

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, January 26, 2009 at 6:00 p.m.

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

ABSENT: Councillor Quinn

ADOPTION OF MINUTES 14/09 Moved by: Councillor Keryluk
Seconded by: Councillor Wagner
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on January 12, 2009 be approved as circulated.
Carried.

DELEGATIONS: **Kiev Delegation:** Mayor Brennan addressed Council and the gallery regarding the presence of the Kiev Delegation. Dean Yaremchuk introduced Victoria Sharmina and Volodymyr Gyshchak of the Kiev Youth Labour Centre and Karen Sharma of the Province of Manitoba to Council and gave an overview of their purpose in Portage la Prairie. Mr. Volodymyr addressed Council by thanking them and the City for their hospitality. Karen Sharma briefly stated the provincial interest in this initiative.

Dean Yaremchuk invited all to attend an open house at the Canad Inn for 7:00 p.m. this evening.

John Boehm: Appeared before Council regarding his concerns with the Multiplex

HEARINGS: None

COMMITTEES:

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

By-Law 08-8395 – Unpaid Water, Sewer And Solid Waste To Taxes For December 2008 – 2nd and 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.

15/09 Moved by: Councillor Shindle
Seconded by: Councillor Wagner
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 second time.
Carried.

16/09 Moved by: Councillor Shindle
Seconded by: Councillor Wagner
RESOLVED THAT By-Law No. 08-8395 be read a third time, finally passed, signed and sealed.
Carried.
In Favour: Councillors Ferris, Shindle, Keryluk, Bereza, Wagner and Mayor Brennan

By-Law 08-8416 – Debenture Authorization – Wilkinson Crescent – 2nd And 3rd Reading

The Debenture by-law for the design and construction of Wilkinson Crescent allows for borrowing up to a maximum of \$2,185,000.00 for the project.

The project was estimated at a cost of \$2.64 million funded by current and future Federal Fuel Tax revenues. The debt term for \$2.185 million is for 5 years, with the principal and interest to be paid with future Fuel Tax revenues in each of the 5 years. Borrowing was authorized under by-law 08-8397 and approved by the Municipal

Board.

The Series “A” Debenture issue for \$200,000 will be from the Portage & District General Hospital Foundation and the Series “B” Debenture is for \$1,300,000 from the Province of Manitoba.

17/09 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 08-8416 authorizing debentures Series A in the amount of \$200,000.00 and Series B in the amount of \$1,300,000.00 for partial costs for the design and construction of the Wilkinson Crescent be given 2nd Reading.

Carried

18/09 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 08-8416 be given 3rd Reading, finally passed, signed and sealed.

Carried

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

Right of Way
Agreement – MTS
AllStream – RL
103

MTS AllStream has requested a Right of Way Agreement for city property east of Old Bridge Road to service property owned by Jim and Aileen Solomon.

Their standard Right of Way Agreement has been provided for Council’s review and approval along with a map detailing the right-of-way. The Grantees shall be responsible for registering the easement and grant of right of user and for all associated costs.

The agreements have been circulated to the applicable City departments with no concerns being raised.

19/09 Moved by: Councillor Shindle
Seconded by: Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie approve the signing of an agreement between the City of Portage la Prairie and MTS Allstream Inc. authorizing a Right of Way over City-owned property for all that portion of the Sly 5.00 metres perp of the Nly 20.117 metres perp of RL 103 Parish of Portage la Prairie which lies east of Bridge Road Plan 806 and West of Parcel 1, Plan 29741 PLTO and as described in the agreement.

Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

Councillor Quinn brought to Council’s attention that some taxis are being operated in the City without a valid City livery license. The RCMP are investigating and where appropriate are laying charges. Right now – All Directions Shuttle, KT Executive Shuttle and Arrow Taxi are operating within the law by having their City livery license. Also there are some concerns on the part of the RCMP that there may be taxi operators, the actual drivers who are not operating legally because they do not have a class 4 license and a taxi operators licence or they have lapsed.

**City Planning &
Economic
Development**

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

Application for
Subdivision –
Solomon

The applicants, Jim and Aileen Solomon, wish to subdivide a single lot from the parcel Lot 10, Block 10, Plan 21428, on King St at 4th St SE, in order to facilitate possible future sale of individual properties.

Each parcel will contain an existing single storey four-plex with attached garages. The size of the new lot will be just under 1100m² and the residual lot will be just

under 900m2.

Manitoba Intergovernmental Affairs indicates:

Development Plan – The proposal conforms to the Development Plan policies.

Zoning By-Law – The proposal complies with the Zoning Bylaw requirements.

