

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, January 8, 2007 at 6:00 p.m.

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

ABSENT: Councillor Jeff Bereza and Irvine Ferris

ADOPTION OF MINUTES 01/07 Moved by Councillor Quinn
Seconded by Councillor Wagner
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, December 11, 2006, be approved as presented.
Carried.

DELEGATIONS: None.

HEARINGS:

a) Zoning By-Law Amendment, Kris & Kim Wikdahl, 20 – 2nd St. N.W. – By-Law 06-8337, 2nd/3rd Readings

No one appeared to speak in favour of or in objection to this rezoning.

02/07 Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT the public hearing for the Zoning By-Law amendment, By-Law 06-8337, for 20 - 2nd Street N.W., now be closed.
Carried.

The property in question, Lot 286 and the 30 most southerly feet of Lot 287, Plan 12, Parish of Portage la Prairie, is presently zoned R1–Single Family Dwelling and C1-Central Commercial District (Core Area). The applicants, Kris & Kim Wikdahl, wish to rezone this property to C2-Central Commercial District (Fringe Area).

The applicants wish to open a service garage to specialize in installing vehicle immobilizers and do light vehicle repair and maintenance. This will require a Conditional Use Application.

The property in question has enough room to accommodate at least four vehicles on the south side of the building for off street parking. As well, it has a fenced compound at the rear of the building.

03/07 Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land located at 20 2nd Street N.W., and legally described as: Lot 286 and the 30 most southerly feet of Lot 287, Plan 12, Parish of Portage la Prairie from R1-Single Family Dwelling and C1-Central Commercial (Core Area) to C2-Central Commercial (Fringe Area), AND THAT By-Law No. 06-8337 be read a second time.
Carried.

Moved by Councillor Wagner
Seconded by Councillor Quinn
RESOLVED THAT By-Law No. 06-8337 be read a third time, finally passed, signed and sealed.
Carried.

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

b) Variation, McGowan Russell Group Inc.,
780 Saskatchewan Ave. W.

Mr. Wayne Lusk, partner of Myers Norris Penny and representing the McGowan Russell Group Inc., appeared to speak in favour of the variation.

04/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the public hearing for the request for Variation by McGowan Russell Group Inc., now be closed.
Carried.

The applicants, McGowan Russell Group Inc., are applying for a variation order to allow the maximum approach to be increased from the required 10.7m to 24.6m. This is to permit access to seven parking stalls and one loading space from the existing back lane.

This building is in a C2-Central Commercial zoning district.

05/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of McGowan Russell Group Inc. to increase the maximum approach from the required 10.7m to 24.6m at the property known as 780 Saskatchewan Avenue W., legally described as Lots 6/14, Plan 34, Parish of Portage la Prairie.
Carried.

c) Conditional Use,
Colliers Pratt McGarry Inc., 2450 Saskatchewan Ave. W.

Mr. John Prawl, representing Colliers Pratt McGarry Inc., presented himself to be available for any questions in regards to the conditional use request.

06/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the public hearing for the request for Conditional Use by Colliers Pratt McGarry Inc., now be closed.
Carried.

The applicant, Colliers Pratt McGarry Inc., has applied for a conditional use to allow for an accessory use and building on property. The applicant wishes to install a fenced compound and build a cold storage shed for building material sales on the site.

This property is located in a C4 – Planned Shopping Centre Zoning District.

07/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the Conditional Use application of Colliers Pratt McGarry Inc., to allow for an accessory use and building as a conditional use in a C4 – Planned Shopping Centre Zoning District at the property known as 2450 Saskatchewan Ave. W., which is legally described as Lot 1, Block 3, Plan 1810, Parish of Portage la Prairie.
Carried.

d) Variation, Colliers Pratt McGarry Inc., 2450 Saskatchewan Ave. W.

Mr. John Prawl, representing Colliers Pratt McGarry Inc., presented himself to be available for any questions in regards to the variation request.

08/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the public hearing for the request for Variation by Colliers Pratt McGarry Inc., now be closed.
Carried.

