

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, December 11, 2006 at 6:30 p.m.

PRESENT: Mayor Brennan, Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, and Wagner.

ABSENT: None.

ADOPTION OF MINUTES 296/06 Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, November 20, 2006, be approved as presented. Carried.

DELEGATIONS:

1. Albert Li, Earth Tech Canada Mr. Albert Li, Earth Tech Canada, appeared before Council to present a plaque to the City in appreciation of their working relationship and the celebration of Earth Tech's 100th year of business in Canada.
2. Yvette Cuthbert, PCI Plaza Project Yvette Cuthbert spoke to Council regarding the development of the PCI Plaza Project and requested a letter of support from the City to enable the project to apply for a Community Places Grant.
3. Raynard Asham, Dangerous Dog Appeal Mr. Raynard Asham spoke to Council regarding his Dangerous Dog appeal.

297/06 Moved by Councillor Shindle
Seconded by Councillor Ferris
RESOLVED THAT Council uphold the decision of the Animal Control Committee to euthanize the dog. Carried.

HEARINGS:

1. Heinrich and Doris Harder, West end Collision Mr. Harder appeared before Council and spoke in opposition to an order under the Maintenance and Occupancy By-Law on his property located at 425 Tupper Street N.

298/06 Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT the public hearing for the appeal of Order to Comply, file #BLC 35-06, under the Maintenance and Occupancy By-Law 02-8144, now be closed. Carried.

299/06 Moved by Councillor Quinn
Seconded by Councillor Bereza
RESOLVED THAT the Council of the City of Portage la Prairie affirms the Order to Comply that was issued to Mr. and Mrs. Harder concerning their property located at 425 Tupper Street N., in the City of Portage la Prairie. Carried.

2. Variation, David and Sandra Falk, 30 Crestview Place No one appeared in support of or opposition to the variation.

300/06 Moved by Councillor Wagner
Seconded by Councillor Bereza
RESOLVED THAT the public hearing for the request for Variation by David and Sandra Falk now be closed. Carried.

The applicants, David and Sandra Falk, are applying for a variation order to allow the rear yard to be reduced from the required 7.5m to 3.96m. This request is to accommodate a house onto an odd shaped lot.

This building is in an R1-60 Single Family Dwelling District.

- 301/06 Moved by Councillor Bereza
Seconded by Councillor Shindle
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of David and Sandra Falk to vary the rear yard to be reduced from the required 7.5m to 3.96m at the property known as 30 Crestview Place which is legally described as Lot 13, Plan 2013, Parish of Portage la Prairie.
Carried.

3. Variation, Pre-Con
Builders, 2350
Sissons Drive

No one appeared in support of or opposition to this variation.

- 302/06 Moved by Councillor Bereza
Seconded by Councillor Wagner
RESOLVED THAT the public hearing for the request for Variation by Pre-Con Builders now be closed.
Carried.

The applicant, Pre-Con Builders, is applying for a variation order to allow the rear yard to be reduced from the required 6m to 3.086m.

This building is in a C3-Highway Commercial District.

- 303/06 Moved by Councillor Bereza
Seconded by Councillor Shindle
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Pre-Con Builders to vary the rear yard to be reduced from the required 6m to 3.086m at the property known as 2350 Sissons Drive, legally described as Parcels N & Q, Plan 45309, Parish of Portage la Prairie.
Carried.

COMMITTEES:

**Finance, Legislative &
Property Committee**

Unpaid Water, Sewer &
Solid Waste to Taxes for
November 2006 – By-
Law 06-8307 – 1st
Reading

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

- 304/06 Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law 06-8307 being a by-law to authorize unpaid water, sewer and solid waste charges for November, 2006, be added to taxes, be now introduced and read a first time.
Carried.

Interim 2007 Operating
Budget

Section 1567 of the Municipal Act states that “A council may adopt an interim operating budget to have in effect only until the council adopts the operating budget for the fiscal year.”
The proposed interim operating budget provides funding for City operations until such time as the final budget is approved.

305/06 Moved by Councillor Quinn
 Seconded by Councillor Shindle.

RESOLVED THAT the interim 2007 General Operating Fund budget of \$7,100,000, the 2007 interim General Capital Fund budget of \$600,000, the 2007 Interim Utility Operating Fund budget of \$3,500,000, and the 2007 interim Utility Capital Fund budget of \$1,000,000 be approved.
 Carried.

