

Minutes of a Meeting of Council held in the Council Chambers of the City of Portage la Prairie on Monday, June 27, 2005 at 6:00 p.m.

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

ABSENT: None

Mayor MacKenzie paid a tribute to former Councillor Sharon Allen, highlighting her contributions and accomplishments during the time she served on Council from 1998-2002. A moment of silence was observed by all in her memory.

ADOPTION OF MINUTES 142/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the Council Minutes of the June 13, 2005 Council Meeting be approved as circulated.
Carried.

DELEGATIONS: Mr. Dick Laframboise – from Tricky's - Pawnbroker By-law

Mr. Laframboise expressed his concerns in regards to the Second Hand Dealer requirements covered in the Pawnbroker By-Law. He also requested a list of those businesses that we sent letters to with the new By-Law. Council advised they would take Mr. Laframboise concerns to the next Public Safety Committee meeting and report back to him.

HEARINGS:
Variation – Larry & Shannon Weslake
No one appeared to object or support this Variation request.

143/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the variation request of Larry & Shannon Weselake now be closed.
Carried.

The applicant, **Larry Weselake**, is applying for a variation order to allow the

- 1) front yard to be reduced from the required 7.5m to 5.56m;
- 2) south side yard to be reduced from the required 1.5m to 1.07m

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

The application has been circulated to the various City Departments with one concern being expressed regarding vehicle encroaching on the street right-of-way.

Of the remainder of the 29 houses on 5th St. S.E., there are 4 driveways that require the parked vehicles to encroach fully or partially onto the boulevard.

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

144/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Larry & Shannon Weselake** to vary the
1) front yard to be reduced from the required 7.5m to 5.56m;
2) south side yard to be reduced from the required 1.5m to 1.07m
at the property known as **121 5th St. S.E.** which is legally described as Lot 4, Block 4, Plan 21428, Parish of Portage la Prairie.
Carried.

Variation – Mellco

Leslie Sneyd of 29 Prout Drive questioned why the variations were not

Developments Ltd.

part of the development plan and requested a copy of the plan. Council advised The Planning District could provide her with a copy of the plan.

145/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for the variation request of Mellco Developments now be closed.
Carried.

The applicants, Mellco Developments Ltd., are applying for a variation order to allow front yards on the listed lots to be reduced from 7.5 m (25 ft) to 6 m (20 ft) to accommodate larger homes on each lot that would allow for rear yard decks. The applicants have indicated that 95% of the houses will have a deck at the back and approximately 5 or 6 houses per year will be constructed. To provide a uniform look on the street, all houses need to be set back the same distance.

This request was approved May 10, 2004 for file number PC 7-04. Lots 4/12, Block 6 have been developed. However, the applicants, Mellco Developments Ltd., missed the extension date and are reapplying for the remainder of the lots.

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

146/05 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 yards on the listed lots from 7.5 m (25 ft) to 6 m (20 ft) to allow for decks to comply with the rear yard requirements on the properties on Cadham Bay which is legally described as Lots 13/16, Block 6 & Lots 24/31 Block 4, Plan 35629, Parish of Portage la Prairie.
Carried.

Conditional Use – Youth
For Christ

No one appeared to object or support this Variation request.

147/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for the conditional use request of Youth for Christ now be closed.
Carried

The applicant, **Youth for Christ**, has applied for a conditional use to allow for an assembly area, church and daycare.

This property is located in a C2 - Central Commercial Zoning District.

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

Councillor Wagner requested a definition for assembly area. The Planning District is to respond.

148/05 RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Youth for Christ to allow for an assembly area, church and daycare in a C2 – Central Commercial Zoning District at the property 255 4th Ave N.E., which is legally described as Lots 231 to 245 and portions of 246 and Cervantes Ave, Plan 29, PLTO in River Lot 66, Parish of Portage la Prairie
Carried.

Zoning By-Law
Amendment – 3636314

No one appeared to object or support this Variation request.

Manitoba Ltd. By-Law
05-8273

- 149/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the Zoning By-Law Amendment request of 3636314 Manitoba Ltd. now be closed.
Carried.

First reading of this by-law was given on May 9, 2005. It is now ready for 2nd & 3rd Reading.

The property in question, part of River Lot 119, Parish of Portage la Prairie, is presently zoned EI – Educational and Institutional. The applicants, 3636314 Manitoba Ltd, wish to rezone this property to UR – Urban Reserve District.

- 150/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT Council of the City of Portage la Prairie approve the application to rezone the land legally described as: Part of River Lot 119, Parish of Portage la Prairie from EI – Educational and Institutional to UR – Urban Reserve District.

THAT By-Law 05-8273 be read a second time.

Carried.