Portage Land Titles Office – a plan of subdivision will be required

The Planning District recommends approval.

Manitoba Intergovernmental Affairs recommends approval of this subdivision.

20/09 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the subdivision of Lot 10, Block 10, Plan 21428 PLTO, to create two lots, with one lot being just under 1100m2 in area and the residual lot being just under 900m2 in area.
Carried.

Application For
Subdivision/
Consolidation – Lot
7 Sp Plan 31796
RL 119

The applicants, Stephen and Sherry Moffit, wish to subdivide a 1.53 acre lot (185.15' x 360') containing their existing residence, from their present holding of 5.75 acres. The 4.22 acre residual parcel is to be consolidated with the adjacent 9.05 acre parcel owned by Rossendale Holding Co. Ltd. (Title No. 2274043).

ZONING BY-LAW – The proposal meets the requirement of the zone “UR” Urban Reserve.

The Planning District recommends approval.

Portage la Prairie Land Titles Office requires a 2-lot Plan of Subdivision to be filed.

Manitoba Hydro requires an easement to be filed.

21/09 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the application for subdivision of Lot 7, SP Plan 31796, RL 119 in the Parish of Portage la Prairie into a 1.53 acre lot and consolidate the remaining 4.22 acres with the adjacent 9.05 acre parcel owned by Rossendale Holding Co. Ltd. on the condition that a 2-lot Plan of Subdivision is filed with the Portage la Prairie Land Titles Office and a Manitoba Hydro easement is filed.

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.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Sidewalk Snow
Clearing

The addition of a new sidewalk with direct access to Crescentview School makes it necessary to expand the City sidewalk snow clearing program. The location of the new sidewalk is along the south side of Crescent Road East from River Road to Bridge Road. The new walkway has the potential to be used heavily during the winter months.

Also, a sidewalk on Kelly K St constructed in 2007 and the lakebank path were not added to the Standard after construction, but snow clearing has been done under the program.

22/09 Moved by: Councillor Wagner
Seconded by: Councillor Ferris
RESOLVED THAT Council authorize the expansion of the sidewalk snow clearing program to include sidewalks along
1) Crescent Road East from River Road to Bridge Road;
2) Kelly K St.; and
3) The Lakebank path
and amend the Sidewalk Snow Clearing Quality Standard DOP-PARKS-1 accordingly.
Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Community
Services
Committee**

The Community Services Committee respectfully submits the following reports.

Portage Collegiate
Institute Safe Grad

The Manitoba Liquor Control Commission requires approval from the City, as the owner of the facility prior to issuing an occasional use liquor permit. Portage Collegiate High School has requested Council's consideration to obtain the permit for their scheduled Safe Grad at the Portage Centennial Arena on June 27, 2009. Council has granted this approval in the past.

Previous Safe Grad celebrations in the Portage Centennial Arena have been successful with no major incidences.

23/09 Moved by: Councillor Shindle
Seconded by: Councillor Bereza
RESOLVED THAT the Council of the City of Portage la Prairie permit Portage Collegiate Institute to obtain an occasional use liquor permit for the Portage Centennial Arena on Saturday, June 27, 2009 for the purpose of hosting their Safe Grad Event.
Carried.

Celebrate Canada –
Funding
Application
Authorization

The City of Portage la Prairie is the primary funder for the annual Canada Day celebrations. Additional funding has been received in the past from the *Celebrate Canada!* grant program. Some expenses are further offset through sponsorship and in-kind contributions. In 2008 the Canada Day budget was \$34,000.

24/09 Moved by: Councillor Shindle
Seconded by: Councillor Bereza
RESOLVED THAT the Council of the City of Portage la Prairie approves the authorization of Jeanne Zwiep, Manager of Recreation Services of the City of Portage la Prairie to apply for federal funding from the *Celebrate Canada!* program for Portage la Prairie's Canada Day Celebrations Wednesday, July 1, 2009.
Carried.

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. The snow fencing provided has been used to prevent dogs from trespassing onto nearby residential properties and has been the responsibility of the Portage Kennel Club to pick-up, set up and take down.

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

25/09 Moved by: Councillor Shindle
Seconded by: Councillor Bereza
RESOVLED 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 2 - 5, 2009; and

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.

Water Sport Lease
Agreement for
Crescent Lake

The City of Portage la Prairie has leased the portion of Crescent Lake located east of the bridge to the Portage Water Sports Club for the past three years. This agreement expired December 31, 2008 and the Water Sports Club would like to renew the agreement on the present terms.