The applicant, Colliers Pratt McGarry Inc., is applying for a variation order to allow:

- 1) height of accessory building to exceed the height of the principal building;
- 2) site coverage of accessories uses, buildings and structures to be increased from the required 15% to 17%.

The Applicant has a client that wishes to install a fenced compound and build a cold storage shed for building material sales.

This building is in a C-4 Planned Shopping Centre Zoning District.

09/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Colliers Pratt McGarry Inc., to vary the

- 1) height of accessory building to exceed the height of the principal building;
- 2) site coverage of accessories uses, buildings and structures to be increased from the required 15% to 17%

at the property known as 2450 Saskatchewan Ave. W. which is legally described as Lot 1, Block 3, Plan 1810, 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 – 2nd/3rd 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.

10/07 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 second time.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8307 be now read a third time, finally passed, signed and sealed.
Carried.

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

Unpaid Water, Sewer and Solid Waste to Taxes for December, 2006 – By-Law 06-8308 – 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.

11/07 Moved by Councillor Quinn
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 06-8308 being a by-law to authorize unpaid water, sewer and solid waste charges to be added to taxes, be read a first time.
Carried.

Adding Unpaid Comply
Orders of the
Maintenance and
Occupancy By-Law to
Property Taxes – By-Law
06-8340 – 1st 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 for these unpaid accounts to the Collector’s Roll.

12/07 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 introduced and read a first time.

Carried.

Keeshkeemaquah Mall
and Residential
Development on Long
Plain Reserve 6B

Long Plain Reserve Council have requested the provision of City services to a proposed commercial mall development south of the new office building and for residential development adjacent to Cottonwood Drive.

The City recently entered into an agreement to provide water and sewer, fire protection and solid waste landfill services to the Kishkeemaquah Centre and the Miskwaanakwadook Place office building.

For the Kishkeemaquah Mall, the agreement provides that the City charge and keep an administration fee on the same basis as the Kishkeemaquah Centre, that is municipal property taxes less RCMP policing costs. At Long Plain’s request, the agreement provides that the portions of the commercial property that are devoted to educational training be exempt from the administration fee. A Second Amending Agreement to the Municipal Services Agreement for the proposed new Kishkeemaquah Mall includes the aforesaid provisions.

The residential agreement provides for Long Plain to pay regular City water and sewer rates with municipal property taxes to be levied and then split on a 60/40 basis to Long Plain/City. Also, there is provision in the agreement for the City and Long Plain to jointly consult on by-laws related to maintenance and occupancy, animal control and noise control.

13/07 Moved by Councillor Quinn
Seconded by Councillor Shindle

RESOLVED THAT the Second Amending Agreement to the Municipal Services Agreement and the Municipal Services Agreement (Residential) between the City and Long Plain First Nation for the Kishkeemaquah Mall and residential development be approved and the Mayor and Manager of Administration be authorized to sign said agreements.

Carried.

Amendment to Livery
By-Law – By-Law 06-
8342 – 1st Reading

The Livery By-Law 7833 provides for the licensing and regulating of motor vehicle livery services.

An amending by-law is proposed to change the expiry to the driver’s license renewal date (Section 4, 7). 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.

14/07 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 livery license renewals be now introduced and read a first time.

Carried.

2006 Citizen Survey –
For Information Only

Council reviewed an information report on the Citizen Survey, comparing the results of the 2006 survey to the 2001, 1996 and 1991 surveys.

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly Activity Reports for November, 2006.

**City Planning and
Economic Development
Committee**

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

Encroachment, 603 – 2nd
Street N.W., Kathleen
May Wiebe

The building, which is a garage located at 603 – 2nd Street N.W. and owned by Kathleen May Wiebe, encroaches onto the public lane adjoining the south limit of the land. The garage and eave encroaches onto the adjoining property owned by the City as much as 3.7 feet. The owner has requested the City to allow the encroachment to remain for the life of the building.

