

MINUTES of a Regular Meeting of Council held in the Council Chambers of City Hall on Monday, February 13, 2006 at 6:00 p.m.

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

ABSENT:

ADOPTION OF MINUTES: 17/06 Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT the Council Minutes of the January 23, 2006, Regular Meeting of Council be approved as circulated.
Carried.

DELEGATIONS: Winterlights Co-Chairs, Jean Armstrong and Marvin Orchard, presented Mayor MacKenzie with the five-star Jingle Bell Breakfast Award and the Festive Seasons Celebrations Criteria Award that was presented to the City for their participation in the Winter Lights Program. Mayor MacKenzie thanked Armstrong and Orchard for their leadership and commitment to the Program.

HEARINGS:
Variation: Sissons & Park Drive

Variation: 3346200 Manitoba Ltd.

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

18/06 Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT the public hearing for the Sissons and Park Drive Variation request now be closed.
Carried.

The applicant, 3346200 Manitoba Ltd., is applying for a variation order to allow the

- 1) parking width requirement of 3m to be reduced to 2.75m;
- 2) maximum building height requirement of 9m to be increased to 12.5m;
- 3) free standing sign height requirement of 12m to be increased up to 13.72m;
- 4) entrance/exit width requirement of 10.7m to be increased to 16.8m at south entrance;
- 5) entrance/exit width requirement of 10.7m to be increased to 11m at west entrance.

This building is in a C3-Highway Commercial zoning district. As per City of Portage la Prairie By-Law 7680, parking stalls are required to be a width of 3m and depth of 6m.

The application has been circulated to the various City Departments with a concern being expressed regarding blanket variations and that parts of the variance are not applicable to these lots (site access width and store height). However, the original variation request of PC 61-05 which was approved January 9, 2006, was applied to the whole development. Unfortunately, these four lots were missed being included.

- 19/06 Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of 3346200 Manitoba Ltd. to vary the:
- 1) parking width requirement - reduce from 3m to 2.75m;
 - 2) maximum building height requirement - increase from 9m to 12.5m;
 - 3) free standing sign height requirement - increase from 12 m to 13.72 m;
 - 4) entrance/exit width requirement at south entrance – increase from 10.7m to 16.8m;
 - 5) entrance/exit width requirement at west entrance – increase from 10.7m to 11m;

at the property located at Sissons Drive and Park Drive which are legally described as Lots 7, 8, 16 and 21, Block 5, Plan 1810, Parish of Portage la Prairie.
Carried.

**Road Closure &
Transfer of Land –
By-Law 05-8288, 2nd
and 3rd Reading**

Portion of 4th Street S.W.

No one appeared in support of or objection to this road closure.

- 20/06 Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT the public hearing for the Road Closure and Transfer of Land now be closed.
Carried.

A request has been received from the Portage la Prairie School Division to purchase a portion of 4th Street S.W. for the purpose of accommodating the High School amalgamation between Portage Collegiate Institute and Arthur Meighen High Schools.

In accordance with requirements of The Municipal Act, By-Law 05-8288 provides for the closing of a portion of the street and the transfer of the property to the Portage la Prairie School Division.

- 21/06 Moved by Councillor Keryluk
Seconded by Councillor Porter
RESOLVED THAT By-Law No. 05-8288 being a by-law to close a portion of 4th Street S.W. between the south side of Saskatchewan Avenue West and the north side of St. George Avenue and to transfer the property to the Portage la Prairie School Division, be now read a second time.
Carried.

Moved by Councillor Keryluk
Seconded by Councillor Porter
RESOLVED THAT By-Law No. 05-8288 be now read a third time, finally passed, signed and sealed, and forwarded to the Minister of Intergovernmental Affairs for approval.
Carried.

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

COMMITTEES:

**Finance, Legislative
& Property
Committee:**

Unpaid Water, Sewer
& Solid Waste to
Taxes –By-Law 06-
8297, 1st Reading

22/06

**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 property taxes.

Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT By-Law 06-8297 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be now read a first time.

Carried.

**City Planning &
Economic
Development
Committee:**

Encroachment – 220
Saskatchewan Ave.
W., 4477881 Manitoba
Ltd.

