for an addition to be built.

This building is R1 – Single Family Dwelling. The application has been circulated with no concerns being expressed. Public notices have been sent to all property owners within a 100 meter radius.

148/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Derek & Sasha Grimeau to allow a side yard, with no attached garage or carport, to be reduced from the required 5 m to 2.926 m to allow for an addition to be built at the property known as 121 Charlton Avenue which is legally described as West ½ lot of Lot 7 and all of Lot 8, Plan 110, Parish of Portage la Prairie.

Carried.

Variation – A&W
Restaurants

No one appeared to support or object to this variation request.

149/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the public hearing to allow for the variation request of A&W Restaurants now be closed.

Carried.

The applicant, A&W Restaurant, are applying for a variation order to allow fascia signage to be increased from the allowed 6.31 sq.m. to 15.11 sq.m/ to allow for additional signage.

This building is in a C3 – Highway Commercial District. The application has been circulated with no concerns being expressed.

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

- 150/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of A&W Restaurant to allow fascia signage to be increased from the allowed 6.31 sq. m to 15.11 sq.m. to allow for additional signage at the property known as 40-24th Street NW which is legally described as Lot 1, Plan 35641, Parish of Portage la Prairie.
Carried.

DELEGATIONS: None

CORRESPONDENCE The correspondence for this period was reviewed.

COMMITTEES:

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

Current Project Lists Council reviewed the Current Project List in camera.

Unpaid Water & Sewer to Taxes – By-Law 04-8215 This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.

- 151/04 Moved by: Councillor Robinson
Seconded by: Councillor Wagner
RESOLVED THAT By-Law 04-8215 being a by-law to authorize unpaid water and sewer accounts be added to taxes, be read a second time.
Carried.

THAT By-Law 04-8215 be read a third time, finally passed signed and sealed.

Carried.

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

Easement – Manitoba Hydro/Centra Gas Manitoba Inc. have requested a three meter wide easement over part of City-owned property on Westco Drive near Lincoln Avenue to install, maintain and repair a new 2” gas main parallel to an existing 8” gas main.

Their standard easement agreement has been provided for Council’s review and approval. Manitoba Hydro/Centra Gas Manitoba Inc. will be responsible for registering the easement and for all costs.

- 152/04 Moved by: Councillor Robinson
Seconded by: Councillor Brennan
RESOLVED THAT Council of the City of Portage la Prairie approve the signing of an agreement between the City of Portage la Prairie and Manitoba Hydro/Centra Gas Manitoba Inc. authorizing easements over City-owned property legally described as Lot 1 Block 1 Plan 24594.
Carried.

2005 Budget Guidelines The modified program budget approach is designed to allow the Budget Committee to focus on the net cost of programs offered by the City and on those new/additional services and capital items that Council deems to be necessary.

At the organizational meeting for 2004, Council appointed all members of Council to the Budget Committee.

At the Strategic Planning Session held in April, Council expressed

interest in soliciting the public for projects for the City to consider in the next budget year. If it is still the wish of council for such a meeting to take place, a time and date should be set for no later than mid-September in order for ample time for research and submissions to the budget to be possible.

New to the procedures are submissions from Council members. A deadline of September 10, 2004 has been added to the timeline proposed for Council to submit individually proposed budget items to the Director of Finance, allowing for any research necessary prior to the budget meetings.

The tentative schedule of dates includes a weekend dedicated to the presentations made by the Department Heads to the Budget Committee.

153/04 Moved by: Councillor Robinson
Seconded by: Councillor Brennan

THAT the modified program budgeting approach be utilized to set the 2005 budget.

THAT all discretionary items over \$1,500 and all staffing increases be presented separately for Committee's consideration.

THAT the net effect of all proposed new/additional services and capital items be presented separately for the Committee's consideration.

THAT Council determine a date/time/place for the public consultation, if interested.

Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**City Planning &
Economic
Development**

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

Hosting Assistance
Grant

The Hosting Assistance Grant was created in March 2001 wherein \$10,000 was allotted for the development of the program. The purpose of the Hosting Assistance Grant Program was to provide access to funding for local non-profit groups to assist in offsetting their costs to attract and host public festivals, special events, conferences, sport, art, or heritage events or projects in the community.

It is proposed that the hosting assistance grant be amended to be a two-part grant, wherein an applicant can apply for Event Assistance to actually host an event, and/or Bid Creation Assistance to help in offsetting costs in creating a high quality proposal to host a large event in the community. The original policy did not accurately differentiate between the two types of assistance, and bid creation assistance was not listed as an eligible expense.

