

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, May 28, 2007 at 6:07 p.m.

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

ABSENT: Councillor Quinn

ADOPTION OF MINUTES 159/07 Moved by: Councillor Wagner
Seconded by: Councillor Keryluk
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on May 14, 2007 be approved as circulated.
Carried.

DELEGATIONS: None

HEARINGS:

9th Street NW Local Improvement – By-Law 07-8364 – 1st Reading Ms. Gail Gilchrist of 867-9th Street NW spoke on behalf of the 9th Street NW delegation. The delegation is in favour of the paving project, however, they are opposed to the cost.

160/07 Moved by: Councillor Wagner
Seconded by: Councillor Keryluk
RESOLVED THAT the hearing for 1st reading to By-Law 07-8364 now be closed.
Carried.

161/07 Moved by: Councillor Wagner
Seconded by: Councillor Bereza
RESOLVED THAT the City of Portage la Prairie defer this decision to the June 25th meeting of Council.
Carried.

Rezoning – City of Portage la Prairie – By-Law 07-8361 – 2nd & 3rd Reading Danny Maxwell made a presentation on By-Law 07-8361, on the Meighen Avenue Property Rezoning process. Mr. Maxwell objected to the rezoning.

162/07 Moved by: Councillor Wagner
Seconded by: Councillor Shindle
RESOLVED THAT the public hearing for second and third reading of By-Law 07-8361 now be closed.
Carried.

163/07 Moved by: Councillor Keryluk
Seconded by: Councillor Ferris
RESOLVED THAT the Council of the City of Portage la Prairie defer this decision to the June 11, 2007 Council Meeting.
Carried.

COMMITTEES:

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

Unpaid Water, Sewer & Solid Waste to Taxes for April – By-Law 07-8346 – 2nd & 3rd Reading This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to property taxes.

164/07 Moved by: Councillor Shindle
Seconded by: Councillor Keryluk

RESOLVED That By-Law No. 07-8346 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a second time.
Carried.

Moved by: Councillor Shindle
Seconded by: Councillor Keryluk

RESOLVED That By-Law 07-8346 be read a third time, finally passed, signed and sealed.
Carried.

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

By-Law 07-8362 –
Repeal Existing
Scholarship By-Law – 2nd
& 3rd Reading

This By-Law received first reading on May 14, 2007. It is now ready to receive 2nd & 3rd Reading.

165/07 Moved by: Councillor Shindle
Seconded by: Councillor Keryluk

RESOLVED THAT By-Law No. 07-8362 to repeal the existing scholarship By-Law that is no longer required, be now read a second time.
Carried.

Moved by: Councillor Shindle
Seconded by: Councillor Keryluk

RESOLVED THAT By-Law No. 07-8362 be now read a third time finally passed, signed and sealed.
Carried.

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

Moved by: Councillor Shindle
Seconded by: Councillor Keryluk

AND FURTHER THAT policy CL-AV a policy to grant the Queen Elizabeth II Scholarships be approved.
Carried.

Garage Sale Sign
Removal

With the garage sale season comes the posting of these signs throughout the City.

The License By-Law states “Every (Garage Sale) Licensee shall remove all signs and advertising material within 24 hours following completion of the sale.”

As a means to address the loitering of the signs and provide a greater incentive for the licensees to remove their signs, it proposed to charge a fee of \$10 to the Licensees for the removal of these signs.

166/07 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 06-8331, being the by-law that sets out the fees & charges for 2007, be amended to include the following fee:

“Schedule “D””

Garage Sale Sign Removal Fee

\$10.00 per sign

Carried.

By-Law 07-8366 –
Adding Unpaid Fees to
Taxes – 1st Reading

In order to collect unpaid charges and fees as listed in 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.

167/07 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

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 first time.
Carried.

Cancellation of
Uncollectible Monies for
Accounts Receivable

Council may cancel any taxes, debt or monies owing to the City. Committee has received an attached schedule of proposed cancellations. These cancellations represent uncollectible municipal accounts receivables.

168/07 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED THAT Council approve the cancellation of monies owing as set out in the schedule.
Carried.

Sale of Residential Land
– Habitat for Humanity

Habitat for Humanity Portage la Prairie is an international non-profit organization dedicated to eliminating poverty housing and to make decent housing a matter of conscience and action.