23/06

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

The building, which is a single storey concrete block commercial building located at 220 Saskatchewan Avenue West, and owned by 4477881 Manitoba Ltd., is contained entirely within the limits of the land; except for a sign attached to the south wall of the building which encroaches onto Saskatchewan Avenue West 0.75 feet.

Moved by Councillor Brennan
Seconded by Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with 4477881 Manitoba Ltd. to allow the sign attached on the south wall of the building situated on the land legally described as the easterly 17.2 feet in perpendicular width of Lot 11 and the westerly 2.8 feet in perpendicular width of Lot 12, Plan No. 18, PLTO, in River Lot 63, Parish of Portage la Prairie, to encroach onto Saskatchewan Avenue West 0.75 feet for the life of the building.

Carried.

Encroachment – 142
6th Street N.E., Bryan
Fox

24/06

The building, which is a two storey dwelling located at 142 – 6th Street N.E., and owned by Bryan Fox, is contained entirely within the limits of the land. A garage appurtenant to said dwelling is also within the limits except for the north wall which encroaches onto the property to the north which is owned by the City of Portage la Prairie as much as 1.25 feet, including the eave.

Moved by Councillor Brennan
Seconded by Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Bryan Fox to allow the garage north wall situated on the land legally described as being Lot 17, Block 29, Plan 30 PLTO in RL 68 Parish of Portage la Prairie, to encroach onto the property to the north owned by the City of Portage la Prairie, as much as 1.25 feet including the eave, for the life of the building.

Carried.

Subdivision – Pt Lot 4
Plan 1278 PLTO, Neil
& Sharon Green

The residual 52.99 acres of land currently zoned UR and presently being used for agricultural purposes, is intended to be sold.

Planning Services recommends that if Council approves the subdivision, it should be conditional upon rezoning the proposed parcel and residual parcel to “M2” Heavy Industrial District in order to prevent additional residences from being constructed on these lots.

The Planning District Board does not recommend approval unless Council ensures that no additional dwelling is constructed on the residual parcel.

25/06

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 a 4.4 acre parcel containing the existing residence, from the present holding of 57.39 acres with the condition that an easement agreement is obtained from MTS, a plan of subdivision is provided and the proposed parcel and the residual parcel are rezoned to “M2” Heavy Industrial District.

Carried.

Subdivision – RL 103,
Prairie Blossom
Landscaping and
Garden Centre Ltd.

The 10.5 acre lot is to be used to construct a personal residence for themselves with a separate title from the greenhouse property located at 410 Old Bridge Road. The seasonal greenhouse operation will be located on the residual 4.01 acre parcel.

This application has been circulated to the various City Departments. It was noted that a separate water service would be required for each property – that is, a new water service must be installed to the proposed house, or a cistern installed. At the time of writing this report, it had not been confirmed that a water service to the greenhouses exists (residual lot). There is no legal access to the proposed new residential lot. It should be confirmed that the greenhouse operation is a permitted use in this zoning district (RR).

26/06

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 the 10.5 acre parcel from their business holding (Prairie Blossom Landscaping and Garden Centre Ltd) of 14.51 acres on condition that:

- an easement agreement is obtained from MTS,
- a plan of subdivision is provided,
- the house is serviced with a new water service from the main line or a cistern is installed,
- legal access to the residential property is established,
- an approved route for utility servicing is determined, and
- variations for site area and site width are obtained for the residual lot.

Carried.

Planning District
Conference – For
Information Only

Council was advised that the Annual Planning District Conference is scheduled for March 15 to 17, 2006 at the Canad Inn in Portage la Prairie.

**Public Safety
Committee:**

Emergency Services –
For Information Only

The Public Safety Committee respectfully submits the following reports:

1. MPI has agreed to increase the amount paid to Emergency Services for their services.
2. Emergency Measures Organization has approved the City's Emergency Plan.

**Waterworks
Committee:**

Manitoba Water
Services Board
Funding Agreement

The Waterworks Committee respectfully submits the following reports:

City Administration made a request for funding to the MWSB for various items that require upgrading or finishing at the Water Treatment Plant following the completion of the major upgrade works in 2003. The MWSB is prepared to provide funding subject to Council passing a Resolution requesting the funding assistance and signing an agreement for funding.

