

Minutes of a Meeting of Council held in the Council Chambers of the City of Portage la Prairie on Monday, June 13, 2005 at 6:04 p.m.

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

ABSENT: None

ADOPTION OF MINUTES 127/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the Council Minutes of the May 24th Regular Meeting of Council and the May 31st Special Meeting of Council be approved as circulated.
Carried.

DELEGATIONS: None

HEARINGS:

Public Hearing – Rose & Mark Haberl – Variation Councillor Brennan requested to defer this matter to a later date.

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, and Solid Waste to Taxes – By-Law 05-8259 – 1st Reading This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to taxes.

128/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 05-8259 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be read a first time.
Carried.

Easement – Manitoba Hydro Re: Near Prairie Rock Car Wash Manitoba Hydro has requested an easement over Part Lot 4, Plan 28624 PLTO for a distribution line to provide electrical service in this area. This City-owned property is a tiny triangular shaped piece of property located on Saskatchewan Avenue East beside Prairie Rock Car Wash.

Their standard easement agreement has been provided for Council's review and approval. Manitoba Hydro will be responsible for registering the easement and for all costs.

129/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT the Council of the City of Portage la Prairie approve the signing of an agreement between the City of Portage la Prairie and Manitoba Hydro authorizing easements over City-owned property legally described as All that portion of Lot 4 SP Plan 28624 PLTO excluding all mines and minerals vested in the Crown (Manitoba) by the Real Property Act in RL 69 Parish of Portage la Prairie.
Carried.

Financial Assistance to FDC The Food Development Centre upgraded their facility to produce products using the TetraPak technology. The expansion includes a new 18,800-

square-foot wing to incorporate research facilities that qualify for Canadian Food Inspection.

Funding for the project includes contributions from the Federal and Provincial levels of government as well as commitments from the RM and City equivalent to the supplementary and municipal taxes related to the expansion. The City will provide up to a maximum of \$800,000 over a maximum of 10 years.

The Municipal Act allows council to establish financial assistance programs by by-law.

- 130/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED That By-Law No. 05-8275 being a by-law to provide financial assistance to the Food Development Centre, be read a first time.
Carried.

AMM Education Funding Lobby

The AMM has lobbied the Provincial Government for the removal of education tax from property across all property classes, over a five-year period. Unfortunately their efforts have not yet been successful.

AMM wishes to create public awareness of the education taxation issue and encourage ratepayers to express their dissatisfaction with the current system. The Board of Directors of the AMM has drafted a letter explaining the education tax issue. They are asking all municipalities to send this letter to ratepayers (either on its own or in this year's tax bill).

AMM's request targets the residential tax payers. Council's newsletter is sent out to all homes in the City and will be distributed in the next couple of weeks. There is room available either on the document for this information or as an insert.

Other means include posting this information on the City's web site.

Council instructed that AMM education tax information be distributed as an insert in the Council newsletter.

Easement Agreement Amendment

An easement agreement for the use of 22nd St NW as a parking lot was signed between the City and the adjacent landowner in 1997.

In that agreement, Clause 3(a) states that the City may terminate the agreement with 120 days notice. The other party has requested that this notice be increased.

The City has water, sewer, and land drainage utilities in the 22nd St right-of-way. There are no plans to construct the road in the near future. The City does not have any right-of-way connecting to 22nd St in any direction at the north end of 22nd St. The street would only service the land adjacent, which is all owned by the other signatory to the agreement.

- 131/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT Clause 3(a) of the 22nd Street NW easement agreement between the City of Portage la Prairie and 3177701 Manitoba Ltd. be amended to extend the minimum notice period for termination to five years from 120 days.
Carried.

City Planning & Economic Development

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

Rezoning – Kelvin &
Eleanor Slobodian

The property in question, Lots 114/116, Plan 12, Parish of Portage la Prairie, is presently zoned C2 – Central Commercial District. The applicants, Kelvin and Eleanor Slobodian, wish to rezone this property to R3 – Multi Family Dwelling District.

