

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, January 22, 2007 at 6:00 p.m.

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

**ABSENT:**

**ADOPTION OF MINUTES** 18/07 Moved by Councillor Quinn  
Seconded by Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, January 8, 2007, be approved as presented.  
Carried.

**DELEGATIONS:**

a) Heritage Committee – presentation of design contest winners  
Winners of the design contest were:  
- Jasmine Anderson, Grade 2, Fort la Reine School – birthday card for the City of Portage la Prairie;  
- Shania Masseau, Grade 5, Fort la Reine School, heritage logo for Centenary button;  
- Jeffery Kent, Grade 11, Portage Collegiate Institute, heritage logo for the Winterfest 2007 Poster.

Jeffrey Kent was in attendance, and Mayor Brennan presented him with his prize for winning the senior category (Grade 9 – 12) for his design logo for the Winterfest 2007 Poster. The other winners were unable to attend.

Mr. James Kostichuk, representing the Heritage Committee, commented on the importance of the history of Portage la Prairie and its role in the education system.

b) Kim Kraut, owner of Hi-Way Motel  
Ms. Kraut, representing Hi-Way Motel, spoke about high speed vehicles in the back lane behind the hotel and excessive vandalism in this area. Ms. Kraut would like to see the backlane closed.

**HEARINGS:**

a) Variation, Portage la Prairie Planning District, 800 Sask. Ave. W.  
No one appeared to speak in favour of or in objection to this rezoning.

19/07 Moved by Councillor Wagner  
Seconded by Councillor Quinn  
RESOLVED THAT the public hearing for the Variation request by the Portage la Prairie Planning District for 800 Saskatchewan Avenue W., now be closed.  
Carried.

The applicant, Portage la Prairie Planning District, is applying for a variation order to allow the rear yard to be reduced from the required 6m to .7m to allow for an addition to be built on rear of existing building.

This building is in a C2 – Central Commercial Zoning District.

20/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Portage la Prairie Planning District to vary the rear yard to be reduced from the required 6m to .7m at the property known as 800 Saskatchewan Ave. W., and legally described as Lots F, G, H, I, Block 2, Plan 100, Parish of Portage la Prairie.  
Carried.

b) Conditional Use –  
Wikdahl/J.W. Hinch  
Plumbing & Heating,  
20 – 2<sup>nd</sup> St. N.W.

No one appeared to speak in favour of or in objection to the conditional use.

21/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner

RESOLVED THAT the public hearing for the request for a Conditional Use by Wikdahl and J.W. Hinch Plumbing, now be closed.  
Carried.

The applicants, Kris & Kim Wikdahl, have applied for a conditional use to allow for a service station as a conditional use in a C-2 Central Commercial District. The applicants wish to specialize in installing vehicle immobilizers and do vehicle repairs.

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

22/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Kris & Kim Wikdahl to allow for a service station as a conditional use in a C2 – Central Commercial Zoning District with the condition that gas pumps are not permitted at the property known as 20-2<sup>nd</sup> St. NW., legally described as Lot 286 and the most southerly 30 feet of Lot 287, Plan 12, Parish of Portage la Prairie.  
Carried.

#### COMMITTEES:

##### Finance, Legislative & Property Committee

Unpaid Water, Sewer &  
Solid Waste to Taxes for  
December 2006 – By-  
Law 06-8308 – 2<sup>nd</sup>/3<sup>rd</sup>  
Readings

**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.

23/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law 06-8308 being a by-law to authorize unpaid water, sewer and solid waste charges for November, 2006, be added to taxes, be now read a second time.  
Carried.

Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8308 be now read a third time, finally passed, signed and sealed.  
Carried.

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

Closure of a Portion of  
Broadway Avenue and  
Transfer of Property, By-  
Law 06-8333 – 2<sup>nd</sup>/3<sup>rd</sup>  
Readings

On December 11, 2006, Council gave first reading to By-Law 06-8333 authorizing the closure and sale of a portion of Broadway Avenue to Portage la Prairie Consumers Co-operative Limited to accommodate the construction of proposed new food store.

On the advice of Intergovernmental Affairs, clause two has been amended to avoid any delays that could result in the transfer process by replacing the

phrase following the word “Crown” with “and the Mayor and the Chief Executive Officer are hereby authorized to execute, on behalf of Her Majesty The Queen In Right of the Province of Manitoba under the corporate seal of the Municipality, a transfer of land and any other documents necessary to carry out this By-Law.”