Council Meeting
 Schedule

Council meetings are normally held on the second and fourth Monday of each month. Each year Council passes a resolution to set the schedule for the following year.

306/06 Moved by Councillor Quinn
 Seconded by Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie approve the Council Meeting dates for the year 2007 as follows:

Monday, January 8, 2007	Monday, June 11, 2007
Monday, January 22, 2007	Monday, June 25, 2007
Monday, February 12, 2007	Monday, July 16, 2007
Monday February 26, 2007	Monday, August 13, 2007
Monday, March 12, 2007	Monday, September 10, 2007
Monday, March 26, 2007	Monday, September 24, 2007
Tuesday, April 10, 2007 (Easter)	Tuesday, October 9, 2007 (Thanksgiving)
Monday, April 23, 2007	Monday, October 22, 2007
Monday, May 14, 2007	Tuesday, November 13, 2007 (Remembrance Day)
Monday, May 28, 2007	Monday, December 10, 2007

Carried.

2007 Fees & Charges
 By-Law 06-8331 –
 2nd/3rd Readings

The Fees & Charges By-Law pulls together all the fees collected by the various departments within the City, and is updated annually to reflect any changes. This new by-law is scheduled to become effective January 1, 2007.

There was some discussion a few years ago about raising grave opening fees to recover a greater portion of our costs for winter openings.

A survey of other communities indicates that there is a fairly wide variance in fees for openings. The average cost in these communities is **\$364** for traditional grave openings and **\$122** for cremation openings.

The approximate City cost for grave openings for a summer grave is \$326 and summer cremation is \$75. In the winter the estimated costs are \$463 for traditional graves and \$178. There can be a wide variance in actual costs depending upon time of year and location within the cemetery.

If one grave opening fee is to be maintained, a fee higher than the summer cost, and lower than the winter cost is recommended.

The average cost of a traditional grave opening (winter and summer) is **\$394**. The average cost of a cremation grave opening (winter and summer) is **\$127**.

307/06 Moved by Councillor Quinn
 Seconded by Councillor Shindle

RESOLVED THAT the Fees and Charges By-Law 06-8331 be amended to increase the fee for a traditional grave opening (winter and summer) to \$394; and to increase the fee for a cremation grave opening (winter and summer) to \$127.
 Carried as amended.

Moved by Councillor Wagner
 Seconded by Councillor Keryluk

RESOLVED THAT the resolution be amended to show the increased fee for a traditional grave opening (winter and summer) as \$450; and the increased fee for a cremation grave opening (winter and summer) as \$127.
 Carried.

308/06 Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law No. 06-8331 known as the Fees and Charges By-Law, be now read a second time, as amended.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law No. 06-8331 be now read a third time, finally passed, signed and sealed.
Carried.

In Favour: Mayor Brennan and Councillors Bereza, Ferris, Keryluk, Quinn, and Wagner.

Opposed: Councillor Shindle

Short Term Borrowing
By-Law 06-8338 –
2nd/3rd Readings

A by-law for short term financing is established for every fiscal year. By-Law 06-8338 sets up a line of credit for 2007, at no cost to the City, which can be drawn on only in the event it is required, with interest charges applying from that time on.

By-Law 06-8338 was given first reading on November 20, 2006.

309/06 Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law 06-8338 to set up a line of credit with the City's financial institution be given second reading.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law No. 06-8338 be now read a third time, finally passed, signed and sealed.
Carried.

In Favour: Mayor Brennan and Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, and Wagner.

2007 Property Tax
Discount Rate – By-Law
06-8339 – 2nd/3rd
Readings

Based on the City's current savings rate of 4.25% and the current 90-day Treasury Bill rate of 4.12%, the recommended tax discount rate is 2.1% in January, decreasing by .35% per month to reach par in July.

310/06 Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law 06-8339 to provide for the payment of taxes and to provide for the rates of discount for prepayment of taxes, be now read a second time.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Shindle
RESOLVED THAT By-Law 06-8339 be now read a third time, finally passed, signed and sealed.
Carried.

In Favour: Mayor Brennan and Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, and Wagner.

**City Planning and
Economic Development
Committee**

The City Planning and Economic Development Committee has no report.

