

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, June 11, 2007 at 6:05 p.m.

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

ABSENT:

ADOPTION OF MINUTES 182/07 Moved by: Councillor Quinn
Seconded by: Councillor Wagner
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on May 28, 2007 and the Special Meeting Minutes of Council held at City Hall on May 28, 2007 be approved as circulated.
Carried.

DELEGATIONS: None

HEARINGS:

Variation – Mellco Developments Ltd. – 5, 7, 11, 24 Cadham Bay Mrs. Faye Nickart appeared before Council and spoke in favour of the Variation request.

183/07 Moved by: Councillor Quinn
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the variation request of Mellco Developments Ltd. now be closed.
Carried.

The applicants, Mellco Developments Ltd., are applying for a variation order to allow front yards on 5, 7, 11, 24 Cadham Bay lots to be reduced from 7.5 m to 6 m to accommodate larger homes on each lot that would allow for rear yard decks. This request was previously approved by Resolution No. 146/05 on June 27, 2005 and an extension approved by Resolution No. 138/06 on June 12, 2006.

These properties are in an R1 – Single family dwelling district.

184/07 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Mellco Developments Ltd. to vary the front yards from 7.5 m to 6 m to allow for decks to comply with the rear yard requirements on the properties 5, 7, 11, and 24 Cadham Bay which is legally described as Lots 31, 30, 28 Block 4 and Lot 15 Block 6 Plan 35629, Parish of Portage la Prairie.
Carried.

Variation – Jo & Marianne Breckman – 41 Wilkinson Crescent Mr. Jo Breckman appeared before Council and spoke in favour of the variation request.

185/07 Moved by: Councillor Bereza
Seconded by: Councillor Shindle
RESOLVED THAT the public hearing for the Variation request of Jo & Marianne Breckman now be closed.
Carried.

The applicant, Jo and Marianne Breckman, are applying for a variation order to allow the maximum driveway width to be increased from the required 6m to 9.7m.

This building is in an R1 – Single family dwelling district.

The application has been circulated to the various City Departments with one concern being expressed regarding snow removal. The home owner has been advised of this concern.

186/07 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Jo and Marianne Breckman to vary the maximum driveway width to be increased from the required 6m to 9.7m at the property known as 41 Wilkinson Crescent which is legally described as Lot 1, Plan 1127, Parish of Portage la Prairie.

Carried.

Road Closure – Kelly K
Street & Keith Street –
By-Law 07-8367 – 2nd &
3rd Reading

Mr. Art Smith, 59 Keith Street, appeared before Council with questions on the new west-end subdivision.

Mr. Ted Howard, 40 Sunset Drive, appeared before Council with questions on the new west-end subdivision.

Mr. Alex Borczuck, 69 Sunset Drive, appeared before Council with questions on the zoning of the new west-end subdivision.

187/07 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT the hearing for the road closure of Kelly K Street & Keith Street now be closed.

Carried.

This By-Law received first reading on May 8, 2007.

The City is constructing a new subdivision in the southwest area of the City, South of Elm Street. To complete the subdivision, Kelly K Street and Keith Street need to be closed and the new subdivision will open the streets required.

188/07 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8367, being a by-law to close Kelly K Street and Keith Street, legally described as, FIRSTLY: Keith Street as shown on Plan No. 21286 P.L.T.O. in River Lots 54 and 56, Parish of Portage la Prairie, in Manitoba, lying to the south of a line drawn easterly from the north east corner of Lot 1, Block 1, on said Plan 21286, to the north west corner of Lot 8, Block 4 on said Plan 21286, and which lies to the north of a line drawn easterly from the south east corner of Lot 12, Block 1, on said Plan 21286, to the south west corner of Lot 1, Block 4, on said Plan 21286;

SECONDLY: Kelly K Street as shown on Plan No. 21286 P.L.T.O. in River Lots 54 and 56, Parish of Portage la Prairie, in Manitoba, lying to the south of a line drawn easterly from the north east corner of Lot 1, Block 2 on said Plan 21286, to the north west corner of Lot 24, Block 1, on said Plan 21286, and which lies to the north of a line drawn easterly from the south east corner of Lot 12, Block 2, on said Plan 21286, to the south west corner of Lot 13, Block 1, on said Plan 21286; be read a second time
Carried.

Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8367 be now read a third time, finally passed, signed and sealed, and forwarded to the Minister of Intergovernmental Affairs and the Minister of Conservation for approval.
Carried.