24/07 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 cost including easement costs, to the Portage la Prairie Consumers Co-operative Limited, be now read a second time, as amended.

Carried.

Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8333 be now read a third time, finally passed, signed and sealed, and forwarded to the Minister of Intergovernmental Affairs and Trade for approval.

Carried.

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

Adding Unpaid Comply  
Orders of the  
Maintenance and  
Occupancy By-Law to  
Property Taxes – By-Law  
06-8340 – 2<sup>nd</sup>/3<sup>rd</sup> Reading

In order to collect unpaid charges and fees as listed on Schedule “A”, it is the City’s practice to add sums of money owing to the City of Portage la Prairie to these unpaid accounts to the Collector’s Roll.

25/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8340 being a by-law to authorize the unpaid Comply Orders of the Maintenance and Occupancy By-Law as per Schedule “A” be added to taxes, be now read a second time.

Carried.

Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8340 now be read a third time, finally passed, signed and sealed.

Carried.

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

Amendment to Livery  
By-Law – By-Law 06-  
8342 – 2<sup>nd</sup>/3<sup>rd</sup> Readings

It is proposed to amend the Livery License By-Law 7833 to change the expiry date to correspond with the driver’s license renewal date. Other changes proposed are minor, including a reference to the Fees and Charges By-Law for license fees and an updated penalty clause to coincide with the Municipal Act for penalties.

26/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8342 being a by-law to amend By-Law No. 7833 to allow changes in license livery license renewals be given 2<sup>nd</sup> reading.

Carried.

Moved by Councillor Quinn

Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8342 be now read a third time, finally passed, signed and sealed.  
Carried.

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

Appointment of  
Municipal Noxious  
Weeds Inspector

It is a requirement of the Noxious Weeds Act that every municipality annually appoint a Municipal Noxious Weeds Inspector and notify the Department of Agriculture, Food and Rural Initiatives of the appointment. This appointee carries out the provisions of the Noxious Weeds Act. Dave Green has been the City's appointee for a number of years.

27/07 Moved by Councillor Quinn

Seconded by Councillor Shindle

RESOLVED THAT in accordance with Section 11 of The Noxious Weeds Act, Council of the City of Portage la Prairie appoint Dave Green as the City's Noxious Weeds Inspector.

AND FURTHER THAT this appointment be conveyed to the Director of Crops Branch of the Department of Agriculture, Food and Rural Initiatives  
Carried.

Monthly Activity  
Reports – For  
Information Only

Council reviewed the monthly Activity Reports for December, 2006.

**City Planning and  
Economic Development  
Committee**

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

Portage la Prairie  
International Committee  
– Amendment to the  
Terms of Reference

Currently the Portage la Prairie International Committee (PIC) consists of 10 members appointed by Council to serve a two-year term. The Mayor also is part of the PIC, but as an ex-officio member.

The proposed amendment to section 4.0 of the Terms of Reference would change from making the Mayor an ex-officio to a voting member of the PIC. Since the Mayor does represent the interests of the City, the position should be allowed to vote.

28/07 Moved by Councillor Bereza

Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie amend the Section 4.0 of the Portage la Prairie International Committee Terms of Reference regarding membership to read as follows:

“There may be up to ten Portage la Prairie International Committee members and the current Mayor who are appointed by Council to serve a two-year term. After the initial appointment, five member's terms will expire on odd years, and five will expire on even years. Membership will be determined by Council at their annual Organizational Meeting

Carried.

Portage la Prairie  
International Committee  
Vacancies

The Portage la Prairie International Committee Terms of Reference allow for ten members and one ex-officio (the Mayor). Currently the Portage la Prairie International Committee has three vacancies.

The Portage la Prairie Ministerial Association has submitted the name of Past David Heasler and the Portage la Prairie and District Chamber of Commerce has submitted Mr. Chris Dyer to be considered for appointment to the Portage la Prairie International Committee.

- 29/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner  
RESOLVED THAT Council of the City of Portage la Prairie appoint Mr. Chris Dyer representing the Portage and District Chamber of Commerce and Pastor David Heasler representing the Portage la Prairie Ministerial Association to the Portage la Prairie International Committee for a two-year term ending December 31, 2008.  
Carried.

Tourism Advisory  
Committee (TAC)  
Appointment

The Tourism Advisory Committee consists of various service and industry providers in the tourism industry. Currently the Tourism Advisory Committee has five members and one ex-officio person. In the Terms of Reference in section 4.0 of membership it states, there will be seven TAC members appointed by Council to serve a two-year term.

