

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, April 14, 2009 at 6:00 p.m.

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

ABSENT: Councillor Keryluk

ADOPTION OF MINUTES 90/09 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on March 23, 2009 and the special meetings of Council held on March 24 and April 7, 2009 be approved as circulated.
Carried.

HEARINGS:

Conditional Use –
PC 10/09 – Youth
for Christ

- Donna Bjore, a resident in the area, appeared in opposition of this application and read a letter expressing concerns regarding the proposed use.
- Jim Ritskes, Director of the Youth For Christ appeared in favour of the application and to address concerns expressed by residents in the area and questions from the Board.
- Dan Maxwell appeared in opposition of the Conditional Use Application due to the need of low income housing in the community.
- Kelly Cousins from Manitoba Housing appeared in support of the application.
- Bev Porter, a resident in the area, appeared in support of the application.

91/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for the Youth for Christ Conditional Use application now be closed.
Carried.

The applicant, Youth For Christ – Portage Inc., has applied for a conditional use to allow for an Assembly Place in the form of a drop-in centre. They wish to provide a small meeting place for healthy living, counseling and life skills programs as well as providing a small area for indoor board and computer games and crafts.

This property is located in an R-3 – Multiple Family Dwelling Zone. The application was circulated to the various City Departments, with one concern in regards to parking.

Each of the units has its own designated parking stall, with provision for one extra parking stall for this 7 unit complex. Public notices have been sent to all property owners within a 100 meter radius.

92/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Youth For Christ – Portage Inc. to allow for an Assembly Place in a R-3 Multiple Family Dwelling Zone at the property Unit 7-714 Willow Bay., which is legally described as Lots 25/30 & 62/65, Block 1, Plan 1741, Parish of Portage la Prairie.
Carried.

DELEGATIONS: Sheri Blaylock highlighted an Immigration Report she did for the City. She gave an overview concentrating on Immigration Survey Results and An Aftercare Settlement Program in Portage la Prairie. Mayor Brennan thanked Ms. Blaylock on an excellent report.

**HEARINGS
Continued**

Tax Levy By-Law
09-8438 – 1st
Reading

John Boehm appeared with questions regarding the Tax Levy By-Law.

93/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT the public hearing for the 2009 Tax Levy By-Law now be closed.
Carried.

City Council adopted the 2009 budget for the City of Portage la Prairie on January 12, 2009. The Tax Levy By-Law is comprised of the 2009 budget in the Financial Plan and sets the mill rates needed to raise the tax dollars. The 10-year Capital Plan also makes up part of the Financial Plan.

Municipal Tax Levy

The mill rate is based on the budgeted amount of tax dollars the municipality requires to meet its obligations in 2009. The 2009 Budget Estimates relies on \$8,591,581 in taxes to meet all the expenditures not recovered by other revenues. The total tax dollar requirement is spread over the entire assessment base for the City. This results in an increase of **.58 mills** or **1.9%** to the City's municipal mill rate. The 2009 municipal tax rate is \$31.072 for every \$1,000 of the assessment portion that is subject to taxation.

(Portioned assessment is the value of the property multiplied by the percentage assigned by the Province. For residential property, the percentage to portion is 45%.)

Residential property assessed at \$100,000 in 2008 and again in 2009 would see an increase in municipal taxes of \$26.15 (*\$100,000 value of the property x 45% percentage assigned by the Province x \$.58/\$1,000 increase from 2008 = \$26.15*).

The City's web site contains the 2009 Financial Plan as well as a tax impact calculator for taxpayers to calculate the increase or decrease that will take place on their 2009 tax bill in regards to municipal taxes and school taxes.

Education Levies

It is part of our mandate as a municipal corporation to collect school taxes on behalf of the School Board and the Province. These levies make up the total mill rate sent out on the tax bills.

The School Board's mill rate within the City of Portage la Prairie decreased slightly - by .01% from 2008. The Foundation levy, which is applicable to commercial property only, did not change from 2008.