As per section 42(8) of “The Planning Act”, Council shall indicate its intention to enact a zoning by-law amendment by giving first reading and proceed with Public Notice as set out in subsections (2), (3), (4).

The first reading of By-Law No. 05-8276 will commence the process as defined in “The Planning Act” in considering this application.

132/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED That the Council of the City of Portage la Prairie give By-Law No. 05-8276 First Reading and provide public notices as defined in Section 42(1) and (2) of “The Planning Act”.

Carried.

Rezoning – Portage
Evangelical Church Inc.

The property in question, Lots 27/35, Plan 10 and Lot 1, Plan 2222, Parish of Portage la Prairie, is presently zoned C2 – Central Commercial District. The applicants, Portage Evangelical Church Inc., wish to rezone this property to EI – Educational and Institutional District.

As per section 42(8) of “The Planning Act”, Council shall indicate its intention to enact a zoning by-law amendment by giving first reading and proceed with Public Notice as set out in subsections (2), (3), (4).

The first reading of By-Law No. 05-8277 will commence the process as defined in “The Planning Act” in considering this application.

133/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED That the Council of the City of Portage la Prairie give By-Law No. 05-8277 First Reading and provide public notices as defined in Section 42 (1) and (2) of “The Planning Act”.

Carried.

Tourism Awareness
Week – For Information
Only

Council reviewed a report on the 5th Annual Tourism Awareness Week, which was held from May 2-6, 2005. The report outlined recommendations for next year’s Tourism Awareness Week as well as registration numbers for this year’s event.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

For Information Only

Councillor Wagner urges all citizens to continue to report all incidents and tips to the RCMP including any suspicious activity. Councillor Wagner also urged all citizens to lock their premises, especially at night time.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Request by Manitoba
Hydro for Water
Services

The City received a request from Manitoba Hydro for water service to their office on 14th St. NE, however, there are no watermains in the immediate area near Manitoba Hydro’s office. The nearest watermains are behind the car wash on Sask Ave E west of 14th St, or on the south side of Sask Ave. in front of Windsor Park Estates.

There are only a few property owners in the area, mostly industrial in nature. Costs to service each lot would be relatively high due to the large size of the lots, and length of watermain to service each lot. It might be possible to extend a watermain to service only a few lots on 14th St and Saskatchewan Ave. rather than the entire area.

In 2002, one company expressed interest in having the entire area serviced with water, sewer and paved roads, when a request for paving 14th St was received.

134/05 Moved by: Councillor Robinson
 Seconded by: Councillor Keryluk

RESOLVED THAT Council deny the request for a small individual water service line to Manitoba Hydro, and

That Administration investigate and develop a conceptual staged Local Improvement Plan for the servicing of the area east of 10th St to 14th St NE and north of Saskatchewan Avenue to Lorne Avenue with water.
 Carried.

Water & Sewer Rate Study

Administration conducted a review of the water and sewer rates for the years 2006 and on. This water and sewer rate study was initiated due to the anticipated costs to remove nutrients from the City of Portage la Prairie's effluent. Capital costs to remove nutrients are currently estimated at \$19.85 million with hopes of the Water Services Board subsidizing at least 50% of the project. These costs are beyond the City's financial capacity as the Utility Reserves are necessary for many other future capital projects to maintain and update the water & wastewater systems.

All rates are proposed to increase by 3% for water each year to deal with inflationary costs. Sewer rates at step 1 (the low volume water level) propose 6.5% for each year and 8.5% for each year for step 2 (the large volume water level) to deal with inflationary costs and nutrient removal debt payments.

This increase provides sufficient revenue - an annual increase of over \$2.2 M by 2010 - to provide funding for capital costs, including nutrient removal and the ongoing costs for the City of Portage la Prairie's water and wastewater systems in the next 5 years.

The combined increase per year on a family with quarterly consumptions of 15,000 gallons would be as listed below:

	2005 Annual	2006 Annual	2007 Annual	2008 Annual	2009 Annual	2010 Annual
Water & Sewer	\$530	\$555	\$581	\$609	\$639	\$669
Annual Increase		\$25	\$26	\$28	\$29	\$31
Increase Per Year		4.7%	4.7%	4.8%	4.8%	4.8%

Mid sized and Larger sized industries would see an annual increase to their water and sewer charges of approximately 5.5 and 7% respectively per year in each of the 5 years.

