

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, March 12, 2007 at 6:00 p.m.

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

**ABSENT:**

**ADOPTION OF MINUTES** 74/07 Moved by Councillor Quinn  
Seconded by Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, February 26, 2007 and the Minutes of the Special Meeting of Council held at City Hall on Friday, March 2, 2007 be approved as circulated.  
Carried.

**DELEGATIONS:** None

**HEARINGS:** **Variation – McKenzie United Church – 85-11<sup>th</sup> Street NW**

Variation – McKenzie United Church – 85-11<sup>th</sup> Street NW 75/07 No one appeared to speak in favour of or in objection to this variation.  
Moved by: Councillor Wagner  
Seconded by: Councillor Bereza  
RESOLVED THAT the hearing for the Variation for the McKenzie United Church now be closed.  
Carried.

The applicant, McKenzie United Church, is applying for a variation order to

- 1) allow the front yard to be reduced from the required 7.5m to 3m
- 2) allow the rear yard to be reduced from the required 7.5m to 7.15m
- 3) reduce the requirement to create 5 new parking stalls to 0 parking stalls.

This building is in an EI – Educational and Institutional Zone.

76/07 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of MacKenzie United Church to vary

- 1) the front yard requirement of 7.5m to be reduced to 3m
- 2) the rear yard requirement of 7.5m to be reduced to 7.15m
- 3) requirement to create 5 new parking stalls to be reduced to 0 parking stalls

at the property known as 85 11<sup>th</sup> St NW. which is legally described as Lot 140/145, Plan 13 in RL 59, Parish of Portage la Prairie

with the condition that the complete parking lot and the portion of the back lane (which adjoins to said property) be paved to be completed one year from the date of occupancy.  
Carried.

Conditional Use – Gilbert Catchway Ministries – 136 Saskatchewan Avenue East

**Conditional Use – Gilbert Catchway Ministries – 136 Saskatchewan Avenue East**

Donna Gabriel of Gilbert Catchway Ministries spoke in support of the Conditional Use and was available for questions.

A letter of objection was received from Boi-Hung Wu regarding the Conditional Use Application for Gilbert Catchway Ministries.

77/07 Moved by: Councillor Wagner  
Seconded by: Councillor Bereza  
RESOLVED THAT the hearing for the Conditional Use of the Gilbert

Catcheway Ministries now be closed.  
Carried.

The applicant, Gilbert Catcheway Ministries, has applied for a conditional use to allow for an assembly place (church).

This property is located in a C1 - Central Commercial Zoning District.

The application was circulated to the various City Departments with concerns relating to parking and occupancy.

78/07 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 Gilbert Catcheway Ministries to allow for an assembly place (church) in a C1 – Central Commercial Zoning District at the property 136 Saskatchewan Ave. E., which is legally described as Lot 18, Plan 1026, Parish of Portage la Prairie with the conditions that the applicant request a variation for parking and an occupancy permit.

Carried.

## COMMITTEES:

### Finance, Legislative & Property Committee

Unpaid Water, Sewer & Solid Waste to Taxes for February, By-Law 07-8344 – 1<sup>st</sup> Reading

### 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.

79/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 07-8344 being a by-law to authorize unpaid water, sewer and solid waste charges to be added to taxes, be read a first time.

Carried.

Unpaid Trailer Licenses to Property Taxes – By-Law 07-8358 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

In order to collect unpaid trailer license fees, it is the City's practice to semi-annually add sums of money owing to the City of Portage la Prairie for trailer license fees to the Collector's Roll.

80/07 Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 07-8358 being a by-law to authorize the unpaid 2006 trailer license fees as per Schedule "A" be added to taxes, be read a second time.

Carried.

Moved by Councillor Quinn  
Seconded by Councillor Shindle

RESOLVED THAT By-Law No. 07-8358 be now read a third time, finally passed, signed and sealed.

Carried.

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

Easement Agreement – EF Moon Construction Ltd.

The City of Portage la Prairie intends to install a watermain through property owned by EF Moon Construction Ltd., and requires an easement to construct, maintain, and operate this watermain.

The alignment of the watermain had to be revised from the original design due to the intersection work done by the Province on Saskatchewan Avenue and 14<sup>th</sup> St NE and Angle Rd.

- 81/07 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT Council of the City of Portage la Prairie approve the signing of agreements between the City of Portage la Prairie and EF Moon Construction, authorizing the easement over Parcel 8 Plan 28624 PLTO in PL 69.  
Carried.

**City Planning and  
Economic Development  
Committee**

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

Downtown Business  
Association Business  
Improvement –  
Allocation of Funds

The Downtown Business Association (DBA), in conjunction with the City of Portage la Prairie and the Portage and District Chamber of Commerce (PDCC), has established a new Downtown Development Initiative designed to assist in making the downtown more vibrant, to the benefit of downtown businesses and the community at large.

The City has agreed to provide \$10,000 in funding through the 2007 budget that will also be available for eligible projects, based on eligibility criteria.

- 82/07 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED That Council approves the allocation of \$10,000 towards the downtown development initiative project that allows Downtown Business Association businesses the opportunity to access up to \$1,000 in matching funds for projects that focus on upgrading the appearance of building exteriors, structures and exterior spaces, in accordance with the criteria outlined in the Hometown Main Streets Enhancement Program.  
Carried.

**Public Safety  
Committee**

**The Public Safety Committee has nothing to report.**

**Waterworks Committee**

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

Award of Tender –  
Biosolids Land  
Application

Two packages were issued with only one returned. Assiniboine Injections has been the City's contractor for the past several years and they have done an excellent job.