THAT By-Law 05-8273 be read a third time, finally passed, signed and sealed.

Carried.

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

CORRESPONDENCE

The correspondence for this period was reviewed.

COMMITTEES:

Finance, Legislative & Property Committee:

Unpaid Water, Sewer, and Solid Waste to Taxes – By-Law 05-8259 – 2nd & 3rd Reading

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

This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to taxes.

- 151/05 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 second time.
Carried.

That By-Law 05-8259 be read a third time, finally passed, signed and sealed.

Carried.

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

Sale of Land to 3346200
Manitoba Ltd

The Purchaser wishes to obtain Lots 16 and 21 as identified on the drawing for the purpose of future commercial developments.

Lot 16 is approximately 2.39 acres and Lot 21 is approximately 1.38 acres with a total of 3.77 acres. The Purchaser is prepared to pay the City the selling price of \$10,000 per acre for the land for a total of \$37,700.00.

- 152/05 Moved by: Councillor Quinn

Seconded by: Councillor Robinson.

RESOLVED THAT the City of Portage la Prairie agree to sell Lots 16 and Lot 21, Block 5, Plan 1810 to 3346200 Manitoba Ltd. in the amount of \$37,700.00 plus GST and further that

-The purchaser is responsible for any and all other associated costs relating to the sale.

-That both parties be responsible for their own legal costs.

-That the Purchaser be responsible for the paving and road construction costs of the Jolin Place Road, cost shared amongst lots 16-21 inclusive, Plan 1810 based on the portioned land assessment per lot.

-That the Purchaser be responsible for 50% of the paving and road construction of Park Drive based on a frontage foot basis.

Carried.

Purchase of Lions Park Housing Inc. Property

Representatives from Council have met with representatives of Lions Park Housing to discuss the City's desire to re-acquire the remaining property that the Lions Park Housing currently owns and that the City has a caveat registered against.

In June of 1998, Council passed resolution 190/98 that authorizes the City to sell the property in question, 31.2 acres to Lions Park Housing for the total cash price of \$425,000 that equated to \$13,621.79/acre.

Based on a letter from McBurney Land Surveys of April 27, 2005, we are advised that the Lions Park Housing currently owns 25.5 acres of land and based on their purchase price per acre value of \$13,621.79/acre, this would equate to a re-purchase price of \$347,355.64.

153/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT the Council of the City of Portage la Prairie exercise their option to re-purchase the balance of land under title to Lions Park Housing Inc. Title 2073551 (25.5 acres), in accordance with the Amendment to Option to Re-Purchase Agreement dated June 26, 2000 for a total purchase price of \$347,355.64 funded from the Land Development Reserve and that both parties be responsible for their own costs in relation to the purchase.

Carried.

2004 Audited Financial Statements

The audited statements reflect a 2004 year-end surplus in the General Operating Fund of \$222,259 and a 2004 year-end surplus of \$69,479 in the Utility Operating Fund as previously reported on February 28, 2005.

154/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT the Audited Financial Statements for the twelve months ended December 31, 2004 be adopted.

Carried.

2006 Budget Guidelines

Council reviewed a report on the proposed Budget Guidelines for 2006. The dates set for Council to review the draft 2006 budget are November 19 & 20, 2005.

155/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT the modified program budgeting approach be Utilized to set the 2006 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.

Carried.

Sale of Residential Land

Habitat for Humanity Portage la Prairie is an international non-profit

Habitat for Humanity

organization dedicated to eliminating poverty housing and to make decent housing a matter of conscience and action.

Habitat for Humanity has requested that Council consider providing their organization with a residential building lot as the City's contribution to their project.

In reviewing our property inventory and in consultation with Habitat for Humanity organizers, they have selected Lot 29, Blocks 1 and 22, Plan 30 and 32 which is located on the southwest corner of Lorne Avenue and 9th Street North East as their choice to construct a new home on.

The City believes that the provision of affordable housing in accordance with the guidelines as presented by Habitat for Humanity will benefit our community and assist Council in meeting one of our strategic plan objectives.

- 156/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED That Council of the City of Portage la Prairie sell Lot 29, Blocks 1 and 22, Plans 30 and 32 to Habitat for Humanity for the total cost of \$1.00 and that each party be responsible for their own costs in relation to the sale and transfer of property.
Carried.

Business License By-Law Amendment – By-Law 05-8280

This By-Law received first reading on June 13, 2005. It is now ready for 2nd & 3rd Reading.

- 157/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 05-8280, being a by-law to amend the Business License By-Law 01-8098 to exempt farmers markets from requiring a business license if they have a rental agreement with the City be given 2nd reading.
Carried.

