

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, January 11, 2010 at 6:00 p.m.

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

**ABSENT:** Councillor Bereza

**ADOPTION OF MINUTES** 01/10 Moved by: Councillor Quinn  
Seconded by: Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, December 14, 2009, and the Special Meeting of Council held at City Hall on Tuesday, December 22, 2009, be approved as circulated.  
Carried.

**DELEGATIONS:**

Mr. John Boehm Mr. Boehm appeared to speak regarding the private operation of the Centennial Arena, the PCU Centre Business Plan, and Nutrient Removal.

**HEARINGS:**

Conditional Use PC 95-09 – Mr. Keith Hutlet appeared in support of the application.  
Hutlet/Boychuk –  
2 Sask. Ave. W.

02/10 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris  
RESOLVED THAT the public hearing for Conditional Use PC 95-09 Hutlet/Boychuk – 2 Saskatchewan Ave. W. now be closed.  
Carried.

The applicants, Keith and Samantha Hutlet, have applied for a conditional use to allow for an amusement enterprise (indoor glow-in-the-dark mini golf) as a conditional use. This property is located in a C1 - Central Commercial Zoning District.

03/10 Moved by Councillor Wagner  
Seconded by Councillor Ferris  
RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Keith and Samantha Hutlet to allow for an amusement enterprise as a conditional use in a C1 – Central Commercial Zoning District at the property 2 Saskatchewan Avenue West, which is legally described as Lots 195/196, Plan 12, Parish of Portage la Prairie, subject that the facility be used as a themed miniature golf and interactive games facility, excluding arcade games and pool tables.  
Carried.

Variation PC 93-09 – CHB No one appeared.  
Developments –

102 5<sup>th</sup> Ave. NW

04/10 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris  
RESOLVED THAT the public hearing for Variation PC 93-09 – CHB Developments – 102 5<sup>th</sup> Ave. NW now be closed.  
Carried.

The applicant, CHB Developments Ltd., is applying for a variation order to allow the front yard to be reduced from the required 7.5m down to 3m.

Applicant wishes to have larger rear yard. A variation for side yards (PC 59-09) was recently approved for this property.

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.

- 05/10 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of CHB Developments Ltd. to vary the front yard to be reduced from the required 7.5m down to 3m at the property known as 102 5th Ave NW which is legally described as Lots 781/783, Plan 66, Parish of Portage la Prairie.  
Carried

## COMMITTEES:

### **Finance, Legislative & Property Committee**

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

Unpaid Water,  
Sewer, and Solid  
Waste to Taxes for  
November 2009 –  
By-Law #09-8428  
2<sup>nd</sup> & 3<sup>rd</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.

- 06/10 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 09-8428 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a second time.  
Carried.

- 07/10 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 09-8428 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 Ferris, Keryluk, Quinn, Shindle, Wagner, and Mayor Brennan

Unpaid Water,  
Sewer, and Solid  
Waste to Taxes for  
December 2009 –  
By-Law #09-8429  
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.

- 08/10 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 09-8429 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.

### **City Planning & Economic Development**

The City Planning & Economic Development Committee respectfully submits the 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.

**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:

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

Tree Donation

Councillor Wagner extended thanks to Jason Bodnarchuk for his donation of the blue spruce tree in front of City Hall.

**Community  
Services  
Committee**

The Recreation and Community Services Committee respectfully submits the following reports:

Riverbank Erosion  
Control

The Assiniboine River bank is rapidly eroding upstream of the Crescent Lake pump location. Access to install and retrieve the pumps is becoming increasingly difficult. Additional piping is required because the pumps have to be placed further out into the stream. The access ramp to water's edge is becoming less stable and trucks are sinking in the soft soil. The anchors which hold the pumps in place are in danger of being undermined and eventually will have to be replaced.

Installation of riverbank erosion protection on the Assiniboine River upstream and downstream of the location where the floating pumps for filling Crescent Lake are located should be undertaken.

The La Salle Redboine Conservation District has indicated that this project fits the criteria under their scope. A resolution of Council with a request to the Board of the Conservation District is necessary to have them take a look at the project.

09/10

Moved by: Councillor Shindle  
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie request the La Salle Redboine Conservation District to conduct a review of the Assiniboine River bank erosion occurring at the location near the Crescent Lake pumps, and implement riverbank erosion control.

Carried.

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

Olympic Torch  
Relay

Mayor Brennan commented on the success of the Olympic Torch events on January 7, 2010 and congratulated all City Staff involved in the planning and working through the sudden change of venue.

**DEFERRED  
BUSINESS**

None

RCMP Update

Rob McCarville presented the following information to Council:

- Olympic Torch Relay: All went smoothly despite late changes. Michelle Cudmore was congratulated on her work with Jim Mirza. One RCMP member ran with the Torch Relay and will run with it to Regina.
- 2010 Winter Olympics: Our local detachment will possibly have some

members going to Vancouver to assist with security. There are no concerns regarding staffing here through the Olympics.

- A new cadet from the Maritimes will be locating here Friday, January 15, 2010.
- MPI – Vehicle thefts have been cut 50% over the past two years, with 350 in 2007 and under 200 in 2009.
- Stats: Traffic violations were down for November and December, 2009.

## NEW BUSINESS

Award of Contract  
– RCMP Cell  
Toilets

The City is planning on going ahead with cell renovations at the Public Safety Building in 2010. Due to the time constraints on the timing of the project Tender and Construction Stages and the lead time needed to order speciality items such as cell doors, grilles and toilets it was determined that there was a need to pre-purchase these items so that the length of the construction project is shortened as the existing cells can not be put completely out of use and any lengthy delays in construction would have a negative effect on operations.

