

Minutes of the Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, September 9, 2013 at 7:00 p.m.

PRESENT: Mayor Earl Porter, Chair; Councillors Brent Budz, Liz Driedger, Ryan Espey, Irvine Ferris, Brent Froese, and Diane Stasiuk

ADOPTION OF MINUTES: 218/13 Moved by: Councillor Ferris
Seconded by: Councillor Driedger
RESOLVED THAT the minutes of the Regular Meeting of Council held at City Hall on Monday, August 12, 2013 be adopted as circulated.
Carried.

DELEGATIONS:

1. Tourism
Advisory Council:
Guy Moffatt and
Derek
McCutcheon

Guy Moffatt thanked Council for the opportunity to be present. He summarized work they have been doing with respect to a slogan for Portage la Prairie. The slogan has to be relevant in many aspects of community, retail, tourism, economic development. Narrowed it down to 5:

1. ***Your Voyage Starts Here:*** ties to the heritage of our area being a portage, and the voyagers that crossed the prairie here.
2. ***City of Possibilities:*** the message here is that there are many possibilities for tourism experiences, building a life, business, or industry.
3. ***Where Country Meets City:*** this is communicating the small town hospitality and feel with all the amenities of a city, which is beneficial for all promoting our area.
4. ***Centre of it All:*** this refers to geography as well as innovation (food and agriculture industry) speaks to growth, diversity, and amenities.
5. ***Where Good Things Are Growing:*** this anchors back to our agriculture industry as well as our strong leadership in the food industry, it also relates to family life, tourism experiences and prosperity.

Guy Moffatt submitted these names to Council for their consideration. The names can be varied. In total, 186 options were submitted. Once a slogan is in place, then a marketing plan will be set. Two directional signs on either side of the city will be the first to get the new slogan and logo. After that, there would be roll-out. Mr. Moffatt would like a decision as soon as possible. Councillor Ferris thanked the Tourism Advisory Council for the work they have done thus far. The Mayor thanked them for their presentation.

HEARINGS:

1. Conditional Use
PC 61-13,
Suderman, 70 3rd
St SE

Mr. Suderman was here to in support of his application and gave a summary of his 55+ Life Lease project. Any issues with parking have been resolved.

219/13 Moved by: Councillor Driedger
Seconded by: Councillor Stasiuk
RESOLVED THAT the Public Hearing for Conditional Use PC 61-13, Steve Suderman, at the property known as 70 3rd St SE, which is legally described as Lot 9, Block 11, Plan 21428, Parish of Portage la Prairie, now be closed.
Carried.

Steve Suderman has applied for a conditional use to allow for a multi-family dwelling in an 'R2' Residential Two Family zone. Applicant wishes to increase from two suites to four suites. This property was rezoned from 'R1' Residential Single Family to 'R2' Residential Two Family in August of 2012 (PC 25-12). Applicant wishes to build a 55 plus life lease fourplex and will have the required parking.

Conditional Use PC 54-13 was denied August 12, 2013. An objection had been received relating to the parking. The applicant and previous objector

have met and come to an agreement signed by both Steve Suderman and Greg Johnstone.

This property is located in an 'R2' Residential Two Family zone. The application was circulated to the various City Departments with no concerns. Public notices have been sent to all property owners within a 100 meter radius.

220/13 Moved by: Councillor Driedger
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Steve Suderman to allow for a multi-family dwelling in an 'R2' Residential Two Family zone at the property 70 3rd St SE, which is legally described as Lot 9, Block 11, Plan 21428, Parish of Portage la Prairie.
Carried.

**FINANCE,
LEGISLATIVE,
AND
PROPERTIES
COMMITTEE:**

1. By-Law #13-8584, Water, Sewer, and Solid Waste to Taxes for July, 2013 – 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.

221/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger

RESOLVED THAT By-Law No. 13-8584 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a second time.
Carried.

222/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger

RESOLVED THAT By-Law No. 13-8584 be read a third time, finally passed, signed, and sealed.
Carried.

In Favour: Councillors Budz, Driedger, Espey, Ferris, Froese, Stasiuk, and Mayor Porter.

2. By-Law #13-8603, Trailer License Fees added to Taxes – 2nd & 3rd Reading

The Fees & Charges Bylaw #12-8572 states: "THAT any unpaid fees or charges owed to the City by any tax payer including any penalties related thereto as well as any fines imposed on the tax payer by the court for contravention of the City By-Laws may be added to the taxes of the said tax payer and may be collected or enforced in the same manner as a tax as defined by the Municipal Act, L.M. 1996 c.58."

Items to add to taxes with this by-law are fees and charges for trailer licenses.