**Public Safety
Committee**

The Public Safety Committee has no report.

Mayor Brennan commented on the pedestrian accident that occurred near Ecole A.M.H.S. City Council will be working with the School Division to review alternatives for the crossing area.

**Waterworks
Committee**

The Waterworks Committee has no report.

**Transportation
Committee**

The Transportation Committee has no report.

**Community Services
Committee**

The Community Services Committee respectfully submits the following reports:

Cancellation of
WinterLights
Celebration December 1
– For Information Only

The WinterLights Community Committee Co-chair Ms. Jean Armstrong reported to Council on October 10, 2006 that the committee decided not to register nationally in the Community in Bloom WinterLights competition. Since that time, and due to a number of unpredictable challenges such as the fate of the parade, the committee was unable to coordinate a date for the community event. Therefore, at their meeting on November 10, 2006 the committee confirmed that there will not be a WinterLights program in Portage la Prairie this year. It is the intent of this committee to commence planning on January 12 for a 2007 WinterLights Celebration. Therefore, the WinterLights Community Committee respectfully requests Council's consideration to maintain the 2007 budget request of \$10,570 with the intent to commence planning in January 2007.

Amending Lease for
Portage Sport & Cultural
Association (PSCA)

The Portage Sport & Cultural Association (PSCA) entered into a lease agreement with the City whereby PSCA pays the principal and applicable interest on the \$509,716 loaned to PSCA for the building on City property that houses the bingos for the various sport and cultural groups. Annual payments of \$55,964 are billed for 15 years (to 2017). There is currently \$419,656 remaining on the loan.

The City of Portage la Prairie filed a claim for \$14,475.26, the remaining 3% GST on the construction costs of the building. This amount was applied against the loan. The rebate, however, requires that the agreement be amended to eliminate the requirement for the City to charge GST on loan repayments.

PSCA has signed the amendment to the agreement as attached. City Council must adopt the amending agreement by resolution before the City signs the document.

311/06 Moved by Councillor Shindle
Seconded by Councillor Bereza

RESOLVED THAT City Council approve the amendment to the Portage Sport & Cultural Association for Goods & Services Tax purposes and that the amending agreement be signed by the Mayor and Manager of Administration.
Carried.

**DEFERRED
BUSINESS:**

Parking Area – MPI
Claim Centre

Manitoba Driver and Vehicle Licensing intend to conduct Class 1 Driver Licensing road tests out of the MPI office in the near future. One requirement is to be able to park semi-trailers near the building in order to conduct vehicle inspection tests.

The proposal is to construct a paved parking surface in the road right-of-way immediately adjacent to the shoulder of Saskatchewan Avenue West, north of the MPI Claims Centre.

Also, there are sewer and water mains under the shoulder of Saskatchewan Avenue. If MPI paves over this area, they should be advised that the City will not pay to have it re-paved in the event of a watermain or sewer break.

312/06 Moved by Councillor Wagner
Seconded by Councillor Keryluk

RESOLVED THAT Council authorize the construction of a paved parking area for semi-trailer trucks for the purpose of Driver Licensing testing on Saskatchewan Avenue W at the MPI Claims Centre, subject to:

1. the City not being responsible for maintenance of the area;
2. approval from Manitoba Infrastructure and Transportation; and
3. submission of a drainage plan to the City, until March 31, 2008.

DEFEATED.

NEW BUSINESS:

Rezoning Application,
Portage la Prairie
Consumers Co-operative
Ltd. – By-Law 06-8341
– 1st Reading

With residential development planned for the area directly south of the new store, the City may want to enter into discussions with Coop concerning their proposed landscaping plan for the south side of their property. Also, it is unclear at this time whether or not Elm Street will be extended further south and west of its presently developed location and if so how this affects Coop's proposed new store. The City may want to add a clause to the recommendation on third reading of the re-zoning by-law requiring Coop to enter into a development agreement with the City concerning these issues.

As per section 74 (1) 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 section 168.

313/06 Moved by Councillor Bereza
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie give By-Law No. 06-8341 First Reading and provide public notices as defined in Section 168 of "The Planning Act".

Carried.

Tender for Supply of
Flowers for Hanging
Baskets and Planters

A request for quotes was sent out to two local greenhouses with the capacity to handle the amount of baskets and bedding plant flowers that the City will require for the spring of 2007.