Habitat for Humanity has requested that Council consider providing their organization a residential building lot as the City's contribution to their project.

Administration has made an offer to Habitat for Humanity Portage la Prairie to examine available lots and determine which lot suits their project needs. Administratively, we believe that the provision of affordable housing in accordance with the guidelines as presented by Habitat for Humanity will benefit our community.

169/07 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED That Council of the City of Portage la Prairie approves the sale of a City owned residential lot to Habitat for Humanity Portage la Prairie, for the total cost of \$1.00 and that each party be responsible for their own costs in relation to the sale and transfer of property and further that Administration be authorized to enter into a suitable agreement for sale.
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007

**City Planning &
Economic Development**

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

Request from Portage &
District Chamber of
Commerce to Host BBQ
– Vopni Park

The Portage and District Chamber of Commerce would like to hold their annual Barbeque at Vopni Park as part of the Tourism Awareness Week on Friday, June 1, 2007 from 11:30 am to 1:30 pm as they have done in the past.

170/07 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED That the Council of the City of Portage la Prairie approve the use of Vopni Park by the Portage and District Chamber of Commerce on June 1, 2007 from 11:30 am to 1:30 pm, for the purpose of hosting a barbeque in support of Tourism Awareness Week.
Carried.

Encroachment – 420
Dufferin Avenue – Carol
Lynn Barbeau

The building, which is a shed located at 420 Dufferin Avenue West and owned by Carol Lynn Barbeau encroaches onto the public lane to the north side of the land. The north eave of the shed encroaches onto the adjoining property owned by the City as much as 0.05 feet. The owner has requested the City to allow the encroachment to remain for the life of the building.

171/07 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie enter into

an agreement with Carol Lynn Barbeau to allow the building, a shed, located at 420 Dufferin Avenue West, situated on the land legally described as being Lot 3, Plan 30973 PLTO, in River Lot 62, Parish of Portage la Prairie, to encroach onto a public lane owned by the City of Portage la Prairie, as much as 0.05 feet for the life of the building.

Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

Part-Time Fire Fighter –
Training Rate – By-Law
07-8363 – 2nd & 3rd
Reading

The 2007 part time fire fighter training rate is \$12.78 per hour and the 2007 fire fighting rate is \$17.52 per hour. Included in the 2007 budget is \$6,000 to increase the training rate to \$17.52 an hour to have the same rate for both training and fire fighting.

172/07 Moved by: Councillor Ferris

Seconded by: Councillor Bereza

RESOLVED That By-Law 07-8363, being a by-law to increase the part time fire fighting training rate be given second reading.

Carried.

Moved by: Councillor Ferris

Seconded by: Councillor Bereza

RESOLVED That By-Law 07-8363 be read a third time, finally passed, signed and sealed.

Carried.

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

Emergency Mutual Aid
MOU – Town of Carman
& RM of Dufferin

The Town of Carman and the RM of Dufferin has requested the City of Portage la Prairie to renew their Peacetime Emergency Mutual Aid Agreement. Since the 2006 election the provincial government, Manitoba Emergency Measures Organization, requires new mutual aid agreements with neighbouring municipalities as part of their Emergency Plan.

It is also proposed that any cost incurred in connection with the mobilization, movement and deployment of Mutual Aid resources will be borne by the Municipality receiving the Aid.

173/07 Moved by: Councillor Ferris

Seconded by: Councillor Keryluk

RESOLVED That the Council of the City of Portage la Prairie renew the Peacetime Emergency Mutual Aid Memorandum of Understanding with the Town of Carman and the RM of Dufferin and further that the Mayor and Manager of Administration be authorized to sign said Memorandum of Understanding.

Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007.

Waterworks Committee

The Waterworks Committee respectfully submits the following report:

Water & Sewer Plant
Staff Certification
Requirements

There have been a number of questions raised concerning Provincial legislation and the effect it has on Water Treatment Plant and Water Pollution Control Facility Operator certification.

The City's water and sewer plants have been rated as Class IV facilities. Class IV is the highest rating and takes into account the volume and complexity of the treatment processes at both plants.