15/07 Moved by Councillor Wagner
Seconded by Councillor Quinn

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Kathleen May Wiebe to allow the building, a garage located at 603 – 2nd Street N.W., situated on the land legally described as being Lots 20 and 21, Block 2, Plan 343 in RL 63 and 64 Parish of Portage la Prairie, to encroach onto a public lane owned by the City of Portage la Prairie, as much as 3.7 feet for the life of the building.
Carried.

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly Activity Reports for November, 2006.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly Activity Reports for November, 2006.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Water Distribution
System Quality
Monitoring – For
Information Only

The City has been conducting water quality testing in the water distribution system for several years. The testing provides Operators with the data necessary to make operational adjustments. Tests are taken at a number of homes at various locations within the City on a bimonthly basis.

Due to ongoing corrosion problems in the system, a phosphoric acid feed system was put into operation, the phosphoric acid forms a film on the inside wall of the pipe which protects the metal.

The latest July results have shown much higher than normal lead and iron levels at the MDC and 5th Street NE first draw sample location. The results after the suggested 2 minute flush time were at acceptable levels.

Lead levels in homes with lead water service lines continue to be a concern for ‘first draw’ water. After flushing water for a few minutes, lead concentrations generally drop to an acceptable level (below the limit as noted in the Canadian Drinking Water Guidelines.) It is recommended that the practice of running cold water for a two to three minute period be continued before drinking or cooking with the water at homes with lead water service lines.

The operators at the Water Treatment Plant will continue to investigate better operational means to control the pH of the finished water. Upgrades to the Carbon Dioxide control system and the chlorine system, in the upcoming months, will help them to reach this goal.

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly activity reports for November, 2006.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly activity reports for November, 2006.

Councillor Wagner acknowledged the Operations Director and staff for an excellent job in cleaning up the streets after the last major snowfall.

**Community Services
Committee**

The Community Services Committee respectfully submits the following reports:

Portage Collegiate
Institute Safe Grad
Request

The Manitoba Liquor Control Commission requires approval from the City, as the owner of the facility prior to issuing an occasional use liquor permit. The Portage Collegiate Institute has requested Council's consideration to obtain a permit for their scheduled Safe Grad at the Portage Centennial Arena on June 23, 2007.

Safe Grad is a National preventative Program supported by the Police and Education Officials across Canada intended to prevent accidental deaths during graduation activities.

16/07 Moved by Councillor Shindle
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie permit Portage Collegiate Institute to obtain an occasional liquor permit for the Portage Centennial Arena on Saturday, June 23, 2007 for the purpose of hosting their Safe Grad Event and further that they enter into a facility use agreement at the sole satisfaction of the City.
Carried.

Municipal Heritage
Designation for 39 – 2nd
Street S.W., “McCowan
Home” – By-Law 06-
8335 – 1st Reading

The Portage Heritage Advisory Committee (PHAC), has evaluated 39 – 2nd Street S.W. in the City of Portage la Prairie and is now recommending it for consideration of municipal heritage designation.

This Queen Anne style home, designed and built by John Duncan, displays an outstanding overall design with a wealth of exterior elements.

The historical and architectural information of the building is valued very high, therefore the PHAC recommends this home worthy of municipal designation.

After first reading of the by-law and first reading of Municipal Intent, a copy of the by-law must be sent to the owner, any lessee of the affected property and to the Historic Resources Branch. The Notice of Intent must include a declaration by Council that it intends to designate the site as a municipal heritage site and a date, time and place for a hearing.

The owners of the property have consented to the designation after meeting with Administration and the Chairperson of the PHAC.

17/07 Moved by Councillor Shindle
Seconded by Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the municipal heritage designation of 39 – 2nd Street S.W. referred to as the “McCowan Home” in the City of Portage la Prairie, AND FURTHER THAT By-Law 06-8335 be now introduced and read a first time.
Carried.

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly Activity Reports for November, 2006.

**DEFERRED
BUSINESS:**

None

NEW BUSINESS:

Councillor Shindle read a Press Release in regards to a Public Open House being held to review the results of the Recreation Facility Needs Study. The public is encouraged to attend the meeting on January 24, 2007 at the William Glesby Centre.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting adjourned at 6:28 p.m.

Mayor

Manager of Administration