

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, January 12, 2009 at 6:00 p.m.

- PRESENT:** Mayor Ken Brennan, Councillors: Ferris, Shindle, Keryluk, Quinn and Wagner
- ABSENT:** Councillor Bereza
- ADOPTION OF MINUTES** 1/09 Moved by: Councillor Quinn  
Seconded by: Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on December 8, 2008, and the Special Meeting Minutes of December 23, 2008 be approved as circulated with the following correction to Resolution No. 368/08 of the December 23 Special meeting to remove the legal description and civic addresses and replace with the following legal description: "*Lots 297/298, Plan 29, Title 1729497.*"  
Carried.
- DELEGATIONS:** Judge Jean McBride: Mayor Brennan welcomed Judge Jean McBride who was introduced and welcomed by Council, Staff and Media. Judge McBride thanked the Mayor for the invitation and looks forward to being a part of this community.
- HEARINGS:** None
- COMMITTEES:**
- Finance, Legislative & Property Committee**
- The Finance, Legislative and Property Committee respectfully submits the following reports:
- By-Law 08-8410 – Debenture Series B – PR 240 And Crescent Road E. Intersection – 2<sup>nd</sup> & 3<sup>rd</sup> Reading
- The Debenture by-law for the design and construction of the PR240 and Crescent Road East intersection allows for debenture issues for this project to a maximum of \$600,000.00. The City's share was estimated at \$600,000.00 but is now estimated to be approximately \$475,000 which results in a savings of \$125,000 in the Fuel Tax Reserve. To date \$150,000 has been issued and there is a requirement for an additional \$305,000 to be borrowed at this time.
- Series B is set up to borrow \$305,000 from the Portage & District Hospital Foundation. The debt term is for 5 years, with the principal and interest to be paid with future Fuel Tax revenues in each of the 5 years.
- The borrowing by-law received 1<sup>st</sup> reading on October 14, 2008 and has been approved by the Municipal Board. It is now ready for 2<sup>nd</sup> & 3<sup>rd</sup> reading to release the funds. The order contains some minor wording changes to the by-law.
- 2/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 08-8410 authorizing debentures Series B in the amount of \$305,000.00 for partial works for the design and construction of the PR240 and Crescent Road East intersection be given 2<sup>nd</sup> Reading with the amendments as per the Municipal Board Order No. E-08-211.  
Carried.
- 3/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 08-8410 be given 3<sup>rd</sup> Reading, finally passed, signed and sealed.  
Carried.  
In Favour: Councillors Ferris, Shindle, Keryluk, Quinn, Wagner and Mayor Brennan
- By-Law 08-8394 – Unpaid Water, Sewer And Solid
- This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to property taxes.

Waste To Taxes  
For November  
2008 – 2<sup>nd</sup> And 3<sup>rd</sup>  
Reading

4/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 08-8394 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be read a second time.  
Carried.

5/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 08-8394 be read a third time, finally passed, signed and sealed.  
Carried.  
In Favour: Councillors Ferris, Shindle, Keryluk, Quinn, Wagner and Mayor Brennan

By-Law 08-8395 –  
Unpaid Water,  
Sewer and Solid  
Waste to Taxes for  
December 2008 –  
1<sup>st</sup> Reading.

This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to property taxes.

6/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 08-8395 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.  
Carried.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

Councillor Quinn noted that pet licenses are free from January to March.

**City Planning &  
Economic  
Development**

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

Councillor Wagner announced that Barb Kitching, Executive Director of Heartland Community Futures has tendered her resignation.

Encroachment  
Agreement – 608 –  
3<sup>rd</sup> Street N.W. –  
Gillis

The house at 608 3<sup>rd</sup> Street N.W. owned by Allan and Maxine Gillis encroaches as much as 2.25 feet, including the eave onto 3rd Street N.W as well as the step encroaches 4.5 feet. The owners have requested the City to allow the encroachment to remain for the life of the building. A similar agreement was approved for the previous owners earlier this year.

A standard agreement has been received, along with a diagram, Schedule A, showing the proposed encroachment. The request has been circulated to City departments for comments. Administratively, there are no concerns.

7/09 Moved by: Councillor Wagner  
Seconded by: Councillor Shindle  
RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Allan and Maxine Gillis to allow the building, a house including the eave, located at 608 3<sup>rd</sup> Street N.W., situated on the land legally described as being Lots 22 and 23, Block 2 SS Plan 343 PLTO in RL 63 and 64 Parish of Portage la Prairie, to encroach onto 3<sup>rd</sup> Street N.W. owned by the City of Portage la Prairie, as much as 2.25 feet and the step to encroach by 4.5 feet for the life of the building.  
Carried

Encroachment  
Agreement – 238  
Saskatchewan  
Avenue East –  
Paramount  
Investment Corp.

Paramount Investment Corporation., owners of the building located 238 Saskatchewan Ave. E. have had a request from their tenant, Canadian Mental Health, to install a handicapped ramp at the rear of the property on Princess Avenue. There is currently an existing ramp and deck that accesses the rear of the building and the owner is willing to build a new one that will conform to current building codes. The ramp will encroach onto the Princess Avenue Right of Way by approximately 3.5 feet.

The request has been circulated to City departments for comments:  
**Portage la Prairie Planning District** – According to the zoning by-law No. 7680, they are required to have a 6 metre rear yard. They would need to apply for a variation to have the deck closer to the property line than permitted.

**Transportation:** The only issues would be parking and snow removal. There will be 17 feet to the roadway left for parking. This ramp will not encroach any further than the building two buildings to the west.