A summary of the total impact is attached for information as well as graphs illustrating the various funding and expenditure categories for the 2009 budget. For 2009, the tax payment deadline is July 31, 2009.

Debt Management Plan

The capital plan included in the Financial Plan is part of the City's Debt Management Plan. This plan lays out the capital expenditures over the next ten years with their impact on the operating funds, reserves and debt. It is worth highlighting that construction costs for nutrient removal (\$36 Million) to comply with new environmental regulations are included in the plan. Projects over \$500,000 that are planned to take place over the next 10 years are as follows:

General Fund

Multiplex - City share Phase 1	\$250,000
Multiplex - City share Phase 2	\$2,550,000
Pavement overlays	\$2,325,000
Island Park 4 lane causeway	\$3,100,000
5th Ave, 8th - Tupper (730m)	\$1,314,000
8th St NW, 4th Ave - 7th Ave (550m)	\$1,100,000
Heavy Equipment Renewal	\$1,675,000
	<u>\$12,314,000</u>

The Plan includes an increase of 3% in taxes as additional funding for capital projects over 2010 and 2011 in the 10 year Plan.

Utility Fund

WPCF Recirc. pump replacements	\$640,000
Watermain renewals	\$1,575,000
Water System Upgrading	\$1,085,000
Sanitary Sewer renewals	\$2,630,000
Heavy Equipment Renewal - Utility	\$718,000
Water Meter Changeout Program	\$1,350,000
GAC Media Replacement	\$1,750,000
Lime Sludge removal	\$1,400,000
Ozone generator replacement	\$750,000
SBR liner replacement - 3 cells	\$1,500,000
Nutrient Removal	\$36,000,000
	<u>\$49,398,000</u>

The Plan also includes a significant increase in sewer rates to fund the Nutrient Removal project – an estimated 45% in the first 5 years of the Plan. This project is still in the preliminary stages with timelines and estimates to be discussed and analyzed further with the Province. A separate report on the utility rates and application request to the Public Utilities Board is forthcoming later this year.

Updates from January 26 Budget Approval

The 2009 Budget approved on January 12, 2009 has since been revised to include projects carried over to 2009. As well, the prisoner cell renovation project has been added. The City's share of \$425,000 of the project (total cost \$709,000) is funded primarily from the 2008 General Operating Surplus that was transferred to the Special Administration Reserve.

McCain Ave sewer main replacement at a cost of \$261,000 funded by the Utility Reserve has also been added to the 2009 Financial Plan.

94/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle

RESOLVED THAT the General and Utility Operating and Capital budgets for 2009 be amended to the amounts as listed in the attached Financial Plan.

THAT By-Law No. 09-8438, being a by-law for the City of Portage la Prairie to authorize the levying and raising of property taxes for school and municipal purposes for the year ending December 31, 2009 be given first reading. Carried.

Variation – PC-
 11/09 Meteor Signs

No one appeared.

95/09 Moved by: Councillor Bereza
 Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for the Meteor Signs Variation request now be closed.
 Carried.

The applicant, Meteor Signs, is applying for a variation order to allow for the installation of a second sign on the rear of a rental unit in a strip mall. The size of the second sign would be of 3.2 square meters.

The application has been circulated to the various City Departments with no concerns being expressed. Public notices have been sent to all property owners within a 100 meter radius.

96/09 Moved by: Councillor Bereza
 Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Meteor Signs to vary the requirement of one sign to allow a second sign on the rear of the building, at the property known as Unit 8 - 2352 Sissons Drive which is legally described as Lot N & Q, Plan 45309, Parish of Portage la Prairie, with the condition being that the sign can be no larger than 3.2 square metres.
 Carried.