The Tourism Advisory Committee recommends the appointment of Mr. Tim Daniels, General Manager of Keeshkeemaquah Conference and Gaming Centre.

- 30/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner  
RESOLVED THAT Council of the City of Portage la Prairie appoint Mr. Tim Daniels to the Tourism Advisory Committee for a two-year term ending December 31, 2008.  
Carried.

Monthly Activity  
Reports – For  
Information Only

Council reviewed the monthly Activity Reports for December, 2006.

**Public Safety  
Committee**

**The Public Safety Committee respectfully submits the following reports:**

Request for Proposals –  
Architectural Services  
for Detention Cell  
Retrofit

A Request for Proposals was sent out to four architectural firms that have completed design work on RCMP cells in recent years.

The RCMP has advised that the existing detention cells do not meet current standards. The work involves the design of retrofits to the existing detention cells at the Public Safety Building to bring them into accordance with current safety standards.

The proposals include Mechanical and Electrical engineering services related to the design of the retrofits.

The design and cost estimate are necessary in order to gauge the feasibility of proceeding with the project.

- 31/07 Moved by Councillor Ferris  
Seconded by Councillor Bereza  
RESOLVED THAT the Council of the City of Portage la Prairie award the contract for Architectural Services for Detention Cell Retrofit at the Public Safety Building to Calnitsky Associates Architects for the sum of \$32,500.00 plus disbursements and applicable taxes.  
Carried.

Monthly Activity  
Reports – For  
Information Only

Council reviewed the Activity Reports for December, 2006.

**Waterworks  
Committee**

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

Monthly Activity  
Reports – For  
Information Only

Council reviewed the monthly activity reports for December, 2006.

**Transportation  
Committee**

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

Additional Signage –  
River Road

A suggestion has been made to add “No Stopping” signage in front of the school on River Road to increase the visibility of this “No Stopping” zone. The cost will be less than \$200 for two additional signs.

32/07 Moved by Councillor Wagner  
Seconded by Councillor Ferris

RESOLVED THAT Council authorize an amendment to the Traffic By-Law No. 01-8105 Traffic Sign Directory reference drawing that specifies the location of traffic control signage to provide for:

- 1) installation of “No Stopping” signage on the east and west sides of River Road in front of Ecole Arthur Meighen School, between the existing signage.

Carried.

Monthly Activity  
Reports – For  
Information Only

Council reviewed the monthly Activity Reports for December, 2006.

**Community Services  
Committee**

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

Monthly Activity  
Reports – For  
Information Only

Council reviewed the monthly Activity Reports for December, 2006.

**DEFERRED  
BUSINESS:**

None

**NEW BUSINESS:**

Amendment to Out of  
Scope By-Law – By-  
Law 07-8355 – 1<sup>st</sup>  
Reading

The draft 2007 budget provides for an increase for Aquatic Cashiers beyond minimum wage effective January 1, 2007 and the implementation of two permanent part time lifeguard/instructors with benefits effective January 01, 2007.

With the requested changes as above, the current Out of Scope Employees Manual must be amended to accurately reflect the revised 2007 rate of pay for the Aquatic Cashier position and to record the creation of the new permanent part time lifeguard/instructor position.

Another required change to the Out of Scope Employees Manual is the removal of the Parks Supervisor, Parks Lead Hand and Parks Labourer positions as they are now covered by the CUPE Collective Agreement.

33/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law #07-8355 to amend Out of Scope Employees Manual By-Law #05-8272 to amend the rate of pay for the Aquatic Cashier positions for the year 2007 and to delete the reference to the Parks Supervisor, Parks Lead Hand and Parks Labourer positions and to add a Permanent Part-Time Lifeguard/Instructor position be given first reading.  
Carried.

24<sup>th</sup> Street/Park Drive  
Area Subdivision

An Application for Approval of Subdivision has been completed and submitted by Pollock & Wright Land Surveyors on behalf of Frostline Enterprises, 3346200 Manitoba Ltd. and Loblaw Properties West Ltd.

Frostline Enterprises Ltd. wishes to subdivide a 23,888 square foot parcel from their present holding for Lot 1, Block 2, Plan 1810 PLTO and transfer it to 3346200 Manitoba Ltd., who will consolidate it with their adjacent property (Parcels A, B, C & U Plan 45309).