223/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger

RESOLVED THAT By-law No.13-8603 being a by-law to authorize the unpaid January to June 2013 Trailer License fees be added to taxes, be read a second time.
Carried.

224/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger
RESOLVED THAT By-law No. 13-8603 be read a third time, finally passed, signed, and sealed.
Carried.
In Favour: Councillors Budz, Driedger, Espey, Ferris, Froese, Stasiuk, and Mayor Porter.

3. By-Law #13-8585, Water, Sewer, and Solid Waste to Taxes for August, 2013 – 1st Reading
This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to property taxes.

225/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger
RESOLVED THAT By-Law No. 13-8585 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.
Carried.

4. By-Law 12-8563, Centra Gas Franchise Agreement – 2nd & 3rd Readings
Centra Gas Manitoba supplies and distributes natural gas across Manitoba to various municipalities. Agreements for these services are required and in February 2012 it was brought to the City's attention that the agreement had expired in 1996.

A comprehensive list of changes between the previous agreement and the generic agreement is included as a separate document. Below are the main differences:

- term of Agreement is 30 years versus 15 years.
- Renewal of the agreement requires 1 year written notice for up to 10 year renewal versus notice up to expiration date and up to 5 year renewal term.
- Centra Gas gives 7 days (versus 3 days) advance notice of intention to open or break up any of the streets in the City.
- Centra Gas will report completion of work within 30 days (versus reasonable time).
- Removal or relocation of any part of the Gas Distribution System required by the Municipality was previously at the full cost of the City. Under this new agreement, the costs and expenses incurred in the removal and replacement or the relocation shall be as follows:
 - (i) the Municipality shall pay to the Company an amount equal to the cost of labour and material required in the original construction of that part of the Gas Distribution System that the Municipality requests to be relocated, less depreciation and the value of any material salvaged; and
 - (ii) the Company shall bear the entire cost of constructing the required Gas Distribution System infrastructure in the new location.

As part of the approval process, a by-law authorizing the agreement between Centra Gas and the City is required. First reading was given by Council on June 25, 2012 and the Public Utilities Board approved the agreement under Order No. 82/13. Centra Gas forwarded a copy of the agreement with spelling corrections which is to replace the original agreement. A revised Schedule A is attached. The By-Law is now ready for second and third reading.

- 226/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger
RESOLVED THAT the Franchise Agreement with Centra Gas attached as Schedule A to By-Law No. 12-8563 be amended to correct spelling errors; and

THAT By-Law No. 12-8563, being a by-law to authorize the City to enter into a Franchise Agreement with Centra Gas Manitoba for the supply and distribution of natural gas to the City and its inhabitants be given second reading as amended.

Carried.

- 227/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger
RESOLVED THAT By-Law No. 12-8563 be given third reading, finally passed, signed and sealed.
Carried.
In Favour: Councillors Budz, Driedger, Espey, Ferris, Froese, Stasiuk, and Mayor Porter.

5. Second Quarter Forecast 2013
Financial Results for the first six months of 2013 were provided for Committee's consideration.
A year-end surplus in the General Operating Fund of \$62,891 is forecast.
A year-end surplus in the Utility Operating Fund of \$47,681 is forecast.

- 228/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger
RESOLVED THAT the Financial Statement and Forecast for the six months ended June 30, 2013 be adopted.
Carried.

6. By-Law #13-8605 - Accommodation Tax – For Information Only
Discussion regarding where the funds will go took place. It has been deferred to September 23. The application to the Province must state where the funds will be allocated. The by-law will go to Council for first reading once the use of the funds is determined.

7. Monthly Activity Reports
Council reviewed the monthly activity reports.

CITY PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

1. Encroachment Agreement – 322 Dufferin Ave. E.
The owner, Angeli Enriquez of 322 Dufferin Avenue E. has requested an encroachment agreement with the City of Portage la Prairie. The front step of the house on the south side encroaches onto Dufferin Ave. E. by 0.9 feet. The owner has requested the City to allow the encroachment to remain for the life of the building. A standard agreement has been received.

- 229/13 Moved by: Councillor Driedger
Seconded by: Councillor Ferris
RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Angeli Enriquez to allow the front step on the south side of the house, located at 322 Dufferin Avenue., situated on the land legally described as being Lot 5, Block 11, Plan 21428 PLTO in RL 64 to 68 of Parish of Portage la Prairie, to encroach onto Dufferin Avenue E., as much as 0.9 feet for the life of the building.
Carried.

