

MINUTES of a Regular Meeting of Council held in the Council Chambers of City Hall on Monday, April 24, 2006 at 6:00 p.m.

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

ABSENT:

ADOPTION OF MINUTES: 93/06 Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT the Council Minutes of the April 10, 2006, Regular Meeting of Council, be approved as circulated.
Carried.

DELEGATIONS: Mr. Matthew Gray appeared before Council and made a presentation in reference to the usage of the Women's Gaol Building. He also suggested Council consider a private policing force.

HEARINGS:

Shelly and Kim Cool Rezoning, By-Law 06-8314 – 2nd and 3rd Readings No one appeared in support of or opposition to this application.

94/06 Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT the public hearing for the Shelly and Kim Cool Rezoning now be closed.
Carried.

The applicants, Shelly and Kim Cool, wish to rezone their property at 227 Dickens Avenue from C1-Central Commercial, to R1-Single Family Dwelling district. The surrounding properties are zoned R1 with the exception of the property to the north which is EI-Educational and Institutional.

By-Law 06-8314 to approve this rezoning was given first reading on March 13, 2006. The hearing on this by-law is scheduled for April 24, 2006. No written objections have been received.

95/06 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 Lot 356, Plan 29, Parish of Portage la Prairie, from C1-Central Commercial to R1-Single Family Dwelling district;

AND THAT By-Law No. 06-8314 be now read a second time.
Carried.

Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT By-Law 06-8314 be now read a third time, finally passed, signed and sealed.
Carried.

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

COMMITTEES:

**Finance, Legislative
& Property
Committee:**

Unpaid Water, Sewer
and Solid Waste to
Taxes, By-Law 06-
8299 – 2nd/3rd Readings

96/06

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

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

Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8299 being a by-law authorizing unpaid water, sewer and solid waste charges to be added to taxes, be read a second time.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8299 be now read a third time, finally passed, signed and sealed.
Carried.

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

Election By-Law No.
06-8318 – 2nd/3rd
Readings

97/06

Two existing election By-laws, No. 02-8139 and No. 02-8148, need to be repealed as they are no longer required under the new Municipal Councils and School Boards Elections Act that took effect January 1, 2006.

Section 8 of the Act allows two or more local authorities to conduct an election or any part of an election jointly. It has been past practice for the City of Portage la Prairie and the Portage la Prairie School Division to conduct elections jointly, with the City of Portage la Prairie conducting the election and cost sharing the expenses with the School Division. According to the new Act this requires a resolution of Council.

Section 10(1) of the new Act states that the Council of each local authority must appoint a Senior Election Official, which also may be done by resolution of Council.

Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8318 being a by-law to repeal existing election by-laws that are no longer required, be read a second time.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8318 be now read a third time, finally passed, signed, and sealed;
AND FURTHER THAT Council of the City of Portage la Prairie appoint Tieny Kirchner as the Senior Election Official and Margaret Loewen as the Enumerator, each to be paid the amount as set out in the budget;
AND FURTHER THAT Council of the City of Portage la Prairie authorize the election to be conducted jointly with the

Portage la Prairie School Division with expenses shared equally.
Carried.

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

Tax Levy By-Law No.
06-8316 – 2nd/3rd
Readings

The public hearing, and first reading of the Tax Levy By-Law, took
place at the Council meeting on April 10, 2006.

98/06

Moved by Councillor Quinn

Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8316, being a by-law of the
City of Portage la Prairie to authorize the levying and raising of
property taxes for school and municipal purposes for the year ended
December 31, 2006, be now read a second time.

Carried.

Moved by Councillor Quinn

Seconded by Councillor Robinson

RESOLVED THAT By-Law No. 06-8316 be now read a third
time, finally passed, signed, and sealed.

Carried.

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

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

**City Planning &
Economic
Development
Committee:**

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

McMillan Industrial
Park Subdivision

The proposed Lot 9, Block 2 and proposed Lot 4, Block 3 are intended
to be rail right-of-way owned by the City, and should be zoned as M1
or M2. This might require a variation.