Bid Creation Assistance was not identified in the original policy. This portion of the Grant is limited to a maximum allocation of \$400 and requires the applicant to follow different application guidelines than the Event Assistance portion of the Grant.

154/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED That Council of the City of Portage la Prairie approve the Hosting Assistance Grant Policy Number ECD-ED-AC as presented.
Carried.

Request for Funding –
Coors Light Silver
Summer Throwdown
004

The 2nd annual Coors Light Sliver Summer Throwdown is set to take place August 20-22, 2004 in Island Park. This event showcases virtually all of the top wake boarders from central Canada & the Prairie's. In addition to the wakeboarding, Throwdown will also encompass

skateboarding, BMX, a strongman challenge, rock climbing, kids activities and live DJ's.

The event was held for the first time in 2003 and had an outstanding response from youth in Manitoba, Saskatchewan and Ontario. The organizers estimate that over 3,000 people took in the event in its inaugural year.

In 2003, Throwdown applied for and received a hosting assistance grant in the amount of \$415.00.

They are instead asking that Council consider a greater partnership role in the event due to its increasing size and increasing support from the community and are requesting a contribution from the City of \$1,500. In return for these partnership dollars, the City will receive Gold level sponsorship status resulting in secondary promotional rights, banner space onsite, reserved space in the Riders Village at the event, and logo space on the official Throwdown t-shirt.

There are no specific funds budgeted in 2004 for this event. It has been the practice of Council that if special event grant funding is approved, that the City would not provide funding under the Hosting Assistance Grant.

155/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie authorize the level of support for the 2004 Coors Light Silver Summer Throwdown to be a \$1500 grant for a gold sponsorship.
Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following report:

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Transportation
Committee**

The Transportation Committee respectfully submits the following report:

Award of Tender –
Landfill Operations

This tender for operation of the regional landfill site is for a three-year period. It does not include staffing of the weigh scale, which is to be done by the RM.

This tender was advertised in the Daily Graphic newspaper and the City website.

The tender closed on June 1, 2004 and the bids were opened publicly at 2:00 p.m. of that same day.

The work includes operation of the landfill site for a three-year period from August 1, 2004 to July 31, 2007. The current 2004 budget is \$217,700.00 net of GST rebate. The low tender of \$489,888.00 GST included, over the three-year period equates to \$152,613.08 per annum net of GST rebate. The low bid, based on the 2004-budgeted amount, and

the remaining 5 months, comes in approximately \$21,000.00 under budget. On an annual basis, the low bid would be approximately \$50,000 under budget.

- 156/04 Moved by: Councillor Keryluk
 Seconded by: Councillor Robinson
 THAT the contract for the operation of the regional landfill site for a three-year period, as specified in tender 04OPS 014 be awarded to Garnham Excavators Ltd. for the bid price of \$489,888.00 including GST.
 Carried.

Grant in Aid Request

The City applied to the Manitoba Department of Highways and Transportation for the following grant-in-aid funding for street maintenance in 2004, and the approved funding is noted.

	Total Cost	GIA Request	GIA Approved
Dust control on gravel roads (Total Length = 1.91 km)	\$5,730	\$2,865	\$2,865
Sixth Avenue – 3 rd Street NE to Rail Spur Milling and Overlay	\$97,200	\$48,600	\$48,600
Scott Avenue – Cedar Bay to Willow Bay Reconstruction	\$62,200	\$2,100	\$0
Lorne Avenue – Tupper Street to Royal Road Milling and Overlay	\$14,000	\$7,000	\$7,000
Cambridge Street Paving (100m from River Road)	\$30,000	\$15,000	\$0
TOTAL	\$209,130	\$104,565	\$58,465

Due to the fact that the City will be applying for Infrastructure funding for Lorne Avenue this summer, we do not intend to proceed with the overlay of Lorne Avenue from Tupper St. to Royal Road. The road surface is in very poor condition, however, the underground facilities need to be replaced also, and the proposed overlay was only intended as a temporary fix. The Infrastructure funding application will highlight the need to replace the land drainage sewer, renew the sanitary sewer, and reconstruct the road, boulevard, and sidewalks.

Monthly Activity Reports

Council reviewed the monthly activity reports.