COMMITTEES:

**Finance,
Legislative &
Property
Committee**

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

By-Law No. 09-8437 - Glesby Centre Capital Reserve – 2nd & 3rd Reading

The 2009 Budget includes a transfer of \$10,000 to a reserve specifically for the Glesby Centre capital projects funded by the City of Portage la Prairie.

Section 168(1) of The Municipal Act, S.M. 1996, c58 provides that a municipality may by by-law establish reserve funds for any general or specific purpose.

- 97/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8437 being a by-law for a Glesby Centre Capital Reserve, be read a second time.
Carried.
- 98/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8437 be read a third time finally passed signed and sealed.
In Favour: Councillors, Bereza, Ferris, Quinn, Shindle, Wagner and Mayor Brennan.

By-Law No. 09-8420 – Unpaid Water, Sewer and Solid Waste to Taxes for March 2009 – 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.

- 99/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-law No. 09-8420 being a by-law unpaid water, sewer and solid waste charges be added to taxes be read a first time.
Carried.

By-Law 09-8432 – Organization and Procedure By-Law – 1st Reading

Section 148(1) and Section 149(1) of the Municipal Act provide that a Council must review the organizational by-law and the procedure by-law, respectively, at least once during its term of office. The City of Portage la Prairie combined these by-laws into one for easier review, and it must be reviewed by this Council some time between now and October, 2010.

In addition to minor grammatical or spelling corrections which have been made to the by-law, other changes are proposed for Council to consider. After review Council requested the following additional changes:

3.7.9. The public shall not participate in discussion at council meeting unless, in exceptional circumstances, by a majority vote of council, the public is asked for their participation.

4.12.1 If the Chair desires to present or second a motion, or participate in the debate, he must leave the chair, and call upon the Deputy Mayor, or in his absence the Acting Deputy Mayor to fill his place until the motion has been voted upon.

4.12.2 Deleted.

- 100/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8432 being the Organization and Procedure By-Law for the Council of the City of Portage la Prairie, be now read a first time.
Carried.

**City Planning &
Economic
Development**

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

Revised
Application for
Subdivision/Consol-
idation – Lot 7 SP
Plan 31796 RL 119

The applicants, Stephen and Sherry Moffit, had requested 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 was to be consolidated with the adjacent 9.05 acre parcel owned by Rossendale Holding Co. Ltd. (Title No. 2274043). However, Mr. and Mrs. Moffit now plan to put the 4.22 acre residual parcel up for sale.

The Planning District recommends approval of the subdivision.

Manitoba Conservation has indicated that the 1.53 acre parcel meets the requirements for on-site wastewater treatment (septic field).

Manitoba Hydro requires an easement to be filed.

Community Planning recommends conditional approval upon the applicants signing a Development Agreement with the City to prohibit the construction of single family dwellings on this property.

101/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie amend Resolution 21/09 by approving the application for subdivision of Lot 7, SP Plan 31796, RL 119 in the Parish of Portage la Prairie to create a 1.53 acre lot containing the existing residence, and a 4.22 acre lot, on the condition that the applicants sign a Development Agreement with the City to prohibit the construction of single family dwellings on this property, and that applicants pay all legal costs to draft and register the development agreement on the property.
Carried.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

Nothing to Report.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Water Treatment
Plant 2008 Annual
Report

Councillor Keryluk reviewed and highlighted the 2008 Water Treatment Plant Annual Report.

Landfill Authority
– Increase in
Tipping Fees

Councillor Keryluk announced that the Landfill Authority has forwarded notices to all users with respect to the increase in tipping fees.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Nothing to Report.

**Community
Services
Committee**

The Community Services Committee respectfully submits the following reports.

Nothing to Report.

**DEFERRED
BUSINESS**

None

NEW BUSINESS
Award of Tender –
Watermain

The tender was advertised in The Daily Graphic and on the City's web page. The tender opening was Tuesday, March 31, 2009, with two bids received.