The boundary between the Loblaw Property (Parcels D, E, & F Plan 45309) and the 3346200 Manitoba Ltd. Property (Parcels A, B, C & U Plan 45309) is also being adjusted.

The proposal meets the intent of the development plan in that the area is for commercial purposes. The proposal meets the requirements of the C3 Highway Commercial Zone.

Manitoba Planning Services has recommended that approval of this subdivision be conditional upon the consolidation of the various parcels as required to adjust the boundaries of these three titles.

34/07 Moved by Councillor Bereza  
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the subdivision as shown on the sketch to transfer a portion of Parcel D, Lot 1, Block 2, Plan 1810 from Frostline Enterprises Ltd. to 3346200 Manitoba Ltd., as well as to adjust the boundary between the Loblaw Property and the 3346200 Manitoba Ltd. Property, on the condition that the consolidation of the various parcels be made as required to adjust the boundaries of these three titles.

Carried.

10<sup>th</sup> St. N.W. – Local  
Improvement Plan, By-  
Law 07-8356 – 1<sup>st</sup>  
Reading

A local improvement plan for the street paving of 10<sup>th</sup> St. N.W. between 6<sup>th</sup> Ave and 7<sup>th</sup> Ave is primarily complete and ready for debenture for the residents' share who did not pay their share up front.

The total cost of constructing the road base and paving the street, with curb and gutter (and improvement to land drainage) was estimated at \$110,000 plus \$10,000 for engineering work. The cost was estimated at \$113.64 per frontage foot.

The cost of the project is borne by the adjacent landowners, and shared on a lot frontage basis, with the City paying Skerwood Properties' share, the amount for the corner lots less the flankage rates paid by the property owners and the additional costs of the project. The City's share was originally estimated at \$73,090.91, leaving the remaining amount of \$46,909.09 to be paid by the property owners. With the City paying the additional costs, the City's share amounts to \$146,956 plus engineering work done in-house. The additional \$73,866 was funded by the Fuel Tax Reserve. The increase in costs was reported at tender approval time last summer.

The debenture by-law Series A is for the residents' who did not pay their share upfront and requires first reading for it to be forwarded to the Municipal Board. Once the Board approves the borrowing, Council may then give it second and final reading.

35/07 Moved by Councillor Wagner  
Seconded by Councillor Bereza

RESOLVED THAT By-Law No. 07-8356, being the debenture by-law amend By-Law No. 05-8283, the Local Improvement Plan No. RD05-02-V1 to construct and pave 10<sup>th</sup> Street N.W. be given first reading and forwarded to the Municipal Board for approval.

Carried.

21<sup>st</sup> St. N.W. – Local  
Improvement Plan, By-  
Law No. 07-8357 – 1<sup>st</sup>  
Reading

A local improvement plan for the street paving of 21<sup>st</sup> St. N.W. is primarily complete and ready for debenture for the resident's share who did not pay their share up front.

The total cost of constructing the road base and paving the street, with curb and gutter was originally estimated at \$151,000 plus \$10,000 for engineering work. The cost was estimated at \$118.49 per frontage foot.

The cost of the project is borne by the adjacent landowners, and shared on a lot frontage basis, with the City paying its share for a lane and the differential amount to what the tendered cost was over the estimated price. The City's share was originally estimated at \$9,479.20, leaving the remaining amount of \$151,525.01 to be paid by the property owners. With the City paying the additional costs, the City's share amounts to \$154,809 plus engineering work done in-house. The additional \$145,330 was funded by the Fuel Tax Reserve. The increase in costs was reported at tender approval time last summer.

The debenture by-law Series A and B is for the residents who did not pay their share upfront and requires first reading for it to be forwarded to the Municipal Board. Once the Board approves the borrowing, Council may then give it second and final reading.

36/07 Moved by Councillor Wagner  
Seconded by Councillor Ferris

RESOLVED THAT By-Law No. 07-8357, being the debenture by-law amend By-Law No. 05-8282, the Local Improvement Plan No. RD05-01-V1 to construct and pave 21st Street N.W. be given first reading and forwarded to the Municipal Board for approval.

Carried.

**OLD BUSINESS:**

Mayor Brennan reminded the public that there will be a public information night on Wednesday, January 25, 2007 at 7:00 p.m. at the Glesby Centre for the proposal of a Multiplex.

**ADJOURNMENT:**

The meeting adjourned at 6:45 p.m.

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Mayor

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Manager of Administration