Community Services Committee

The Community Services Committee respectfully submits the following report:

2003 Citizen, Sports, Arts/Cultural & Youth Volunteer Awards

Council reviewed this report in camera.

- 157/04 Moved by: Councillor Brennan
 Seconded by: Councillor Wagner
 RESOLVED THAT the recommendation for the 2003 Citizen, Sportsperson, Youth Volunteer and Arts/Cultural Person of the Year be accepted as presented.
 Carried.

Special Event Insurance Policy – ECD-CD-AL

The high cost of premiums and the difficulty not-for-profit organizations were experiencing to obtain comprehensive general liability insurance for events such as non-sanctioned baseball tournaments and volunteer based street festivals was not deemed to be affordable by the organizing groups.

The City also addressed the concern of beer gardens and risk factors associated with alcohol at special events. In the end, HED identified two insurance options for community events.

The first option would be for annual events. These events would need to meet the eligibility criteria and be approved through the City's insurance provider in order to be placed on the City's insurance policy on a continuous basis on the condition that there is no change in the activities or nature of the event.

The second option would be for special events. These events could also be eligible for coverage under the proposed Municipal Insurance Program should the event meet the eligibility criteria and if the event is approved through the City's insurance provider. The special event would be placed on the City's insurance policy for the specific dates of the event only.

In consultation with the City's insurance provider, special events and annual events may be eligible under the Municipal General Insurance Program should the event meet certain criteria including a measurement of low liability risk.

Should the event pose high risk for personal injury and/or include high risk activities provided by non-reliable contractors, then the event would not be eligible for municipal coverage. Criteria to assess the level of risk is proposed in the policy and includes issues such as evidence of controls, involvement of alcohol, nature of the event, inclusion of high risk activities and reliable contractors, and opportunity for City's supervision and overall inspection.

158/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
THAT the Council of the City of Portage la Prairie adopt policy number ECD-CD-AL titled "Special Event Insurance".
Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports

**AD-HOC
COMMITTEE**

The Heritage Advisory Committee respectfully submits the following report:

Municipal Heritage
Designation for 102 – 1st
Street SW –By-Law 04-
8227 – 1st Reading

The Portage Heritage Advisory Committee (PHAC), a standing committee of Council since 1992 under the By-Law No. 7796 has evaluated and recommends 102 – 1st Street SW referred to as the "Fawcett Gowler Taylor Home" in the City of Portage la Prairie for consideration of municipal heritage designation.

The home is considered, unquestionably, one of the City's finest private residences and is visually a complex structure, which beautifully showcases elements of the then newly emerging Prairie style architecture. Historically, it was built in 1913 and was originally owned by Fawcett Gowler Taylor – a lawyer, soldier, politician and judge – a man intimately involved in the development of Portage la Prairie and Manitoba.

The historical and architectural information of the building is valued very high, therefore the PHAC recommends this home worthy of the first municipally designated residential structure in the City of Portage la Prairie.

After first reading of the by-law and first reading of Municipal Intent, as prescribed by the Heritage Resources Act of the proposed designation, a copy of the by-law must be sent by registered mail to the owner, any lessee of the affected property and to the Historic Resources Branch. The Notice of Intent must be published in two successive issues of the

newspaper and filed in the Land Titles office. It must include a declaration by Council that it intends to designate the site as a municipal heritage site and a date, time and place for a hearing. The date must be no earlier than 21 days after the last Notice of Intent. Where no objections are raised at the public hearing, the Council may adopt the by-law, after second and third reading. Where there are objections Council may either: resolve not to proceed with designation, amend the by-law in accordance with objections and adopt it or refer the matter to the Municipal Board and follow the established procedure.

Once Council adopts the by-law and declares a site municipally designated the council must serve a copy of the Municipal Heritage Notice, as prescribed by the Heritage Resources Act to the owner, and any lessee of the site, and to the Minister of the Historic Resources Branch. The notice must be published in one issue of the local newspaper and filed in the appropriate land titles office.

159/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the municipal heritage designation of the 102 – 1st Street SW referred to as the “Fawcett Gowler Taylor Home” in the City of Portage la Prairie by giving By-law #04-8227 first reading.
Carried.

**DEFERRED
BUSINESS:**

None

NEW BUSINESS:

Saskatchewan Avenue
Electrical Services

Council has approved a budget of \$35,000 to install electrical servicing on Saskatchewan Avenue in the downtown area, mainly for the purpose of lighting trees for the Christmas season.