Looping &
 Wastewater Sewer
 Renewal Contract

Towle Construction Ltd. \$220,676.93
 Moon Construction Ltd. \$645,839.25

The wastewater sewer renewal is on Countess Avenue between Royal Road and 3rd Street N.E.. The wastewater sewer in this location is very old and was constructed on private property. Sewer backups are frequent. The new sewer will be constructed in the front street at a deeper elevation. This will enable existing houses and two empty lots to be connected to the new main line without crossing other properties. The City of Portage la Prairie owns one of the lots that will be serviced.

The watermain loopings are located near the Fire Hall and the Armories. The water quality in this area is poor because of the dead ends in the distribution system. Looping the system will provide better chlorine residuals and fresher water to the area.

The City's net cost with the GST rebate is approximately \$210,168.50. The preliminary budget estimate was \$230,000 therefore the project is approximately \$19,800 under budget. This is the first project tendered from the 2009 Utility Renewal budget.

102/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie award the Watermain Looping & Wastewater Sewer Renewal Contract, as specified in tender 09 OPS 006, to Towle Construction Ltd. for the tendered price of \$220,676.93, including taxes.
 Carried.

Award of Tender –
 Supply of Backhoe
 Loader

This tender was advertised in the Daily Graphic and on the City's web page. All major companies were called and informed of the tender. Three tender packages were picked up at the Operation's Dept. along with one tender package being sent by courier. The above four tender packages were submitted on or before the closing date and time of March 31, 2009 at 2:00pm.

a. Hitrac (1974)	\$136,944.64	\$30,656.64	\$ 106,288.00
b. Mazer Group (Blight Equip.)	\$130,368.00	\$14,952.00	\$115,416.00
c. Toromont Cat	\$130,788.00	\$12,000.00	\$118,788.00
d. Westcon Equipment	\$144,088.00	\$16,800.00	\$127,288.00

All above pricing includes both taxes and are F.O.B. Portage. Hitrac Ltd submitted the low bid of the four tenders and met with all of the minimum requirements asked for. Their net bid less GST totals \$100,973.60 which is approximately \$24,000.00 under budget.

The City has purchased Case equipment in the past, including a backhoe in 2001 and has received reasonably good service from the company.

103/09 Moved by: Councillor Wagner
 Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie award the Tender for the Supply of a Backhoe, as specified in tender 09 OPS 008, to Hitrac 1974 limited for the tendered price of \$106,288.00 including taxes, including the trade of the City's 1993 Cat 416 B Backhoe.
 Carried.

Award of Tender –
 Biosolids Land
 Application

The tender was advertised in the Daily Graphic and the City of Portage la Prairie Web site. The tender opening was Wednesday, April 1, 2009. Three packages were issued with only one returned. Assiniboine Injections has been the City's contractor for the past several years and they have done an excellent job.

The work includes the removal of approximately 1400 dry tonnes of digested secondary solids from the anaerobic digester (BVF), the Poplar Bluff BVF and biosolids storage tanks at the Water Pollution Control Facility, hauling and injection into farmland as a soil amendment and fertilizer. The work for the spring application would begin in April and the fall application would begin in September, weather permitting. The work would be performed according to the provisions and conditions set forth in Environment Licence 1907.

The utility budget contains \$648,000.00 for land application of biosolids. The budget quantity of sludge was based on conversations with Industry regarding production levels for the coming year and has since been revised downward. The final quantities may be considerably greater or considerably less than the tender form quantities. No variation in the quantities actually handled shall give rise to any claim against the City of Portage la Prairie. The City's cost of the work for 1400 dry tonnes is \$497,700.00 (\$355.50 per tonne) net of GST.

104/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie award tender 09 OPS 002 to Assiniboine Injections Ltd. for the tendered price of \$522,588.00 including GST.

Carried.