Other changes to the by-law include different rates for metered or unmetered privately owned hydrants with different rates for in-city and rural. Also, water turn on / off's have increased by \$5.

The application must be submitted after 1st reading to the PUB 30 days in advance of their monthly meeting. The approval process includes public input solicited by the Public Utilities Board (PUB) through a returnable date of notice or a public hearing. Approval timelines range from 60 days to 105 days from the PUB's initial review. Unless Council prefers to hold a public hearing, it will be up to the PUB to determine the communication forum to

the public.

Once approval is granted by the PUB, Council will then need to give 2nd and 3rd reading of the by-law.

- 135/05 Moved by: Councillor Robinson
Seconded by: Councillor Kerlyluk
RESOLVED THAT By-Law No. 05-8278, being a by-law to authorize the change in water and sewer rates for 2006 and on be given first reading, and

AND FURTHER THAT Application be made to the Public Utilities Board for approval of the rates as specified in the By-Law
Carried

**Transportation
Committee**

**Your Worship:
The Transportation Committee has nothing to report.**

Community Services

**Your Worship:
The Community Services Committee respectfully submits the following reports:**

Canada Day – Closure
of Streets

Island Park will be the site of our Canada Day Celebrations with a number of activities taking place focusing on children and family activities and entertainment. It is therefore determined that the George Hill Drive road should be closed for Canada Day for the set up of a main stage. The remainder of the park will remain open to vehicles and snow fencing will be placed in areas programmed for children to ensure their safety. Crescent Road from 3rd Street East to Royal Road and 4th Street West to Royal Road will be closed at 8:00 p.m. to mitigate vehicular/pedestrian conflict. Local traffic will be allowed access.

Councillor Porter requested that letters be sent to area residents as soon as possible to notify them of the road closure.

- 136/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn
1. That the City Council advise the Island Park residents that the route for access to their properties will be Royal Road S., Pelechaty Drive, to Brandon Ave, and Massey Crescent from 7:00 am July 1, 2005 to 12:00 pm July 1, 2005 with International Drive being accessible for residents exiting the park.
 2. That George Hill Drive be hereby closed for the Canada Day celebrations from 7:00 am July 1, 2005 to 12:00 pm July 1, 2005.
 3. That Crescent Road from 3rd Street East to Royal Road and 4th Street West to Royal Road be closed on July 1, 2005 from 8:00 p.m. until 12:00 pm or until the conclusion of the fireworks display.
 4. That the Island Park Bridge be closed to all vehicle and pedestrian traffic on July 1, 2005 from 10:00 pm until 12:00 pm or until the conclusion of the fireworks display.

Carried.

**DEFERRED
BUSINESS:**

None

NEW BUSINESS:

Lions Club Request for
School Patrol Pool
Passes

The City has previously partnered with the Lions Club and the Portage School Division to provide pool passes to School Patrols for the Lions Memorial Pool. Last year, Council agreed to partner with the Lions Club and the Portage School Division to provide 146 ten-visit Child Passes at a cost of \$1,152 (1/3 of \$3,456 total).

The provision of City Aquatic Child Passes would be an appropriate award of recognition to the School Patrol students for their contribution to the safety of the community.

137/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie agree to provide \$1,169.45, as their total contribution (1/3 of total value of \$3,508.36) towards the purchase of 139 ten-visit City Aquatic Child Passes for the purpose of providing recognition towards School Patrols in partnership with the Portage Lions Club and the Portage la Prairie School Division.
Carried.

Agreement with
Department of
Transportation – Tree
Planting

The Beautification Committee has submitted plans prepared by Ken Rech Landscape Architects Inc. for the area north of Saskatchewan Avenue, bounded by 24th Street NW and the railway crossing and Saskatchewan Avenue south west of the tracks in front of the Alliance Church. These properties are public right-of-way under the jurisdiction of the Department of Transportation and Government Services, and as such requires permission from that Department to plant trees or erect structures.

