

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, March 22, 2010 at 6:00 p.m.

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

ABSENT: Councillor Shindle

ADOPTION OF MINUTES 63/10 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, March 8, 2010, be approved as circulated.
Carried.

DELEGATIONS:

Navy Centennial Presentation Deferred to the end of the meeting.

Mr. Bill Knott Appeared with questions regarding the Financial Plan and the sign behind the hedge in front of City Hall. Mayor Brennan told Mr. Knott that it is being looked into.

HEARINGS:

Variation PC 7-10 Ed & Lasha Thurston, 520 – 6th Ave NW / Lots 1 and 2, Plan 1290, Parish of Portage la Prairie
No one appeared.

64/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for Variation PC 7-10 Ed & Lasha Thurston, 520 – 6th Ave NW / Lots 1 and 2, Plan 1290, Parish of Portage la Prairie now be closed.
Carried.

The applicants, **Ed and Lasha Thurston**, are applying for a variation order to allow the east side yard to be reduced from the required 3.6m down to .6m.

The applicants wish to build an addition on the garage and a deck extension onto the east side of the existing structure.

65/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Ed and Lasha Thurston** to vary the front yard to be reduced from the required 3.6m to .6m at the property known as **520 6th Avenue NW** which is legally described as Lots 1/2, Plan 1290, Parish of Portage la Prairie.
Carried.

Zoning By-Law Amendment 10-8469 – Pete's Rentals – 538 8th St. NW, Lots 301/302, Plan 34, Parish of Portage la Prairie
No one appeared.

- 66/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for Zoning By-Law Amendment 10-8469 – Pete’s Rentals – 538 8th St. NW, Lots 301/302, Plan 34, Parish of Portage la Prairie now be closed.
Carried.
- The property in question, Lots 301/302, Plan 34, Parish of Portage la Prairie, known as 538 – 8th St. NW, is presently zoned R1 – Single Family Dwelling. The applicant, Pete’s Rentals Ltd., wishes to rezone this property to R2 – Two Family Dwelling District.
- The application has been circulated to the various City Departments with no concerns being expressed.
- The application has been advertised in the Daily Graphic for two consecutive weeks, circulated to the Province and public notices have been sent to all owners of property within a 100 meter radius of the proposed development as per Section 168 of the Planning Act.
- First Reading of this By-Law was given on January 25, 2010 to commence the process as defined in the Planning Act in considering this application.
- 67/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land known as 538 – 8th St. NW owned by Pete’s Rentals, legally described as: Lots 301/302, Plan 34, Parish of Portage la Prairie from R1 – Single Family Residential Dwelling District to R2 – Two Family Dwelling District.
AND THAT By-Law No. 10-8469 be read a second time.
Carried.
- 68/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED By-Law No. 10-8469 be read a third time, finally passed, signed and sealed.
Carried.
In Favour: Councillors Bereza, Ferris, Keryluk, Quinn, Wagner, and Mayor Brennan.

COMMITTEES:

**Finance,
Legislative &
Property
Committee**

Unpaid Water,
Sewer, and Solid
Waste to Taxes for
February 2010 –
By-Law #10-8457
– 2nd & 3rd 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.

- 69/10 Moved by: Councillor Quinn
Seconded by: Councillor Bereza
RESOLVED THAT By-Law No. 10-8457 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be read a second time.
Carried.
- 70/10 Moved by: Councillor Quinn
Seconded by: Councillor Bereza

RESOLVED THAT By-Law No. 10-8457 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be read a third time, finally passed, signed, and sealed.

Carried.

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

Year-End Results
 2009

Financial Results for the year 2009 were submitted for Committee's consideration.

A year-end surplus in the General Operating Fund of \$49,680 is realized. The General Operating Fund contains the following significant variations between budget and actual:

Increase in Group Pension MEBB	(\$28,661)
Decrease in Interest Revenue	(\$22,649)
Increase in Prior Year Adjustments	
- Prior Year CN Rail Billing	(\$44,906)*
Increase in Fire Protection Salaries	(\$62,491)
Increase in Fire Protection Overtime Salaries	(\$30,545)
Decrease in Fire Protection Part-Time Salaries	\$22,633
Decrease in Police Fines	(\$26,454)
Increase in Southport Pool Lessons Revenue	\$22,179
Increase in Southport Pool Part-Time Salaries	(\$27,268)
Increase in Southport Facility Rental	(\$37,670)*
Increase in Arena Ice Rentals	\$42,568*
Increase in Land Drainage Salaries	(\$20,649)
Decrease in Truck Pool Fuel	\$20,405*
Increase Manitoba Product Stewardship Program	\$20,249*
Increase in Recycling Processing	(\$29,048)*

A year-end surplus in the Utility Operating Fund of \$324,320 is realized. The Utility Operating Fund contains the following significant variations between budget and actual:

Decrease in Aggregate Water and Sewer Sales	(\$124,779)*
Increase in 2008 Biosolids Billing	\$125,000*
Decrease in 2008 Industrial Cost Billing Adjustment	(\$ 62,351)*
Increase in Water Treatment & Pumping Machinery Maint.	(\$ 20,181)
Decrease in Chemicals	\$ 62,575
Increase in Watermains Machinery & Equipment Rental	(\$ 23,912)
Decrease in Sewer Mains Machinery & Equipment Rental	\$ 25,463
Decrease in Sludge Disposal Contract	\$232,566*
Decrease in Secondary Treatment Water Usage	\$ 26,483
Decrease in Industrial Cost Recovery	(\$ 88,297)
Decrease in Clarifier Chain Drive, WTP Costs	\$ 23,722

*These items were read aloud by Councillor Quinn.