8/09 Moved by: Councillor Wagner  
Seconded by: Councillor Shindle

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Paramount Investment Corporation to allow an access ramp and deck, located at the rear of 238 Saskatchewan Ave. E, situated on the land legally described as Lot 117, Plan 215 PLTO in 66 Parish of Portage la Prairie, to encroach onto Princess Avenue Right of Way owned by the City of Portage la Prairie, as much as 3.5 feet for the life of the building subject to the following:

a) That the owner obtain a variation to reduce the rear yard.  
Carried.

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Public Safety  
Committee**

The Public Safety Committee respectfully submits the following reports:

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

Councillor Bereza commented on an accident that took place at Crescentview School and discussion took place concerning speed limits in school zones. Councillor Ferris will consult with the RCMP regarding monitoring this matter.

Councillor Ferris has met with the RCMP and they have agreed to increase patrols during school tomes. They are still waiting for information from the Highway Traffic Board regarding speed limits in the School Zones.

Councillor Ferris reviewed a report submitted by Operation Red Nose. This was a very successful year and all proceeds were donated to Portage Minor Hockey.

Councillor Wagner has had some concerns regarding the Tupper Street Overpass brought to his attention.

Mayor Brennan reviewed a letter received by Shauna-Lei Leslie regarding the quick response by the Fire Department to the Douglas Campbell Lodge during an alarm. Mayor Brennan extended congratulations to the Fire Department Staff in this regard.

**Waterworks  
Committee**

The Waterworks Committee respectfully submits the following reports:

Monthly Activity  
Reports

Council reviewed the monthly activity reports.

**Transportation**

The Transportation Committee respectfully submits the following reports:

## Committee

### Monthly Activity Reports

Council reviewed the monthly activity reports.

### Community Services Committee

The Community Services Committee respectfully submits the following reports.

### Portage Sport And Cultural Association (PSCA)

The PSCA have submitted their profit and loss statement for 07/08 and budget for 08/09. In their notes they ask for waiver of the 2008 payment. They received a similar waiver in 2007.

The budget for 08/09 has been forwarded to the Budget Committee for their deliberations.

The building was initially paid by the General Reserve so the loan payments are transferred to the General Reserve. There is no impact on the Operating Fund.

Council may either extend the loan payment period to end in 2019 or cancel the 2008 bill.

9/09 Moved by: Councillor Shindle  
Seconded by: Councillor Wagner  
RESOLVED THAT Council cancel the 2008 invoice for the loan payment for the building costs.  
Carried.

### Beautification Committee

The Portage la Prairie Beautification Committee was formed as a joint Committee of the City and RM of Portage la Prairie and the Portage and District Chamber of Commerce in 2002. The Committee has undertaken a variety of successful initiatives in the City and RM of Portage la Prairie including the flower project along Saskatchewan Avenue.

The Committee have indicated that they have completed the majority of the projects they set out to undertake and should now be dissolved.

10/09 Moved by: Councillor Shindle  
Seconded by: Councillor Wagner  
RESOLVED THAT the City of Portage la Prairie congratulate the Portage la Prairie Beautification Committee for their success in beautifying and enhancing Portage la Prairie and that the Mayor and Manager of Administration be authorized to sign an agreement dissolving the Portage la Prairie Beautification Committee.  
Carried.

### Portage Terriers Request For Community Event Permit

The Portage and District Terriers have requested an occasional use liquor permit for their 2008 – 2009 season play off hockey games.

The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers.

A similar request was denied last year due to concerns regarding timing of the application, crowd control and security.

The City of Portage la Prairie is granted six community event permits each year. After discussions with the MLCC it is understood that if approved this event will be considered one of these events regardless of the number of games played and number of permits issued to the Terriers. The Terriers have specified that they will ensure that all contractual obligations regarding security will be adhered to and will provide this information to the City in advance of the event. The Terriers have indicated they will work with the City to develop a plan to deal with potential congestion in the lobby area.

- 11/09 Moved by: Councillor Shindle  
Seconded by: Councillor Wagner  
RESOVLED THAT the Council of the City of Portage la Prairie approve the Portage & District Terriers' request to obtain a community event liquor permit through the Manitoba Liquor Control Commission for the 2008-2009 season playoff hockey games to be held at the Portage Centennial Arena.  
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports.

Portage Regional Recreation Authority – Citizen Representative

Councillor Shindle announced that the Portage Regional Recreation Authority will be inviting one citizen from the City and one from the Rural Municipality to sit on the Portage Regional Recreation Authority Board. One member will be appointed by City Council and one will be appointed by the Rural Municipality Council. The decision will be announced at the Special Meeting of Council to be held on December 23, 2008.

Councillor Wagner requested that the vote be recorded in the following resolution.

- 12/09 Moved by Councillor Shindle  
Seconded by Councillor Quinn  
RESOLVED THAT the Council of the City of Portage la Prairie appoint by resolution one citizen representative to sit as a member of the Portage Regional Recreation Authority.  
Carried.  
In Favour: Councillors Ferris, Keryluk, Shindle, Quinn and Mayor Brennan  
Opposed: Councillor Wagner

Mayor Brennan announced that a delegation from the Kiev Youth Centre will be in Portage la Prairie on January 26. He stated there will be an open house at Canad Inn.

Mayor Brennan sent out a warning to the public regarding soft spots on Crescent Lake. He encouraged the public to exercise caution when on the lake.

**DEFERRED BUSINESS**

None

**NEW BUSINESS**

None

2009 Budget

Councillor Quinn presented the 2009 Budget Speech.

- 13/09 Moved by Councillor Quinn  
Seconded by Councillor Shindle  
RESOLVED THAT the 2009 General Budget and the 2009 Utility Budget be adopted.  
Carried.

**OLD BUSINESS**

None

**ADJOURNMENT**

There being no further business to discuss, Council adjourned at 6: 40 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Manager of Administration