The total of the project is estimated at \$1,000,000, with about half of that being for replacement of the sand filter underdrain system. The remainder of the project is for a variety of smaller items.

27/06

Moved by Councillor Robinson
Seconded by Councillor Keryluk

RESOLVED THAT Council formally request assistance with funding of required upgrades to the Water Treatment Plant in an amount of 50% of \$1,000,000; and

THAT Council authorize the Mayor and Manager of Administration to sign an agreement, on behalf of the City, with the Manitoba Water Services Board for funding in the amount of 50% of \$1,000,000.
Carried.

**Transportation
Committee:**

Parking Meters in
Front of Prince Charles
School – By-Law 06-
8296 – 1st Reading

The Transportation Committee respectfully submits the following reports:

Parking meters on Saskatchewan Avenue West end at 4th Street West. There are eight parking meters on Saskatchewan Avenue in front of Prince Charles School and there are seldom vehicles parked along this section of Saskatchewan Avenue. There are no parking meters on 3rd St. SW or 4th St. SW.

The School Division has requested that the meters be removed to provide overflow parking and to relieve pressure on surrounding side street parking.

28/06

Moved by Councillor Keryluk
Seconded by Councillor Porter

RESOLVED THAT the parking meters on the south side of Saskatchewan Avenue between 4th St. SW and 3rd St. SW be removed; AND FURTHER THAT By-Law No. 06-8296 to amend Traffic By-Law No. 01-8105 to remove parking meters on Saskatchewan Avenue Between 4th Street SW and 3rd Street SW be given first reading.

Carried.

Holiday Metered
 Parking Schedule

There is a continuing problem with metered parking users not being sure when holiday parking is available at no charge.

It is proposed to pass a resolution under Section 52(a) of the Traffic By-Law allowing the Traffic Authority to designate days that City Hall is closed in observance of a holiday as a day in which parking without payment will be allowed in a metered zone.

This schedule would change annually and as such would be advertised for public awareness.

29/06

Moved by Councillor Keryluk
 Seconded by Councillor Porter

RESOLVED THAT the City of Portage la Prairie provide free metered parking on any day that City Hall is closed in observance of a holiday.
 Carried.

Solid Waste Annual
 Report – 2005 – For
 Information Only

The City funds and operates several solid waste programs including residential solid waste collection, curbside recycling, curbside yard waste collection, compost site, tree burning site, used tires recycling, metals recycling, backyard composter sales, household hazardous waste disposal, and landfill site.

The residential green box-recycling program continues to be a very successful program with 65% of the households participating, as well as most apartment blocks. There has been a significant increase in household recycling over the past few years from 432 tonnes in 1997 to 1,298 tonnes in 2005.

The total of all residential solid waste considering recyclables, yard waste, trees, tires, and household hazardous waste for 2005 was 4,870 tonnes with 1,951 tonnes beginning diverted from the landfill. The diversion rate for residential solid waste is approximately 40.1%.

Grant-in-Aid Request

The proposed 2006 Grant-In-Aid submission to Manitoba Department of Highways and Transportation will include the following projects and estimated costs:

| | <u>Total Cost</u> | <u>GIA Request</u> | <u>City Share</u> |
|--|-------------------|--------------------|-------------------|
| 1. Cambridge Street Construction - River Road to Gertrude Ave. | \$150,000 | \$75,000 | \$75,000 |
| 2. Dust control on gravel roads | \$ 6,900 | \$ 3,450 | \$ 3,450 |
| Total: | \$156,900 | \$78,450 | \$78,450 |

The Cambridge Street Construction project has been submitted for Infrastructure funding (total \$150,000), with the City's share anticipated to be \$50,000. A City share of \$33,000 was included in the 2006 budget. It is proposed that the Infrastructure funding request be withdrawn and an application be made for Grant-in-Aid funding.

The dust control is an annual expenditure which is required. The work must proceed if adequate GIA funds are not received.

The total 2006 Grant-In-Aid submission request is \$78,450.

- 30/06 Moved by Councillor Keryluk
Seconded by Councillor Porter
RESOLVED THAT the Council of the City of Portage la Prairie submit a Grant-In-Aid request for a total of \$78,450, in the following priority:
- 1 - Dust control on gravel roads (\$3,450)
 - 2 – Cambridge Street Construction, River Rd. to Gertrude Ave. (\$75,000), and that the federal infrastructure application be withdrawn.
- Carried.