The work includes the removal of approximately 1800 dry tonnes of digested secondary solids from the anaerobic digester (BVF) and biosolids storage tanks at the Water Pollution Control Facility, hauling and injection into farmland as a soil amendment and fertilizer.

- 83/07 Moved by: Councillor Keryluk  
Seconded by: Councillor Quinn  
RESOLVED THAT the Council of the City of Portage la Prairie award tender 07 OPS 003 to Assiniboine Injections Ltd. for the tendered price of \$589,381.20, including GST.  
Carried.

**Transportation  
Committee**

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

10<sup>th</sup> Street NW – Local  
Improvement – By-Law  
07-8356 – 2<sup>nd</sup> & 3<sup>rd</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 resident's share who did not pay their share up front.

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.

Council gave first reading on January 22, 2007 and the Municipal Board has approved the borrowing request.

84/07 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8356, being the debenture by-law to 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 second reading.  
Carried.

Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law 07-8356 be read a third time, finally passed, signed and sealed.

Carried

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

21<sup>st</sup> Street NW – Local  
Improvement – By-Law  
07-8357 – 2<sup>nd</sup> & 3<sup>rd</sup>  
Reading

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

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.

Council gave first reading on January 22, 2007 and the Municipal Board has approved the borrowing request.

85/07 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8357, being the debenture By-Law to amend By-Law No. 05-8282, the Local Improvement Plan No. RD05-01-V1 to construct and pave 21st Street N.W. be given second reading.  
Carried.

Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8357 be given third reading, finally passed, signed and sealed.

Carried.

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

Amendment to Traffic  
By-Law – By-Law 07-  
8359 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

Council gave first reading to By-Law 07-8359 on Monday, February 26, 2007. It is now ready to receive 2<sup>nd</sup> & 3<sup>rd</sup> Reading.

86/07 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8359 to amend the Traffic By-Law 01-8105 by adding Schedule "J" regarding one-Way Streets and Lanes/Alleys, be now read a second time.

Carried.

Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 07-8359 be now read a third time, finally passed, signed and sealed.

Carried.

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

**Community Services  
Committee**

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

Portage Kennel Club –  
Request for Camping

The Portage Kennel Club Annual Championship Dog Show attracts hundreds of competitors and spectators from across Manitoba and neighbouring provinces.

Council has previously permitted camping in the West parking lot of the Portage Centennial Arena for this Dog Show.

87/07 Moved by: Councillor Shindle  
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie permit the Portage Kennel Club to camp on the West parking lot of the Portage Centennial Arena for their Annual Championship Dog Show July 5 – 8, 2007.

AND FURTHER THAT the Portage Kennel Club be responsible for the installation, rental and return of all required snow fencing and further that the west parking area be cleaned and restored to its prior condition at the full cost of the Portage Kennel Club to the sole satisfaction of the City  
Carried.

**DEFERRED  
BUSINESS:**

None

**NEW BUSINESS:**

Celebrate Canada Grant

This year, the *Celebrate Canada!* application requires that the local government approve the designation of a signing authority to apply for the grant. It is required that the Municipal Council name and approve the person who is signing the application form as being the authorized person to sign on behalf of the municipality.

The 2007 Celebrate Canada! application form was submitted by Jennifer Sarna, Manager of Community Development for the City of Portage la Prairie and is therefore recommended as the signing authority for the purpose of the grant.

88/07 Moved by: Councillor Shindle  
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the authorization of Jennifer Sarna, Manager of Community Development of the City of Portage la Prairie to apply for federal funding from the Celebrate Canada! Program for Portage la Prairie's Canada Celebrations Sunday, July 1, 2007.  
Carried.

Encroachment - 230  
Saskatchewan Avenue  
East - Derek and Rhonda  
McCutcheon

The building is a single storey commercial building located at 230 Saskatchewan Avenue East and owned by Derek McCutcheon and Rhonda McCutcheon. The owners operate the business known as Off the Top from this location. McCutcheons wish to construct a ramp to the north entrance of this building to allow for easier access to clients with reduced mobility. Currently the existing structure does not allow for such access. The proposed ramp will encroach as much as 5.0 feet onto the adjoining property owned by the City which is on Princess Avenue. The owners have requested the City to

allow the encroachment to remain for the life of the building.

A standard agreement has been received, along with a diagram, Schedule A, showing the proposed encroachment.

89/07 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Derek McCutcheon and Rhonda McCutcheon to allow for the proposed ramp situated on the land legally described as being the easterly 47 feet of Lot 115 and the westerly 8 inches of Lot 116, Plan No. 215 P.L.T.O , in River Lot 66, Parish of Portage la Prairie, Excepting out of said Lot 115 that portion of the most westerly 22 feet in width thereof, which lies west of a line described as follows: Commencing on the northern limit of said Lot 115, 0.8 feet westerly from the north east corner of said most westerly 22 feet, thence southerly parallel to the eastern limit of said Lot 115, 14.41 feet, thence in a straight line to the south east corner of said most westerly 22 feet, to encroach onto the property owned by the City of Portage la Prairie which is on Princess Avenue, as much as 5.0 feet for the life of the ramp.

AND FURTHER THAT the owner agrees not to construct any additions to expand or increase the proposed encroachment, or to make any structural improvements or additions to the structure without the written consent of the City of Portage la Prairie.  
Carried.

2007 Budget

Councillor Quinn read the 2007 Budget Speech.

90/07 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie amend the 2007 Interim Operating and Capital Budget for the General and Utility Operating Funds adopted on December 11, 2006 as indicated in the revised Budget.  
Carried.

**OLD BUSINESS:**

None

**ADJOURNMENT:**

The meeting adjourned at 6:40 p.m.

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Mayor

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Manager of Administration