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

COMMITTEES:

Finance, Legislative & Property Committee

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

By-Law 07-8347 –
Unpaid Water & Sewer &
Solid Waste to Taxes for
May – 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.

189/07 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law 07-8347 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.

Carried.

By-Law 07-8366 –
Unpaid Fees to Taxes –
2nd & 3rd Reading

In order to collect unpaid charges and fees, 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.

190/07 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED That By-Law No. 07-8366 being a by-law to authorize unpaid charges and fees to be added to taxes, be read a second time.

Carried.

Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED That By-Law 07-8366 be read a third time, finally passed, signed and sealed.

Carried.

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

City Planning & Economic Development

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

Labour Needs
Assessment Report – For
Information Only

Council reviewed a report on the recent Labour Needs Assessment survey which was conducted from December 18, 2006 to March 9, 2007.

Extension for Variation –
Mellco Developments
Ltd.

The applicant has requested an extension to their original Variation order, which was passed by Resolution No. 141/06 on June 26, 2006, for an additional 12 months.

To date, one duplex unit has been built with three duplex units remaining to be developed.

191/07 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the request to extend the original variation order (PC 20-06) at the properties 30, 34, 38, 42, 46, 50, 54 & 58 Jack Cavers Place which are legally described as Lot 2, Plan 39872, Parish of Portage la Prairie.

Carried.

Tourism Awareness
Week – For Information
Only

Council reviewed a report outlining the sessions for the Tourism Awareness Week which was held May 28 to June 1, 2007.

Newcomers Welcome
Open House – For
Information Only

Council reviewed a report on the Newcomers Welcome to Portage la Prairie evening which was held at the Canad Inns on Thursday, May 31, 2007. The event was well attended.

- FCM Individual Category Councillor Quinn acknowledged Dean Yaremchuk for the FCM Individual Category Award for his huge personal commitment to the partnership between the City and Tubigon.
- Public Safety Committee** **The Public Safety Committee has nothing to report.**
- Waterworks Committee** **The Waterworks Committee has nothing to report.**
- Transportation Committee** **The Transportation Committee has nothing to report.**
- Community Services Committee** **The Community Services Committee respectfully submits the following reports:**
- Portage Community Network Committee – Board Member Appointment One of the 2007 Strategic Plan goals is to provide for social planning initiatives and partial funding to conduct a study that examines local social conditions and needs in the City of Portage la Prairie. As a part of the action plan to achieve this goal, the appointment of the Community Services Committee Chair to the Portage Community Network Committee Board to act as the City liaison needs to be fulfilled.
- 192/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza
RESOLVED THAT the Council of the City of Portage la Prairie appoint Councillor Shindle, Chairperson of Community Services Committee, as the City of Portage la Prairie’s representative on the Portage Community Network Board effective immediately to the City’s 2007 Organizational Meeting.
Carried.
- Canada Day – Closure of Streets Island Park will be the site of our Canada Day Celebrations with a number of activities taking place focusing on children, family activities and entertainment. It is therefore determined that the George Hill Drive should be closed for Canada Day for the set up of the Main Stage. The remainder of the park will remain open to vehicles.
Crescent Road from 3rd Street East to Royal Road and 4th Street West to Royal Road will be closed at 8:00 p.m. to mitigate vehicular/pedestrian conflict.
- 193/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza
1. THAT the City Council advise the Island Park residents that the route for access to their properties will be Royal Road South, Pelechaty drive, to Brandon Avenue, and Massey Crescent from noon June 29, 2007 to noon July 2, 2007 with International Drive being accessible for residents exiting the park.
 2. THAT George Hill Drive be hereby closed for the Canada Day celebrations from noon June 29, 2007 to noon July 2, 2007.
 3. THAT Crescent Road from 3rd Street East to Royal Road and 4th Street West to Royal Road be closed on July 1, 2007 from 8:00 p.m. until midnight or until the conclusion of the fireworks display.
 4. THAT the Island Park Bridge be closed to all vehicle and pedestrian traffic on July 1, 2007 from 10:00 p.m. until midnight or until the conclusion of the fireworks display.
- Carried.

Scouts Jamboree

Councillor Shindle commented on the success of the Scouts Jamboree held at Island Park. Over 1000 participants took part in the event.

**DEFERRED
BUSINESS:**

By-Law 07-8361 –
Rezoning – City of
Portage la Prairie – 2nd &
3rd Reading

A public hearing was held for 2nd & 3rd Reading of By-Law 07-8361. One objection was received.