The Department of Transportation has provided the City with an agreement that will allow the plantings to be placed in accordance with their requirements. The agreement with Highways provides for the City to assume maintenance and liability for the plantings and provides Highways with a 60 day notice clause for the City to vacate the property if Highways ever require the property.

138/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT Council of the City of Portage la Prairie authorize the Mayor and Manager of Administration to sign two agreements dated April 19, 2005 with the Province of Manitoba Department of Transportation and Government Services to allow the planting of trees in the public right-of-way on Hwy 1A West, in accordance with the planting plan provided by Ken Rech Landscape Architects Inc. attached to the agreement as Schedule "A".
Carried.

Power Boats on
Crescent Lake

Parks By-law No. 7283 currently restricts the use of powerboats on Crescent Lake with the exception of the Manitoba Waterski boat which is allowed on the east side of the bridge.

The Community Services Committee has requested that a by-law be prepared to allow the use of motors up to 10 horsepower on the west side of Crescent Lake. The intent is to encourage increased usage and enjoyment of the Lake by allowing the use of small motors without creating safety hazards or noise issues for residents.

At present there are no City boat unloading facilities on the west side of Crescent Lake. Any enforcement of the by-law would for the most part be on the honor system.

139/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT By-law No. 05-8279, being a by-law to allow the use of power driven boats not to exceed 10 horsepower on the west side of the Royal Road Bridge be given first reading.
Carried.

Business Licence By-
Law Amendment

The Portage la Prairie Farmers Market recently entered into an agreement with the City to rent space on the Heritage Square parking lot for the purpose of selling produce or made or baked goods. The Business Licence By-Law requires businesses not operating from a commercial site to obtain a business licence.

The administration of the rental rate of \$15/hour for the parking lot space in the agreement is simpler for the Farmers Market and the City than issuing individual business licenses. Also, the Municipal Act, Section 237 allows the exemption of business licenses for persons selling “produce grown in Manitoba if the sale is by the individual who produced it or an immediate family member or employee of the individual.”

It has been the City’s practice to exempt vendors selling meat, fruit or other farm produce that has been produced, raised or grown by that person within the Province of Manitoba; and vendors selling fish of their own catching caught within the Province of Manitoba. This exemption is currently in the by-law under Transient Trader definition but needs to be included for all vendors selling these types of goods. It is included in the amending by-law.

140/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law 05-8280, being a by-law to amend the Business Licence By-Law 01-8098 to exempt farmers markets from requiring a business licence if they have a rental agreement with the City be given first reading.
Carried.

Patrol Program

City Council budgeted \$10,000 for new Crime Prevention Initiatives in 2005. The Public Safety Committee proposes that this funding be used for a pilot project to hire two students, over the age of 18, to assist the RCMP bike patrol in patrolling high crime rate areas.

The student bike patrol would operate from June 20 to September 1 evenings and nights in conjunction with the RCMP bike patrol. The staff hired will have to pass an RCMP Basic Reliability check and the City will have to enter into a Memorandum of Understanding with the RCMP concerning liability and supervision of the student bike patrol.

There are currently two spare bikes available for this use and approximately \$200 per person will be required for helmets, fluorescent vests and basic uniforms. It is proposed that the employees be paid \$9.00 per hour.

Some possible names for this program include:

- Portage la Prairie Neighborhood Patrol; or
- Portage la Prairie Safety Patrol.

141/05 Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED That two staff be hired from June 20 to September 1, 2005 to assist the RCMP Bike Patrol with the City of Portage la Prairie Neighbourhood Patrol Program;

And Further that the Mayor and Manager of Administration be authorized to sign a Memorandum of Understanding with the RCMP to provide for RCMP supervision of the student bike patrol with the City assuming liability for the operation of this program.
Carried.

OLD BUSINESS:

None

ADJOURNMENT

The meeting adjourned at 6:44 p.m.

Mayor

Manager of Administration