71/10

Moved by: Councillor Quinn

Seconded by: Councillor Bereza

RESOLVED THAT the Financial Statement for the twelve months ended December 31, 2009 be adopted and

 THAT the 2009 General Operating Surplus be transferred to the General Reserve, and

 THAT the 2009 Utility Operating Surplus be transferred to the Utility Reserve.

Carried.

Congratulations to
 Finance Staff

Mayor Brennan commended staff for working on the Year-End report.

Monthly Activity
 Reports

Council reviewed the Monthly Activity Reports.

City Planning &

The City Planning & Economic Development Committee respectfully submits the

**Economic
Development**

following reports:

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.

Thank you -
RCMP

Dave Quinn sent thanks to the RCMP for their Red Serge presence at special events in Portage la Prairie.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Water Treatment
Plant Year-End
Report

Council reviewed the report.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

By-Law #10-8474
– Amendment to
Traffic By-Law
#01-8105 – Snow
Removal – 2nd &
3rd Reading

The present clause 23(a) reads - It shall be an offence for any Person to remove from any Private Property, public property, Street, Boulevard or Sidewalk any snow or ice and deposit same on any Street, Boulevard or Sidewalk in such a manner that could create a hazardous condition for either vehicular or Pedestrian traffic.

The proposed amendment is as follows – “It shall be an offence for any Person to remove from any Private Property, public property, Street, Boulevard or Sidewalk any snow or ice and deposit same on any Street, Boulevard, parking lot, public place, or Sidewalk in such a manner that could negatively impact drainage, or create a hazardous condition for either vehicular or Pedestrian traffic, or otherwise impede the snow removal efforts of the City or Manitoba Infrastructure and Transportation”.

The present clause is allowing businesses, residential homeowners, and apartment complex owners to push snow into laneways, on to other residential lots, and on to City boulevards. This not only causes spring time drainage issues in some situations but also extends the time frame needed by City forces to clean and remove snow from City streets as set forth in the City Standards.

72/10 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT Council of the City of Portage la Prairie give second reading to By-Law No. 10-8474, a by-law of the City of Portage la Prairie to amend Traffic By-Law 01-8105 to replace Clause 23(a) in Part IV – SNOW OR ICE – ALL PROPERTIES.
Carried.

73/10 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 10-8474 be now read a third time, finally passed, signed and sealed.
Carried.

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

Monthly Activity
Report –
Engineering

Council reviewed the Monthly Activity Report from the Engineering Dept.

**Community
Services
Committee**

The Community Services Committee respectfully submits the following reports:

Monthly Activity
Reports

Council reviewed the Monthly Activity Report.

Letter of
Congratulations

Mayor Brennan read a letter from Bill Stefiuk congratulating Council and all those who worked hard in making the PCU Centre a reality.

**DEFERRED
BUSINESS**

None

NEW BUSINESS

By-Law #10-8476
2010 Fees and
Charges - By-Law
09-8449
Amendment – 1st
Reading

It has been determined that it would be more equitable and more in line with market values to amend Clause 4 –Capital Levy Fees under Schedule C – Economic & Community Development to change the wording to read “Per each new lot or dwelling unit created - \$500.00/lot or unit.”

A By-Law is required to amend the Fees and Charges By-Law.

74/10

Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 10-8476 to amend the 2010 Fees and Charges By-Law No. 09-8449 to amend Clause 4 –Capital Levy - All applications to read “Per each new lot or dwelling unit created at \$500/lot or unit” be given first reading
Carried.

By-Law #10-8478
– Rezoning
Application –
Portage Funeral
Chapel – 1st
Reading

The property in question, 50 Royal Road South, Parish of Portage la Prairie, is presently zoned R3 - Multiple Family Dwelling District. The applicant, Portage Funeral Chapel Ltd., wish to rezone this property to C2 Central Commercial District.

As per section 74 (1) of “The Planning Act”, Council shall indicate its intention to enact a zoning by-law amendment by giving first reading and proceed with Public Notice as set out in section 168.

The first reading of By-Law No. 10-8478 will commence the process as defined in “The Planning Act” in considering this application.

75/10

Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie give By-Law No. 10-8478 First Reading and provide public notices as defined in Section 168 of “The Planning Act”.
Carried.

OLD BUSINESS

By-Law #10-8479
– Trailer License
By-Law
Amendment – 1st
Reading

On March 8, 2010 Council reviewed the request made by Mr. Danny Maxwell to commence trailer license charges at time of occupancy for new trailers.

Administration was directed to prepare an amendment to allow for this. An amending by-law has been prepared to include the additional paragraph:

“If the location of the mobile home is a new site in a mobile home subdivision as defined in the City Zoning By-Law, the license fee will commence the first day of the month following the water service activation date for that property.”

By-laws come into effect when they are passed or at a later specified date. Therefore, this amendment would not be retroactive and thus not change the current bill to Mr. Maxwell.

76/10 Moved by: Councillor Quinn
Seconded by: Councillor Bereza
RESOLVED THAT By-Law No. 10- 8479 being a by-law to amend the Trailer License By-Law No. 7663 be read a first time.
Carried.

**Navy Centennial
Presentation**

Captain(N) Paul Dempsey, Deputy Commander Canadian Fleet Pacific;
Lieutenant Commander Margaret Morlock, Commanding Officer HMCS
CHIPPAWA

Mayor Brennan and the Members of Council of Portage la Prairie were presented with the Naval Centennial Honour for HMCS PORTAGE. Mayor Brennan thanked the delegation for their beautiful memento and for 100 years of service to our country.

Mr. Albert Jones spoke about his participation with The Algerines Association, whose members are Navy personnel who served on the Algerine Class of Minesweepers, and made a small presentation to the delegates.

ADJOURNMENT

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

Mayor

Manager of Administration