A legal plan is being prepared for the closing of McCain Ave east of
Westco Drive, as it currently exists. The existing Hydro easement
along this right-of-way is to be relocated to follow the new road
alignment, and new Hydro easement on Lot 4, Block 1 will be
required. The existing right-of-way must be closed by by-law and the
legal closing plan must be registered prior to the new plan of
subdivision, including the new road right-of-way, being registered.

City Operations will be discussing MTS's easement requirements
since they appear to be excessive and may conflict with water and
sewer requirements.

99/06

Moved by Councillor Brennan

Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie
authorize the subdivision and reconfiguration of 15 existing lots and
creating an additional 18 lots with the following conditions:

- All necessary variations are to be obtained;
- Manitoba Conservation is to be provided with documentation
as needed in the eventuality of sewer and/or water system
alterations;
- Easement agreements be reached with MTS and Manitoba Hydro,
as necessary, and

- A plan of subdivision is provided to Land Titles.
Carried.

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

**Public Safety
Committee**

The Public Safety Committee has nothing to report.

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

ESSO Community
Growth Award

Councillor Wagner advised that the Portage la Prairie Fire
Department has been named as the recipient for the ESSO
Community Growth Award.

**Waterworks
Committee**

**The Waterworks Committee respectfully submits the following
report:**

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

**Transportation
Committee**

**The Transportation Committee respectfully submits the
following report:**

Award of Tender for
the Supply of Granular
Materials

This tender was advertised in The Daily Graphic and closed on
March 29, 2006 with two companies submitting bids. The material
and quantities asked for are used for maintaining our gravel roads,
winter sand for slippery conditions, as well as pit run gravel and fill
sand for necessary excavations.

The 2006 budget is \$90,900. This budget amount is made up of both
municipal and utility accounts. The low bid is \$90,098.13 net of
GST. This bid comes in approximately \$800 below budget.

100/06

Moved by Councillor Keryluk
Seconded by Councillor Porter

RESOLVED THAT Council of the City of Portage la Prairie
award the tender for the Supply of Granular Materials, as specified
in tender 06 OPS 007, to D. Humiski Trucking for the tendered price
of \$96,405.00.
Carried.

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

**Community Services
Committee**

**The Community Services Committee respectfully submits the
following report:**

Activity Reports – For
Information Only

Council reviewed the monthly Activity Reports for March.

**DEFERRED
BUSINESS:**

None.

NEW BUSINESS:

Removal of Caveat

Caveat No. 38444 references the development agreement that Jolin Holdings Ltd. had with the City in 1978. After researching the caveat, the City Solicitor is of the opinion that the caveat is no longer required by the City.

101/06 Moved by Councillor Brennan
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the discharge of Caveat No. 38444 as identified on the Title for Lot 8, Block 5, Plan 1810; Lot 3, Plan 21353; and Lots 1&2, Block 2, Plan 1810, as requested by 3346200 Manitoba Ltd. Carried.

Sale of Aquatic Weed Harvester

The City acquired an Aquatic Weed Harvester (model year 1991) in 1992 for the price of \$90,000. The unit was used for several years to retrieve vegetation from Crescent Lake. Due to the relatively large size of the lake and the slow operation of the weed harvester, staff were unable to keep the Lake in acceptable appearance. A few year's ago, Council decided to cease operation of the weed harvester and proceed with a program of chemical application to kill the weeds. Chemical can be applied at the first signs of weed growth over the entire lake in fairly short order, and it has been effective. The chemical used has an activity period of 24 hours or less, therefore, it is not expected to create any long term or downstream complications.

Since the City ceased operating the harvester, administration has been trying to sell the unit, with no success. An offer of \$9,000, as is, has been made by Assiniboine Injections.

For comparison, Administration obtained two listings for similar units which are 14 years old, each with an asking price of \$10,000.

102/06 Moved by Councillor Keryluk
Seconded by Councillor Porter

RESOLVED THAT Council authorize the sale of the Aquatic Weed Harvester to Assiniboine Injections for the offered price of \$9000, as is. Carried.

OLD BUSINESS:

Amendment to Resolution 92/06

103/06 Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT the purchase price for property described in Resolution 92/06 be funded from the Land Development Reserve. Carried.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:26 p.m.

Mayor

Manager of Administration