AND FURTHER THAT By-Law 05-8280 be given 3rd reading, finally passed, signed and sealed.
Carried.

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

Financial Assistance to FDC – By-Law 05-8275

By-Law 05-8275 received first reading on June 13, 2005. It is now ready to receive 2nd and 3rd reading.

- 158/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 05-8275 being a by-law to provide financial assistance to the Food Development Centre, be read a second time.
Carried.

AND FURTHER THAT By-Law 05-8275 be read a third time, finally passed, signed and sealed.
Carried.

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

Council Reviewed the monthly activity reports.

**City Planning &
Economic
Development**

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

Variation – Mellco
Developments Ltd. -
Request for extension

The applicant has requested an extension to their original Variation order, which was passed by Resolution No. 146/04 on June 28, 2004, for an additional 12 months.

The Planning Act, Section 53(13) states: “A variation order made under subsection (8) shall expire and cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of council for an additional period not exceeding 12 months.”

To date, six lots are under development with 8 lots remaining to be developed.

159/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the request to extend the original variation order (PC 24-04) at the properties on Jack Cavers Place which are legally described as Parcel 2/3, Block 2, Plan 35629, Parish of Portage la Prairie.
Carried.

Council Reviewed the monthly activity reports.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

Council Reviewed the monthly activity reports.

Councillor Brennan commented on the excellent turn out for the Public Safety Volunteer Appreciation Barbecue. Over 200 volunteers were recognized and there were long service plaques awarded for 10 and 15 years of volunteer service.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Assiniboine River Study
For Information only

Council reviewed a report on the Assiniboine River Study.

Award of Tender –
Biosolids Land
Application

Tender opening was Wednesday, June 1, 2005. Three packages were issued with only one returned. Assiniboine Injections has been the City's contractor for the past several years and they have done an excellent job.

The work includes the removal of approximately 800 dry tonnes of digested secondary solids from the anaerobic digester (BVF) and biosolids storage tanks at the Water Pollution Control Facility, 100 dry tonnes from Industrial Pre-treatment system, and 100 dry tonnes from Simplot Canada, hauling, and injection into farmland as a soil amendment and fertilizer.

160/05 Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT the Council of the City of Portage la Prairie award tender 05 OPS 013 to Assiniboine Injections Ltd. for the tendered price of \$330,630.00 including GST.
Carried.

Award of Tender – 12th
St. S.W.

The tender was advertised in The Daily Graphic and on the City's web page. The tender opening was Tuesday, June 7, 2005, with two bids received.

The wastewater sewer main has had several blockages and repairs due to deteriorated concrete pipe. The north portion of the wastewater sewer main was renewed in 2001.

The City's net cost with the GST rebate is approximately \$160,085.21, and is under the budget estimate of \$180,950.

161/05 Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT the Council of the City of Portage la Prairie award the tender of 05 OPS 009 to Towle Construction Ltd. for the tendered price of \$171,291.17, including taxes.
Carried.

WPCF Power Factor
Correction Report – For
Information Only

In June 2004 the Power Factor Control System was commissioned at the Water Pollution Control Facility. The purpose of the project was to install capacitor banks to store power, which would be used to reduce demand peaks that resulted in large demand charges on our Hydro bills.

The Power Factor Correction Project was estimated to save \$25,000 per year in demand charges, with a payback on the project of less than 4 years. It is apparent from the first six months of operation that savings will exceed the estimate, and might possibly be up to \$48,000 per year. In addition to this, Manitoba Hydro has indicated that we will be receiving a rebate of an additional \$3,000.00 as a result of changes to the 2003/2004 demand peak, as well as a \$3000 rebate for engineering study fees initially charged on the project.

Infrastructure Award –
West End Lift Station –
For Information Only

The City recently received notification from the Canada-Manitoba Infrastructure program of approval of 2/3 funding for the replacement of the Portage West (Mall) Sewage Pumping Station. The City had applied for 2/3 of \$625,000, however, this project was approved for a maximum shared funding of 2/3 of \$499,800, or \$333,200. The remaining 1/3 and any overage will be funded from the Utility Reserve.

The project involves replacement of the existing sewage lift station on Sissons Drive, due to the fact that the existing steel barrel pump is corroded and the layout of the submersible pumps makes them difficult to remove for maintenance in a safe manner.

Council Reviewed the monthly activity reports.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

21st St. N.W. – Local
Improvement

On April 4, 2005, letters were sent to landowners along 21st Street NW inquiring whether or not they would want the street paved. Estimated construction costs are \$151,000 or \$119 per frontage foot.

We received objections and favourable responses from some of the adjacent property owners, however, the majority of responses were in favour of proceeding with the local improvement.