195/07 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT By-Law 07-8361 receive 2nd Reading and that due to the objection received, that it be referred to the Portage & District Planning District for approval.

Defeated

NEW BUSINESS:

Southport Agreement

Administration has been negotiating a new agreement for the continued use of the Southport Aquaplex to provide aquatic opportunities and water safety training to residents of both the City of Portage la Prairie and the Rural Municipality of Portage la Prairie.

The previous five year Facility Agreement had expired effective May 31, 2007. In the interim to ensure continued aquatic services, Administration had issued a letter to Southport signed by Mayor Ken Brennan and the City Manager indicating that the terms and conditions of the agreement have been agreed to and approved for a period of June 1 – 15, 2007 until City Council was able to officially review the agreement.

The new agreement reflects a twenty-four month term, operating on a twelve month basis commencing June 1 – May 31 of each year. There are two one year options to renew the contract on the same terms and conditions and at the sole discretion of the City. Southport agrees to maintain the operating permit, mechanical operations and regular maintenance of the facility. The City will continue to manage all aquatic programming and staffing requirements.

Southport has also agreed to pay for a limited number of summer pool times to make available public/lap swimming four times a week. The City will also work with major rental groups to accommodate summer pool requests as human resources and budget permit between the two aquatic facilities. Southport memberships will no longer be valid during City programs, although future consideration will be given to a City pool membership in the fall of 2007.

The new agreement reflects a new annual rent fee that includes the City's 2/3 portion of the net operational cost as previously agreed to in a letter signed between the Rural Municipality of Portage la Prairie, Southport and the City December 14, 2005. The new annual rental rate is \$189,916 and is subject to consumer price index adjustments annually.

This agreement also reflects the recently established shared capital agreement where Southport, the City, and the R.M. are each responsible for 1/3rd of all mutually agreed upon capital expenditures that may be reasonably required to maintain the structural, mechanical and electrical integrity of the pool over the term of the agreement. This request is to be submitted by Southport by August 15 of each year of the term for consideration.

The new agreement provides fair terms and conditions to continue to provide quality aquatic programming for the next few years and the flexibility to work in partnership with Southport to meet any future recreation needs.

194/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the proposed Facility Agreement for a two year term commencing June 1, 2007 – May 31, 2009, with two one year options to renew at the existing terms and conditions and furthermore that Council authorize the Mayor and Manager of Administration to sign the agreement on behalf of the City of Portage la Prairie.

Carried.

18th Street Road Closure
– By-Law 07-8368 – 1st
Reading

This is the second attempt to close a portion of 18th Street N.W. Boulevard and transfer the land to 5160197 Manitoba Ltd.

The original by-law received third reading from Council on March 26, 2007 and was forwarded to the Minister of Intergovernmental Affairs for approval. However, Intergovernmental Affairs returned the by-law with the recommendation to change the dimensions of the property size from 125 feet X 54 feet, to 125 feet X 33 feet. With this recommended change the width of 18th Street N.W. will be 99 feet which will maintain it as an arterial street to allow for widening if it is required to accommodate increased traffic in the future.

The purchasing company 5160197 Manitoba is in agreement with the changes and would still like to purchase the property. In changing the size of the property the price has also been adjusted from \$14,688 to \$8,976.

This amended by-law will not require a hearing as the intent of the by-law is the same, only the dimensions have changed.

196/07 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 07-8368 being a by-law to close a portion of 18th Street N.W. Boulevard, and to transfer said property to 5160197 Manitoba Ltd for the price of \$8,976, be now introduced and read a first time.

Carried.

Award of Contract –
Climate Impact

Engineer's Canada, in conjunction with Natural Resources Canada initiated the National Engineering Assessment of the Vulnerability of the Public Infrastructure to Climate Change in 2006 to assess the vulnerability to climate change. The City of Portage la Prairie has been selected as the first community to participate in a pilot study, which will specifically target water supply and treatment infrastructure.

The proposal submitted by the team of Genivar Engineering and TetrES Environmental Consultants is very strong and meets the requirements of the terms of reference. Engineer's Canada has a budget of \$50,000 for professional services for this project, plus expenses. The City's commitment is in-kind staffing resources.

197/07 Moved by: Councillor Keryluk
Seconded by Councillor Wagner

RESOLVED That the contract for engineering services for the City of Portage la Prairie Water Resources Vulnerability to Climate Change Assessment Pilot Study be awarded to GENIVAR for the proposed cost of \$49,900, plus GST and disbursements.

Carried.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 6:50 p.m.

Mayor

Manager of Administration