PR 240 N. Tupper
– Speed Zone
Changes

The report from Manitoba Infrastructure and Transportation recommends that the transitional speed zone of 70km/h on Tupper St N, north of 8th Avenue, be eliminated. The transitions from 50km/h to 100km/h in the northbound and southbound directions is proposed to be placed approximately 35m north of 8th Avenue. The report notes that there are no approaches on this section of road and there were no traffic collisions between 1999 and 2004. Sight distance is good.

Administration has a concern about the proximity of the speed zone transition points; specifically with regard to vehicles accelerating in the northbound direction leaving the residential area and through the Dickens Avenue and 8th Ave intersections, and with regard to vehicles decelerating when entering the residential area.

The RCMP has recommended status quo, or, if the 70km/h zone is to be eliminated, to move the transition point further north on Tupper St. The Highway Traffic Board hearing is to be held on April 21, 2009.

105/09 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie request that the Highway Traffic Board maintain the status quo with respect to the speed zones on PR240 North (Tupper St. N).

Carried.

OLD BUSINESS

By-Law 09-8434 –
Debenture
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.

Final project costs amount to \$2,448,000, a savings of approximately \$200,000. The Fuel Tax Reserve funded \$455,000 of this, with the balance of \$1,993,000 being borrowed.

Series "A" and "B" Debentures have been issued totalling \$1,500,000. There is \$493,000 left to issue which \$100,000 will be borrowed from the Community Foundation of Portage and District Incorporated and \$393,000 will be borrowed from the Province of Manitoba. This by-law received 1st reading and approved by the Municipal Board. This by-law is ready for 2nd & 3rd reading. This By-Law received first reading on March 9, 2009.

- 106/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 RESOLVED THAT By-Law No. 09-8434 authorizing debentures Series “C” for \$100,000 and Series “D” for \$393,000.00 for partial costs of the design and construction of the Wilkinson Crescent be given second reading.
 Carried.
- 107/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 RESOVLED THAT By-Law No. 09-8434 be given 3rd Reading finally signed, sealed and passed.
 Carried.
 In Favour: Councillors, Bereza, Ferris, Quinn, Shindle, Wagner and Mayor Brennan.

By-Law 09-8435
 Debenture
 Authorization -
 PCU Centre
 Construction – 2nd
 & 3rd Reading

The Debenture by-law for the design and construction of the PCU Centre allows for borrowing up to a maximum of \$10,000,000 for the project.

The project was estimated at a cost of \$35.7 million funded as follows.

<u>Capital Costs (in Millions)</u>	
	<u>Phase 1</u>
City	\$16.00
RM	\$8.00
Province of Manitoba	\$5.00
Canada	\$3.30
Public Contributions	\$3.43
	<u>\$35.73</u>

As noted above the City’s share is for \$16 million with \$6 million from the Reserves, \$2,000,000 from the Recreation Reserve, and \$10 million from borrowing. The debt term for \$10 million is for 15 years. Borrowing was authorized under by-law 07-8371 and approved by the Municipal Board. Project costs to date amount to \$7.9 million at this time with the bulk of the remaining costs to occur over the spring and summer months.

The Series “A” Debenture issue for \$7,000,000 is from the Royal Bank of Canada (RBC Life Insurance Co.) and the Series “B” Debenture is for \$3,000,000 from the Mutual Life Assurance Company. This by-law received Municipal Board approval and is ready for 2nd & 3rd reading. First reading of this by-law was given on February 23, 2009.

- 108/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 RESOLVED THAT By-Law No. 09-8435 authorizing debentures Series A in the amount of \$7,000,000.00 and Series B in the amount of \$3,000,000.00 for partial costs for the design and construction of the PCU Centre be given second reading.
 Carried.
- 109/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 RESOLVED THAT By-Law No. 09-8435 be given third reading, finally passed, signed and sealed.
 Carried.
 In Favour: Councillors, Bereza, Ferris, Quinn, Shindle, Wagner and Mayor Brennan

ADJOURNMENT

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

 Mayor

 Manager of Administration