162/05 Moved by: Councillor Keryluk
Seconded by: Councillor Porter

RESOLVED THAT the City of Portage la Prairie proceed with the Local Improvement process to construct and pave the road on 21st St. N.W.
Carried.

Infrastructure Award –
Landfill Authority- For
Information Only

The first round of approvals for the Canada Manitoba Infrastructure approval includes the Regional Landfill upgrades project.

An application was submitted for 2/3 funding of \$475,000 for the upgrades to the Regional Landfill facility. These upgrades include hydroelectric power, personnel facilities, office space, computers, drainage control, leachate control, fuel contaminated soil site, improved fencing for security, litter control, equipment maintenance and storage facilities.

This project was approved for a maximum cost share funding of 2/3 of

\$379,800 or \$253,200. The remaining portion will be funded by the Regional Landfill Authority.

Exactly which upgrades will take place this year will be determined by the Regional Landfill Board.

Sask. Ave. W. Upgrade
& River Rd./Crescent
Rd E. Intersection

Council reviewed this report in camera.

163/05 Moved by: Councillor Keryluk
Seconded by: Councillor Porter

RESOLVED THAT the City of Portage la Prairie issue a Request for Proposals to complete a survey and conceptual plans for utility replacement, drainage, and road layouts, general landscaping, and cost estimate for Saskatchewan Avenue West, and survey, conceptual plans and cost estimate for the intersection PR 240 and Crescent Road East.
Carried.

Sask. Ave. E. –
Sidewalk – For
Information Only

Council discussed the proposed sidewalk in front of Lions Prairie Manor, Good Shepherd Church and Windsor Park Estates. Negotiations are almost complete and the sidewalk should proceed this summer.

Council Reviewed the monthly activity reports.

Community Services

The Community Services Committee respectfully submits the following reports:

Sports & Recreation
Expo – For Information
Only

Council reviewed a report outlining the outcome of the first annual Sport & Recreation Expo that was held on April 23, 2005 at the Canad Inn. All those who attended including the exhibitors were impressed with the organization of the event.

Heritage Advisory
Committee

The Heritage Advisory Committee is an advisory body appointed by Council to advise on heritage matters. One of the functions of the Committee is to maintain and prioritize a list of significant properties worthy of conservation. Over the past few years, the Committee, with the help of a consultant has compiled a list of several buildings of heritage interest within the City, either because of the architecture of the building or because of its history.

Currently, there are 61 buildings on the list, each consisting of information about the structure, current and past owners, and other points of interest.

The Heritage Advisory Committee is requesting permission from Council to place the information from the inventory onto the City's website. We believe this would be one way to provide information to the public about the work being done by this Committee, and answer any questions regarding the designation process. At this time, two sites, the Fawcett Gowler Taylor Home and the CPR Station have been designated as Heritage Sites by Council, and the Committee is investigating two more homes for designation.

164/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie grant permission to the Heritage Advisory Committee to place the inventory of potential heritage buildings on the City's website.
Carried.

2004 Citizen, Sports,
Arts/Cultural & Youth
Volunteer Awards

Council reviewed this report in camera.

165/05 Moved by: Councillor Porter

Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the recommended 2004 Citizen, Sports, Arts/Cultural & Youth Volunteer Awards as presented in the June 13, 2005 Committee Package.
Carried.

Parks By-Law
Amendment – By-Law -
05-8279 2nd & 3rd
Reading

Councillor Porter deferred By-Law 05-8279 to the June 29, 2005 Special Meeting of Council.

166/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT By-Law 05-8279, be deferred to the Special Meeting of Council on June 29, 2005.
Carried.

Council Reviewed the monthly activity reports.

**DEFERRED
BUSINESS:**

None

NEW BUSINESS:

International Committee
Strat Plan

Council reviewed this report In Camera.

167/05 Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie approve the Portage la Prairie International Committee's strategic plan as presented.
Carried.

Community Event
Permit Request – PCI
Reunion

The Portage Collegiate Institute will be hosting their re-union this July in Portage la Prairie and hope to have a beer garden in the Centennial Arena. They have requested a Community Event Permit for Centennial Arena from July 7 – July 10, 2005 for the purpose of a beer garden.

The Manitoba Liquor Control Commission (MLCC) requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers. As the request is for a beer garden which is open to participants and the general public, the MLCC requires that the City of Portage la Prairie approve a community event permit for the event.

In addition, Portage Collegiate Institute will be required to secure 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.

168/05 Moved by: Councillor Porter
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the request from the Portage Collegiate Institute to obtain a community event permit for their event to be held at the Centennial Arena July 7 to July 10, 2005.
Carried.

OLD BUSINESS:

None

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

Mayor

Manager of Administration