The original intent was to install a number of new service panels and underground circuits running under the sidewalks with outlets in the tree wells along the Avenue from 5th St East to 2nd St West, over two years, however, another option has been selected.

With the help of V&R Electric, it has been determined that we can utilize the existing 208 volt ornamental lighting circuit, and install small 208v/110v transformers at each light standard. This will eliminate the need to install buried circuits and excavate several locations along the sidewalk to install outlets, thereby reducing the cost, restoration, and disruption on the sidewalk. The trees can be serviced from the light standards with elevated extension cords. There are 23 light standards between 3rd St East and 2nd St West, and 35 trees can be lit from these circuits. A few trees in this area will not be lit.

There will be four electrical service drops to panels – at Vopni Park, City Hall, Royal Bank, and CIBC. The City requires an easement across the CIBC parking lot for the proposed underground electrical service. This service panel is being located here due to the fact that the Potato Festival can utilize it. The City also requires approval to locate a panel on the Royal Bank property, otherwise a panel could be installed on the boulevard adjacent to a bench or tree well, or possibly below grade.

V&R is currently under contract with the City, following a tender issued last year, to provide electrical services for City facilities. Labour rates have been established and are firm in accordance with the contract. Under the terms of the contract, the City can tender for and hire another contractor for special projects.

V&R has put in several hours of work, assessing the existing circuits, obtaining price estimates, reviewing requirements with Manitoba Hydro, and determining the most appropriate method of setting up.

The City will require 3 additional panels, 23 transformers and outlets, conduit, and wire. V&R estimates that these materials required to connect to the ornamental street light circuits will cost approximately \$14,000. It will cost about \$1800 to push a new service line under Saskatchewan Ave from Vopni Park to the Royal Bank. Labour is estimated at \$11,500. Manitoba Hydro has indicated that they would provide the two new service drops (cable) at no charge, with the City providing the labour to install. The City would also have to pay for the registration of the easement, which is another \$1000. The total estimated cost, with taxes is \$31,000.

The Potato Festival received a grant from Manitoba Hydro, with no stipulations for its use. They would have to pay about \$500 for a temporary overhead service and pole, if there is no panel installed.

V&R has indicated the City would save approximately \$5000 by not having the work designed by an electrical engineering consultant, with drawings and tender documents. They have indicated they can do the work as a local project under their licence, and get the required permits from Manitoba Hydro without drawings.

The City can:

- 1) purchase the required equipment such as the 23 transformers and the 3 panels, and hire V&R on an hourly basis, and start the work immediately; or
- 2) have V&R purchase the required materials and perform the work, beginning immediately; or
- 3) hire an electrical consultant to prepare drawings and a tender document, and issue the project for tender.

To complete the project to the east of 3rd St E will require another panel or two and new buried circuits to be installed. There is not adequate budget to complete this work this year.

- 160/04 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
That the Council of the City of Portage la Prairie authorize the Saskatchewan Avenue electrical servicing work from 3rd St East to 2nd St West to be completed under the existing contract with V&R Electrical Ltd.
Carried.

Leasing 18th Street NW
Blvd for Parking Lot

Council reviewed this report in camera.

- 161/04 Moved by: Councillor Robinson
Seconded by: Councillor Wagner
That the City agree to lease 54 feet by 125 feet of the boulevard directly east of the Mega block on 18th St. NW "the Property" to the Austin Credit Union from July 15, 2004 to October 31, 2006 for \$225 per month plus applicable Goods and Services Tax "GST" with the following conditions:
1. that the Property be used for a parking lot during the term of the lease;
 2. that on or before July 1, 2006 the Austin Credit Union or the property owner advise the City whether or not they wish to purchase the Property or enter into a 5 year lease for the Property at a lease rate of \$225 per month plus applicable "GST";
 3. if the Austin Credit Union or the property owner decides to proceed to purchase the property, the City will, at its cost, proceed

on a best efforts basis to officially have title to the Property issued in the name of the Austin Credit Union;

4. should the City be unsuccessful in having title to the Property issued in the name of the Austin Credit Union or the property owner, a long term lease may still be entered into with concurrence from both parties;
5. the purchase price for the Property shall be \$17,500 plus applicable GST less than 50% of any lease payments received from the Austin Credit Union or the property owner ; and
6. the Austin Credit Union or property owner shall pave the Property on or before October 31, 2006 or return it to grassed boulevard.

Carried.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting adjourned at 6:42 p.m.

Mayor

Manager of Administration