In meetings with Manitoba Conservation staff, the City was advised that the

Province has interpreted the regulations as regularly requiring Class IV operators at Class IV plants.

The Managers and Foremen at both plants have a requirement in their job descriptions to obtain an unconditional Class IV Water Treatment Plant certificate.

Creation of a Class IV Water Treatment Plant and Water Pollution Control Facility operator will result in staff in these positions moving from Class III to Class IV operators. There are four Water Treatment Plant and four Water Pollution Control Facility operators. This results in a total yearly increase in salary costs to the Utility of approximately \$8,500.

174/07 Moved by: Councillor Keryluk
Seconded by: Councillor Ferris

RESOLVED That Class IV operator positions be created in the Water Treatment Plant and Water Pollution Control Facility with qualifications mirroring those of Level IV Province of Manitoba Water and Sewer Plant operators respectively.

Carried.

Award of Tender – 10th
Street Watermain
Renewal Contract

The tender was advertised with one bid received.

The 10th Street watermain has had several breaks in this area over the years.

The City's net cost with the GST rebate is approximately \$120,241.00. The preliminary budget estimate was \$143,000 therefore the project is approximately \$22,759 under budget.

175/07 Moved by: Councillor Keryluk
Seconded by: Councillor Ferris

RESOLVED That the Council of the City of Portage la Prairie award the tender 07 OPS 010 to Towle Construction Ltd. for the tendered price of \$127,455.46, including taxes.

Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007.

Councillor Wagner provided a brief report of the Yellowhead Conference he attended noting that the Port of St. Rupert, following completion of its expansion will have double the capacity of Vancouver, which further emphasizes the importance of the Yellowhead Route. Councillor Wagner was also appointed Vice President for Manitoba and a Director on the Board of the Trans Canada Yellowhead Highway Association.

**Community Services
Committee**

The Community Services Committee respectfully submits the following reports:

Out of Scope Employee
Uniforms – By-Law 07-
8365 – 2nd & 3rd Reading.

On April 23, 2007, Council gave first reading to By-law 07-8365 being a by-law to revise the employee uniform requirement. This by-law is now ready for second and third reading.

The new policy defines the aquatic uniform as a red sleeveless shirt and a black nylon jacket, both labeled with a city crest. Employees will receive one red shirt annually, while one jacket will be allocated every two years as provided by the City and at no cost to the employee.

The changes to the Employment Standards were not anticipated and

therefore, the cost to supply uniforms was not budgeted in the 2007 fiscal year. It is therefore proposed that \$1,000 from the current aquatic supplies budget be allocated to cover the cost of uniforms for new staff.

Administration believes this policy will be an important tool in promoting public safety by standardizing a professional and easily identifiable appearance of aquatic personnel.

176/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED That By-law No. 07-8365, being a by-law to revise the employee uniform requirement be given second reading.
Carried.

Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOVLED That By-law No. 07-8365, be read a third time, finally passed, signed and sealed.
Carried.

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

AND FURTHER That policy RLS-AA a policy to establish guidelines for uniforms supplied to the aquatic division employees by the City of Portage la Prairie be approved.
Carried.

Portage Ad Hoc Ball
Committee Request to
Release Funds

The Portage Ad Hoc Ball Diamond Development Committee strongly believes in the benefit of the home plate bleachers for diamond #9. It is the intent to install bleachers, a sound system, a press box, an irrigation system and a roof for scorekeepers and wheelchair seating. The total cost of these projects is approximately \$33,500. The committee has a current balance of \$23,407 in the softball public funds account and would like Council's consideration to release the remaining \$4,794 of the original grant agreement to assist in funding this project.

177/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the allocation of \$4,794 from the Recreation Reserve to the Portage Ad Hoc Ball Diamond Development Committee for the purpose of completing facility improvements at diamond #9 in the Republic of Manitobah Park.
Carried.

Home, Leisure & Sport
Expo – FIO

Council reviewed a report outlining the Home, Leisure and Sport Expo.

Public Skate Policy –
RLS-AB

City Council values the opportunity for general public access to community facilities and in the case of public skating, has authorized in 2001 that public skate times be provided at no charge to the public to reduce barriers to participation.

Public and Family Skate statistics have been increasing each year, with a record attendance of over 5,500 skaters attending during the 2006/2007 season.