The process of quotes was used as there are only a few suppliers that are approved for use by the RCMP and due to the need to order these items ASAP the process involved asking for quotes from approved suppliers.

| <u>COMPANY NAME</u>                | <u>BID PRICE</u>       | <u>DELIVERY TIME</u> |
|------------------------------------|------------------------|----------------------|
| Tom Beggs Agencies<br>(Willoughby) | \$15,319.20 plus taxes | 12-14 weeks          |
| BA Robinson (Acorn)                | \$32,494.08 plus taxes | 5-7 weeks            |

The lowest quote on the 8 Stainless Steel Combination Toilets is from Tom Beggs Agencies from Winnipeg who is an agent for Willoughby Industries Inc. from Indianapolis IN for a Willoughby brand of Penal Toilet. The Willoughby Penal Toilet is approved by the RCMP for use in Canada. The Willoughby model needs a separate Flush Valve which is included in the cost.

The purchase of these Penal Toilets will lower the contract price of renovations as the contractor will not have to supply these and then mark up the costs to the City.

The net cost will be \$17,538.95 including PST. and delivery will be 12-14 weeks from time of confirmed order.

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

RESOLVED THAT the Council of the City of Portage la Prairie award the contract for the supply of 8 Stainless Steel Combination Toilets for cell renovations to Tom Beggs Agencies for the sum of \$18,358.53 including all applicable taxes. Carried.

Award of Contract  
– RCMP Cell Door  
Frames

The City is planning on going ahead with cell renovations at the Public Safety Building in 2010. Due to the time constraints on the timing of the project Tender and Construction Stages and the lead time needed to order speciality items such as cell doors, grilles and toilets it was determined that there was a need to pre-purchase these items so that the length of the construction project is shortened as the existing cells can not be put completely out of use and any lengthy delays in construction would have a negative effect on operations.

The lowest quote on the 8 Sliding Cell Doors and Frames is from Steelgate Security Products Ltd. from Mississauga On. Who have completed several similar projects for RCMP cells in Eastern Canada. They presently have the capability to deliver the doors & frames within 2 weeks of confirmation of the order if the order is placed in the next 2 weeks due to production schedules.

| <u>COMPANY NAME</u>              | <u>BID PRICE</u>       | <u>DELIVERY TIME</u> |
|----------------------------------|------------------------|----------------------|
| Steelgate Security Products Ltd. | \$38,400.00 plus taxes | 2 weeks              |
| Apex Industries Inc.             | \$39,893.00 plus taxes | 10-12 weeks          |
| CP Distributors                  | \$47,278.00            | 8-10 weeks           |

The purchase of these doors and frames will lower the contract price of renovations as the contractor will not have to supply these and then mark up the costs to the City. The net cost will be \$41,088.00 including PST.

11/10 Moved by: Councillor Ferris  
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie award the contract for the supply of 8 Sliding Cell Doors & Frames for cell renovations to Steelgate Security Products for the sum of \$43,008.00 including all applicable taxes. Carried.

Engineering  
Services Increase –  
Watermain  
Crossing Crescent  
Lake

In March, 2009, AECOM was awarded the contract for engineering services for the design and contract administration for the Crescent Lake watermain crossing on the basis that they had a superior technical proposal and therefore scored the highest for technical points, and they had the highest overall points even though their bid was slightly higher than the other bidders' revised prices. Their average technical hourly rate was mid-range.

AECOM's fee proposal was fixed fee for the detailed design and tendering portion, and an estimated time-based fee for the remainder of the work.

Due to the City requesting additional functional design work (alignment options), AECOM incurred additional expense and therefore should be compensated. Communication with the contractor was apparently difficult and resulted in greater than anticipated time, effort and expense for AECOM. The Contractor failed to start work until shortly before his deadline, when it was expected that he would start mid-July. Communication with the contractor was maintained through this period before work started. Additional work was also required to coordinate with the PCU Centre on-site watermain contractor.

AECOM is requesting an additional payment of \$9,430 for extra work completed to date, with another \$3000 anticipated for completion of as-built drawings and warranty inspections. The original estimate for engineering services was \$67,070 and the revised proposed budget is \$79,500, excluding GST. AECOM has indicated that they anticipate staff hours and disbursements that would total \$87,274 on this project. They have acknowledged that some of their extra time should have been billed back to the contractor as Liquidated Damages, however, this was not done, and they have accepted some responsibility for that.

There is \$450,000 included in the 2009 budget, with \$350,000 from the Utility and \$100,000 from the PCU Centre project. The construction contract ended up \$3,000 under budget. (When the tender was awarded, it was projected to be \$7000 over budget.) If the additional payment for Engineering services is authorized, and all of the remaining amount is spent, the overall project will end up at approximately \$459,500 or \$9,500 over budget.

The excess would be funded from the 2009 Utility surplus.

12/10 Moved by: Councillor Keryluk  
Seconded by: Councillor Shindle

RESOLVED THAT the budget for AECOM Canada Ltd.'s Engineering Services for the Design and Construction of a Watermain Crossing Crescent Lake be adjusted to \$79,500, excluding GST. Carried.

**OLD BUSINESS**

None

**ADJOURNMENT**

There being no further business to discuss, Council adjourned at 6:35 p.m.

---

Mayor

---

Manager of Administration