2. Building and By-law Infraction Reports for June, 2013
Council reviewed the monthly activity reports.

**PUBLIC SAFETY
COMMITTEE:**

1. Monthly Activity Reports Council reviewed the monthly activity reports.

**WATERWORKS
COMMITTEE:**

1. Monthly Activity Reports Council reviewed the monthly activity reports.

**TRANSPORT-
ATION
COMMITTEE:**

1. Household Hazardous Waste Day – For Information Only A Household Hazardous Waste Day has been scheduled for September 21, 2013 from 10:00 am to 2:00 pm at the City Operations building. The depot will be open and available to all residents of the City and Rural Municipality of Portage la Prairie. The purpose of this program is to divert household hazardous material waste from the landfill and dispose of it in a controlled manner.
2. MMSM Waste Composition Study - For Information Only Multi-Material Stewardship Manitoba (MMSM) conducted a residential waste composition study in the City of Portage la Prairie which provided data on waste generation and composition, as well as a snapshot of material recovery rates of residential recyclable material.

The primary objectives of the waste composition study were to:

- Provide an estimated annual per capita waste generation rate
- Provide the generation and composition of both the recycling and garbage streams
- Help show the current material recovery rate of all recyclable materials

The secondary objectives of the study were to:

- Provide the municipality with a measure of the effectiveness of their recycling programs and other waste reduction initiatives
- Determine the recycling set-out and participation rates in the sample areas studied

To achieve these objectives a single-family residential waste audit was conducted. To achieve a representative sample of Portage la Prairie's single-family housing, the material was sourced from a total of 100 homes in five different sample areas. Single-family dwellings receive a curbside recycling service provided by Portage & District Recycling Inc. (PDRI).

Audits for the single family dwellings took place in May 2013, and spanned two consecutive weeks. Garbage and recyclable were collected and sorted from five single family dwelling (SFD) areas consisting of twenty households in each SFD area. The sorting for these audits took place at WPCF. Materials were sorted into predefined sort categories for each sample area and tracked.

The per capita generation for all waste in Portage la Prairie is 227 kg/capita/year which is in line with waste audits conducted in other communities.

3. Monthly Activity Reports Council reviewed the monthly activity reports.

**COMMUNITY
SERVICES
COMMITTEE:**

1. Community The Canadian Cancer Society has requested an occasional use liquor permit

Event Request

for a charity Road Hockey Tournament being held the PCU Centre. They are planning to host an outdoor beer garden on the west side of the PCU Centre parking lot. The letter of request is attached for information. The Portage Regional Recreation Authority has given permission for the Canadian Cancer Society to utilize the PCU Centre and grounds.

They have requested that this event be identified as a community event for the purpose of obtaining an occasional permit through the Manitoba Liquor Control Commission. The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie designating the event a community event prior to issuing a liquor permit to the organizers. The City of Portage la Prairie is granted six community event permits each year. If approved the City of Portage la Prairie would have four events remaining in their annual allotment (to March 31, 2014).

Administratively, there are no concerns with supporting this request.

230/13 Moved by: Councillor Stasiuk
Seconded by: Councillor Espey

RESOLVED THAT the Council of the City of Portage la Prairie approve the Canadian Cancer Society's request to obtain a community event liquor permit through the Manitoba Liquor Control Commission for a charity Road Hockey Tournament being held on September 28, 2013 at the PCU Centre and grounds.

Carried.

2. Monthly Activity Reports

Council reviewed the monthly activity reports.

Potato Festival

Mayor Porter announced that the Potato Festival was very successful and commended the organizers for a job well done.

DEFERRED BUSINESS:

None

NEW BUSINESS:

1. 2013 Community Video Tour

The City of Portage la Prairie has been approached to participate in the Federation of Canadian Municipalities NO COST Community Showcase. CGI Communications has entered into a partnership with FCM on this project.

The Community Showcase program would be a tool for the City of Portage la Prairie to enhance its website by adding streaming video content. The video content would allow the City to effectively engage and communicate with an on-line audience in a powerful, new and innovative way.

CGI Communications would come to Portage la Prairie to film the necessary footage to fully produce a Welcome Chapter PLUS three additional community highlight videos on topics such as Quality of Life Relocation, Business and Industry, Education, etc. The program will be customized to showcase the best of what Portage la Prairie has to offer residents, visitors, and businesses.

The local business community will also be provided with the opportunity to purchase the various digital media tools and services of CGI. Businesses will be able to expand their outreach by having their own video produced as well. It is solely CGI's responsibility to educate the local businesses on opportunity for participation.

There is no financial investment from the City and the City would bear no liability whatsoever regardless of sponsorship participation.

The CGI proposal fits within Council's Strategic Plan Goal #1 – Create an Economic Development Plan and Strategy. A summary of the program and the agreement were submitted for information.

231/13 Moved by: Councillor Driedger
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie authorize participating in the 2013 Community Video Tour and authorize the Mayor and Manager of Administration to sign the agreement in partnership with CGI Communications Inc.