Community Services Committee:

Free Public Swim at Southport Aquaplex – April 1, 2006

The Community Services Committee respectfully submits the following reports:

The City is planning to offer a one time free public swim on Saturday, April 1, 2006 at the Southport Aquaplex, which is already scheduled as a specialty swim from 9:00 am until 5:00 pm during the spring break.

This event will be combined with an educational presentation to increase the awareness of water safety and the many swim programs available to the community.

It is the intent that through the promotion and marketing of this free event that the pool may see an increase in the number of public swimmers that has decreased over the past several years.

- 31/06 Moved by Councillor Porter
Seconded by Councillor Quinn
RESOLVED THAT the Council of the City of Portage la Prairie provide a free public swim and water safety presentation to the public at the Southport Aquaplex on Saturday, April 1st, 2006 from 9:00 am – 5:00 pm in an attempt to increase awareness and participation in aquatic programs.
Carried.

Community Event Permit Request for Throwdown Inc.

The Coors Light Silver Summer Throwdown will be hosting their 4th annual event this August in Portage la Prairie and would like to have a beer garden once again in Island Park. They have requested a Community Event Permit for August 18 – August 20, 2006 for the purpose of a beer garden to be located near the concessions.

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.

- 32/06 Moved by Councillor Porter
Seconded by Councillor Quinn
RESOLVED THAT the Council of the City of Portage la Prairie approve the request from Throwdown Incorporated to obtain a community event permit for their event to be held at Island Park August 18-20, 2006.
Carried.

DEFERRED BUSINESS:

None.

NEW BUSINESS:

Award of Tender for
the Supply of Fuel and
Lubricants

This tender was advertised in The Daily Graphic and on the City web page, and previous bidders, with the exception of AMM, were notified by telephone. AMM's subcontractor, Imperial, was notified by phone, however, AMM was not notified directly.

The tender includes the supply of fuel and lubricants for a two-year period beginning March 1, 2006, and ending February 28, 2008. Fuel is delivered in bulk to the City Garage holding tanks.

All bidders submitted prices for all materials.

The total annual budgeted amount for 2006 is approximately \$148,500.00 net of GST rebate. This amount excludes \$2,000 typically spent by the Fire Hall on fuel at the City Garage.

Assuming the prices stay relatively close for the duration of the contract, and the City has normal equipment and vehicle operating time in 2006, the budget should be adequate.

The Association of Manitoba Municipalities is the City's present contractor. They have a competitive bid process that involves issuing a request for proposals. They then recommend the low acceptable bidder to their client municipalities, who deal directly with the local company fuel representative.

AMM also offers a rebate program. In 2005, the City received a fuel rebate of approximately \$2049.

33/06

Moved by Councillor Keryluk
Seconded by Councillor Porter

RESOLVED THAT the Council of the City of Portage la Prairie not award the tender 06 OPS 003 for the supply of Fuel and Lubricants, due to the inaccurate diesel fuel specifications; AND FURTHER THAT Council request this tender to be reissued.
Carried.

Federal Tax Funding
Agreement

On November 18, 2005, the Province of Manitoba and the Government of Canada signed an agreement for the transfer of Federal gas taxes to Manitoba municipalities. The Federal gas tax dollars will flow from the Federal Government through the Province to municipalities. In order for municipalities to receive their funding, each municipality is to sign a Funding Agreement with the Province.

For the City of Portage la Prairie, the fuel tax share over 5 years will be \$1,879,304.23.

On January 10, 2005, City Council passed a resolution that for the remainder of its term, any monies received from other levels of government designated as fuel tax rebate money be spent on the repair, upgrading and/or building of roads within the City of Portage la Prairie.

Annual reporting requirements on the use of the funds will be required and these administrative details are being developed through AMM.

34/06 Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT the Mayor and Director of Finance be authorized to sign the gas tax funding agreement between the Government of Manitoba and the City of Portage la Prairie.

Carried.

OLD BUSINESS:

None.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:50 p.m.

Mayor

Manager of Administration