The new policy identifies a public and family skate schedule, which offers complimentary skating six days a week for a total of 6.5 hours a week.

This policy also recognizes the importance of maintaining public access to skating times and identifies a procedure for the City to consider cancellations in a fair process due to special events or tournaments.

The policy also includes rules to be enforced during skating times and also

outlines the procedure for non-compliance and the authority to arena staff and skate attendants to effectively deal with any incidents.

178/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie adopt policy RLS-AB titled "Public Skate Policy".
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for April 2007.

**DEFERRED
BUSINESS:**

None

NEW BUSINESS:

Award of Solid Waste
Contract

The tender for the collection of solid wastes closed on May 15, 2007.

This tender includes the collection of solid waste from all residential dwellings including multiple family dwellings, purchase of 33,000 waste collection tags, and landfill tipping fees. The term of the contract is 3 years, from August 1, 2007 to July 31, 2010.

The low bidder is BFI Canada Inc. and they have had a contract with the City in the past. Their equipment is of equal size and age as the present contractor and no concerns with the equipment is anticipated. The current contract payment is approximately \$13,500 per month, not including waste collection tag purchases or GST. With tags factored in, and no GST, the current contract costs about \$17,000 per month, or \$204,000 per year.

The 2007 budget is \$223,200.00 or \$17,833.00/month for the first seven months and \$19,617.00 for the remaining five months, including tags. The 2007 budget included a 10% increase on the final five months 2007 for the new contract. A new contract with the low bidder would, therefore, be over budget by \$121 per month.

179/07 Moved by: Councillor Wagner
Seconded by: Councillor Keryluk

RESOLVED That the contract for the collection of residential solid waste for the three year period, August 1, 2007 to July 31, 2010, as specified in tender 07 OPS 008, be awarded to BFI Canada Inc. at the tendered price of \$978,200.72 including taxes.
Carried.

Representative from BFI was available for any questions.

Memorandums of
Understanding –
The City of Portage la
Prairie and The R.C.M.P.
and The Manitoba Air
Show Inc.

The Manitoba Air Show Inc. will be hosting the 2nd annual Manitoba Air Show at the Southport Aerospace Complex in the Rural Municipality of Portage la Prairie on June 2nd and June 3rd 2007.

A request has been received from The Manitoba Air Show Inc. to provide additional police officers to assist with the Air Show to preserve the peace and prevent crime. The Royal Canadian Mounted Police have agreed to provide these additional services.

It is also proposed that all costs incurred by the Royal Canadian Mounted Police for the policing of this event, up to a maximum of six thousand dollars will be billed to the City of Portage la Prairie and be reimbursed one hundred percent to a maximum of six thousand dollars by The Manitoba Air Show Inc. to the City of Portage la Prairie.

180/07 Moved by: Councillor Ferris
Seconded by: Councillor Keryluk

RESOLVED THAT the Council of the City of Portage la Prairie enter

into memorandums of understanding with The Manitoba Air Show Inc. and The Royal Canadian Mounted Police to provide additional police officers to assist with the Air Show to preserve the peace and prevent crime at a cost of not greater than six thousand dollars;

AND FURTHER that The Manitoba Air Show Inc. agrees to reimburse the City of Portage la Prairie for one hundred percent of the costs incurred during the policing of the said event to a maximum amount of six thousand dollars;

AND THAT the Mayor and City Manager be authorized to sign said Memorandums of Understanding.
Carried.

Community Event Permit
– Western Canadian
Masters Fast Pitch

The Portage Phillies and the Portage Ladies Diamonds are hosting the Western Canadian Masters Fastpitch Championships in Portage la Prairie. They have requested a Community Event Permit for July 26 – 29, 2007 for the purpose of a beer garden to be located at the Republic of Manitobah Park.

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.

In addition, the organizers have indicated that Softball Manitoba will provide liability insurance to host the beer gardens. A copy of such policy and their security plan will be required at the time of signing the City's facility use agreement. Administratively, we have no concerns in supporting this request.

181/07 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the request from Portage Phillies Men's Fastball Team to obtain a community event permit for their event to be held at Republic of Manitobah Park July 26 – 29, 2007.
Carried.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 6:55 p.m.

Mayor

Manager of Administration