Carried.

1. Award of
Engineering
Services – Island
Park Bridge

The scope of the study includes the review of previous design and structural assessment reports, a visual and basic structural assessment using non-destructive tests. From this, recommendations for remedial measures and cost estimates are to be made.

The second phase of the work includes preparation of conceptual design level cost estimate for the replacement of the piles for the southerly 1/3 of the bridge, and conceptual design level cost estimate for the removal of the southerly 1/3 portion of the bridge structure and replacement with a rock and earth paved causeway.

The request for proposals was issued to three invited consultants, including the consultant that performed the previous assessment in 2008, with only one proposal being received.

There was \$5,000 included in the 2013 budget for this work. The one fee proposal is for \$12,302, excluding taxes.

The Province has a Municipal Bridge funding program that funds up to 50% of the cost of:

Preliminary engineering – proposal to be submitted with application

Detailed Design – engineering proposal to be submitted

Bridge Renewal – engineering proposal and reports to be submitted with the application.

At this point, the City could apply for funding assistance for preliminary engineering. It is recommended that the engineering work proceed regardless of whether or not funding assistance is obtained.

The application for the 2013 Municipal Bridge program is due by Sept 15. Awards will be announced within 6 to 8 weeks. Work can proceed immediately, and is still eligible for a grant, however, funding is not guaranteed.

232/13 Moved by: Councillor Froese
Seconded by: Councillor Stasiuk

RESOLVED That the contract for Engineering Services for the Structural Assessment of the Island Park Bridge be awarded to AECOM Canada Ltd. for the proposed cost of \$12,302, plus PST, excluding GST, on a time-based fee and estimated disbursements basis; and

That the Council of the City of Portage la Prairie apply to the Province of Manitoba Municipal Bridge funding program for the preliminary engineering for the Structural Assessment of the Island Park Bridge.

Carried.

3. By-Law #13-
8606 City
Manager
Appointment –
1st Reading

The proposed By-Law establishes the position of City Manager and outlines the duties and responsibilities thereof pursuant to section 125 (i) of the Municipal Act.

Pursuant to the Act, the City Manager becomes the administrative head of the City and shall administer its business affairs in accordance with the Act and with the policies and programs approved and established by Council and to carry out and enforce all orders, resolutions and by-laws of Council.

The proposed By-Law requires the Council of the City of Portage la Prairie to appoint a person to the position of City Manager and enter into a contract of

employment with that person.

The proposed By-Law will replace By-Law 7868 which was passed by the Council of the City of Portage la Prairie in 1996 appointing Mr. Dale Lyle as City Manager pursuant to then Section 153 (1) of the Municipal Act.

233/13 Moved by: Councillor Budz
Seconded by: Councillor Driedger

RESOLVED That By-Law No. 13-8606 being a by-law establishing the position of City Manager pursuant to section 125 (i) of the Municipal Act be read a first time.

Carried.

OLD BUSINESS:

1. By-law #13-8602, Rezoning PC 44-13, Butler, 602 Tupper N. – 3rd Reading

Neal and Christine Butler have applied to amend the City of Portage la Prairie Zoning By-Law No. 10-8492, to rezone property legally known as Lots 910/911 Plan 66, Parish of Portage la Prairie from 'C1' Neighbourhood Commercial to 'R3' Residential Multiple Family zone.

The application has been circulated to the various City Departments and the Province with no concerns being expressed at time of writing.

The application has also been advertised in the Daily Graphic for two consecutive weeks as well as public notices have been sent to all owners of property within a 100 meter radius of the proposed development as per Section 42(2), (3) and (4) of the Planning Act.

First Reading of this By-Law was given on June 24, 2013 to commence the process as defined in the Planning Act in considering this application.

Second Reading of this By-Law was given on August 12, 2013 with an objection.

Objectors were contacted by letter to provide a further objection. No objections were received by the specified deadline.

As per the Planning Act, if no second objection is filed by the deadline the council may

- a) Give third reading to the by-law; or
- b) Pass a resolution not to proceed with the by-law.

234/13 Moved by: Councillor Driedger
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land known as 602 Tupper St N legally described as Lots 910/911 Plan 66, Parish of Portage la Prairie from 'C1' Neighbourhood Commercial to 'R3' Residential Multiple Family; and

THAT By-Law No. 13-8602 be read a third time, finally passed, signed and sealed.

Carried.

In Favour: Councillors Budz, Driedger, Espey, Ferris, Froese, Stasiuk, and Mayor Porter

ADJOURNMENT:

There being no further business to discuss, Council adjourned at 7:32 p.m.

Mayor

Manager of Administration