The order involves supplying 146 hanging baskets complete with flowers and supplying and installing flowers for 233 flower planters.

The only bid received was from Prairie Blossom Landscaping of Portage. Prairie Blossom has supplied the City of Portage la Prairie with bedding plant for over 6 years and has supplied the hanging baskets and the flowers for the downtown planters since the project was started. The quality of product has always been good as shown by the excellent response from the public.

The Portage and Area Beautification Committee has paid for the baskets and flowers up until this year.

314/06 Moved by Councillor Shindle
Seconded by Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie award the contract for the supply of hanging baskets and the supply and installation of flowers for planters to Prairie Blossom Landscaping for the sum of \$17,161.31 including all applicable taxes.

Carried.

Portage Terriers Request
for Occasional Liquor
Permit

The Portage and District Terriers have verbally requested an occasional liquor permit for their upcoming hockey game on December 31, 2006. The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers.

315/06 Moved by Councillor Shindle
Seconded by Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the request of the Portage & District Terriers to obtain an occasional liquor permit through the Manitoba Liquor Control Commission for the Sunday, December 31, 2006 hockey game to be held at the Portage Centennial Arena.

Carried.

Central Plains Hockey
Team Fundraiser

Members of the Central Plains 'Rink Rats' hockey team would like to offer their services to collect Christmas trees in January in return for a lump sum grant, as part of their fundraising efforts for a planned trip to Europe for a hockey tournament.

The proposal would see the hockey team collect the trees in the evenings of January 2nd through 15th, and store them at a location designated by the City. City staff would then chip the trees at the storage site at a future date.

CUPE Local 1002 has agreed not to grieve this proposal, since it does not reduce the number of paid work hours for its members.

The Central Plains Rink Rates Hockey Team has made a request of \$1400 to collect these trees.

316/06 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT Council approve a payment of \$1400 to the Central Plains 'Rink Rats' hockey team, in return for the collection and stockpiling of Christmas trees from boulevards from January 2nd through 15th, 2007.

Carried.

Closure of a Portion of
Broadway Avenue and
Transfer of Property –
By-Law 06-8333 – 1st
Reading

A request has been received from the Portage la Prairie Consumers Co-operative Limited to purchase a portion of Broadway Avenue for the purpose of accommodating the construction of a proposed new food store.

The City has no required use for this street. However, the City has a sewer forcemain and a watermain located along this street and Manitoba Hydro has hydro lines on this property. Easements will be required for the City and Manitoba Hydro utilities located along Broadway Avenue.

317/06 Moved by Councillor Quinn
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8333 being a by-law to close a portion of Broadway Avenue located between Saskatchewan Avenue West and Elm Street, and to transfer said property for one dollar plus all applicable costs, including easement costs, to the Portage la Prairie Consumers Co-operative Limited, be now introduced, read a first time, and advertised.

Carried.

OLD BUSINESS:

Water and Sewer Rates –
By-Law 06-8326 –
2nd/3rd Readings

A water and sewer rate study was ordered in 2005 by the Public Utilities Board (PUB) as part of the 2006 rate increase approval.

The PUBs 2005 report pointed out the low Utility Reserve levels and ordered the City to raise the levels of the reserve. Contingency allowances were also to be included in rate reviews.

The PUB was advised that nutrient removal did not form part of this latest review of rate increases until the mandate to remove nutrient is definite and cost sharing from the Province is committed.

The main purpose for the rate increases for 2007 to 2009 inclusive is for the improvement and replacement of the City's aging infrastructure in watermain and sewer mains, and the rebuilding of the City's Utility Reserve.

318/06 Moved by Councillor Keryluk
Seconded by Councillor Quinn

RESOLVED THAT By-Law No. 06-8326 being a by-law to authorize the change in water and sewer rates for 2007, 2008, 2009, and on, be given second reading.
Carried.

Moved by Councillor Keryluk
Seconded by Councillor Quinn

RESOLVED THAT By-Law No. 06-8326 be given third reading, finally passed, signed and sealed.
Carried.

In Favour: Mayor Brennan, Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, and Wagner.

ADJOURNMENT:

The meeting adjourned at 7:55 p.m.

Mayor

Manager of Administration