26/09 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT Council of the City of Portage la Prairie authorizes Administration to sign the three year lease agreement with Portage Water Sports Club for the use of Crescent Lake commencing May 2009 until December 31, 2012.
Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

Councillor Shindle commented on some of the highlights in the 2008 Recreation and Leisure Services Department Annual Report and extended congratulations on a job well done.

**DEFERRED
BUSINESS**

None

NEW BUSINESS

None

Utility Staffing

Utility Plant Staff Salaries

The Water and Wastewater Operators Regulation was adopted by the Province in 2003 resulting in mandatory Water Treatment Plant and Water Pollution Control Facility Operator certification with stipulated education and experience requirements. Class 4 utility operators, required by the City of Portage la Prairie to run the two utility plants, now effectively require 4 years of post secondary education plus 4 years of experience.

The City of Portage la Prairie Water and Sewer Plants are both rated as Class 4 facilities. Class 4 is the highest rating and is indicative of a plant with high volumes and multiple treatment processes.

The City/CUPE joint job evaluation ranking process assigns salaries based on a complex point ranking system that is not tied to, and does not reflect, real job market conditions. The plant operator salary rates in comparison to salaries in other jurisdictions are making it difficult to attract and retain qualified staff. There are few higher level utility plant operators in Manitoba and attracting partially qualified staff is extremely problematic.

The last two Water Treatment Plant operators that left went to the City of Winnipeg.

It is proposed that an additional 5% market adjustment be made to the Class 4 operator pay scale, but only for unconditional certificates.

Utility Facility Maintenance Staff Salaries

Current City of Portage la Prairie salaries for industrial trade positions required to maintain the Water Treatment Plant and Water Pollution Control Facility are significantly below market rates and have resulted in losses of qualified staff to other employers. This is exacerbated by a shortage of qualified applicants for vacant positions.

In an attempt to address the market demand for skilled trades staff, the City instituted a 5% market adjustment in 2001. The current facility maintenance salary does not reflect the market rates being paid for industrial trades staff. Increasing the market adjustment from 5% to 20% results in the City of Portage la Prairie's salary

rate increasing to \$26.24 an hour, for 2008 (\$27.02 for 2009). Although the City's wage rate for facility maintenance positions would still be below the Provincial Construction wage rate, the lack of shift work required, coupled with a permanent year round job and enhanced benefits, should make the City positions attractive at this revised rate.

The financial impact of the proposals included in this report are \$87,669 to the Utility Operating Fund for 2009.

27/09 Moved by: Councillor Keryluk

Seconded by: Councillor Wagner

RESOLVED THAT That Water Treatment Plant Operator and Foreman and Water Pollution Control Facility Operator and Foreman salaries be increased by a temporary market value adjustment of 10% effective February 9, 2009; and

THAT salaries of the aforesaid positions be increased by an additional 5% temporary market value adjustment effective February 9, 2009 for operators and foremen obtaining an unconditional Class 4 Water Treatment Plant or Water Pollution Control Facility operator certificate from the Province of Manitoba; and

THAT the Facility Maintenance staff temporary market value adjustment be changed from 5% to 20% effective February 9, 2009; and

If 90% of the combined average of the Manitoba Industrial, Commercial and Institutional Construction Sector Minimum Wage for construction electrician and industrial mechanic is higher than the Facility Maintenance salary calculated under the CUPE contract including the 20% market adjustment, then the Facility Maintenance salary shall be established at 90% of the combined average of the Manitoba Industrial Commercial and Institutional Construction Sector Minimum Wage for construction electrician and industrial mechanic and the Facility Maintenance Foreman salary shall be increased by the same dollar amount as the Facility Maintenance salary; and

On condition that CUPE Local 1002 agrees with all these proposed salary adjustments.

Carried.

On February 13, 2006 City Council passed Resolution No 25/06 to approve the subdivision with one condition that the residual parcel be rezoned to "M2" Heavy Industrial District from "UR" Urban Reserve.

In February of 2008 an extension to the subdivision proposal was extended for one year. This subdivision approval is due to expire on February 22, 2009.

We have been requested by Intergovernmental Affairs to rescind the condition of rezoning the parcel and to replace it with a Development Agreement with Rossendale Holding Co. Ltd. in order to expedite the approval of the subdivision.

28/09 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie rescind the condition stated in Resolution No. 25/06 with respect to rezoning Pt. Lot 4, Plan 1278 PLTO from 'UR' Urban Reserve to "M2" Heavy Industrial District and that the condition to rezone be replaced with the condition that the Developer enter into a Development Agreement with the City and that the Mayor and Manager of Administration be authorized to sign the Development Agreement with Rossendale Holding Co. Ltd.

Carried.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 6:52 p.m.

Mayor

Manager of Administration