

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, March 23, 2009 at 6:03 p.m.

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

ABSENT:

ADOPTION OF MINUTES 67/09 Moved by: Councillor
Seconded by: Councillor
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on March 9, 2009 be approved as circulated.
Carried.

DELEGATIONS: **RCMP** – Constable Andrew Volans was present to accept the Best Booth Award from the Youth Career Opportunity Expo held on March 5, 2009.

HEARINGS:

Variation – PC-7/09 – Wilfred and Dawn Rellinger Ms. Dawn Rellinger was present to answer any questions Council may have regarding this application.

68/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the Wilfred and Dawn Rellinger Variation request now be closed.
Carried.

Applicants applied for a minor variation to situate the house on the irregular shaped lot before building. After the house was built and a survey completed for the property, it was discovered that the minor variation does not satisfy the by-law..

69/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Wilfred and Dawn Rellinger to vary
1) rear yard to be reduced from the required 7.5m to 6.39m;
2) south side yard to be reduced from the required 1.5m to 1.36m
at the property known as 21 Lions Memorial Park Place which is legally described as Lot 6, Plan 41901, Parish of Portage la Prairie.
Carried.

Variation – PC-8/09 – Carl And Heather Evenson No one appeared.

70/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the Carl and Heather Evenson Variation request now be closed.
Carried.

Applicant wishes to construct an addition on the south side of the house. This would leave a 3.7m side yard on the north side. Applicant would like the addition to line up with the front of the existing house. As per drawing, there is an existing driveway on the north side of the house that has been there for a number of years.

71/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Carl and Heather Evenson to vary
1) One side yard, when there is no attached garage or carport, to be reduced from the required 5m down to 3.7m;
2) Front yard reduced from the required 7.5m down to 6.16m.
at the property known as 707 3rd St NW which is legally described as Lot 29/30,

Block 7, Plan 343, Parish of Portage la Prairie.
Carried.

Variation – PC-
9/09 – Stan Klyne
And Edith Johnston

No one appeared.

- 72/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the Stan Klyne and Edith Johnston Variation request now be closed.
Carried.

Applicants wish to construct a deck on the front and side of the house and wish for the deck to line up with the front of the house. As per Planning District practise, the civic address determines the front yard.

- 73/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Stan Klyne and Edith Johnston to vary the front yard to be reduced from the required 7.5m to 2m at the property known as 415 3rd St NE which is legally described as Lot 247, Plan 29, Parish of Portage la Prairie.
Carried.

COMMITTEES:

Finance, Legislative & Property Committee

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

By-Law No. 09-
8419 - Unpaid
Water, Sewer And
Solid Waste To
Taxes For February
2009 – 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.

- 74/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8419 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes, be read a second time.
Carried.
- 75/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8419 be read a third time finally passed signed and sealed.
In Favour: Councillors, Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner and Mayor Brennan.

By-Law No. 09-
8433 - Adding
Unpaid Trailer
Licences, Business
Licences And
Accounts
Receivables To
Property Taxes –
2nd and 3rd Reading

The Fees & Charges Bylaw #08-8412 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 licences, business licences, false alarms, garage sales, tipping fees, dog fines, noxious weed control, maintenance compliance orders and NSF charges.

76/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 RESOLVED THAT By-law No. 09-8433 being a by-law to authorize the unpaid September to December 2008 trailer licence, business licence and accounts receivables as per schedule "A" be added to taxes, be read a second time.
 Carried.

77/09 Moved by: Councillor Quinn
 Seconded by: Councillor Shindle
 That By-Law No. 09-8433 be read a third time, finally passed, signed and sealed.
 Carried
 In Favour: Councillors, Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner and Mayor Brennan.

By-Law 09-8437 –
 Glesby Centre
 Capital Reserve –
 First 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.

78/09 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 first time.
 Carried.

2008 Year End
 Results

Councillor Quinn reviewed the 2008 Year End Results Report and highlighted the following:

A year-end surplus in the General Operating Fund of \$421,858 is realized. The General Operating Fund contains the following significant variations between budget and actual:

Decrease in 2007 carry over Policing costs	\$216,931
Increase in Rural Fire Recoveries	\$54,217
Increase in Provincial Per Capita Grant	\$53,577
Decrease in Policing Contract Costs	\$136,481
Cancellation of land drainage projects	\$70,000
Increase in Transfer to Recreation Reserve (net of Transfer from Recreation Reserve) <i>see RLS Administration for details</i>	(\$253,020)
Increase in Recreation Salaries	(\$28,525)
Increase in Southport Revenues	\$48,202
Increase in Grant in Aid for Paving	\$80,120
Decrease in Street Surface Materials Usage	\$28,409

Prisoner Cells, Public Safety Building

The Property Management Division of the RCMP headquarters has requested renovation of the prisoner cells at the Public Safety Building to meet their safety standards. Project costs for the City's share (60%) is estimated at \$425,000 (total cost \$709,000). The 2007 costs carried over for policing that were not utilized as well as the 2008 contract cost savings contribute \$353,412 of the surplus. There is currently \$71,735 in the Special Administration Reserve and an additional \$353,265 is required to meet the estimated City's share. It is therefore recommended that \$353,265 of the General Operating Surplus be transferred to the Special Administration Reserve towards this project.

A year-end surplus in the Utility Operating Fund of \$301,840 is realized. The Utility Operating Fund contains the following significant variations between budget and actual:

Net Increase in Aggregate Water and Sewer Sales	\$102,802
Property Purchase	(\$28,000)
Decrease in SBR Lift Station Pump cost	\$25,000
Decrease in 14 th St. NE/Lorne Ave watermain ext. carryover	\$100,000
Increase in cost of Carbon Filter	(\$82,200)
Decrease in Water Treatment Chemicals	\$60,323

- 79/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT the Financial Statements for the twelve months ended December 31, 2008 be adopted. and;
THAT \$353,265 of the 2008 General Operating Surplus be transferred to the Special Administration Reserve for the renovation of the prisoner cells, and;
THAT the remaining 2008 General Operating Surplus be transferred to the General Reserve, and;
THAT the Utility Operating surplus be transferred to the Utility Reserve.
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 Report Council reviewed the monthly activity reports.
- Transportation Committee** The Transportation Committee respectfully submits the following reports:
- Snow & Ice Removal** Councillor Wagner reported on the snow and ice removal expenditures to date. The City has expended approximately 45% of the 2009 budget for this cost centre in the first two months of the year.
- By-Law No. 09-8436 - Amendment To Traffic By-Law 01-8105 – 2nd and 3rd Reading The current City Traffic By-Law No. 01-8105 does not give any provisions for time limits in off-street parking areas.
- It is recommended that Sections 42, General Standing and Parking Prohibitions, and Section 55, Removal, Impounding, and Return of Vehicles, be amended to allow the City to take action when a vehicle is parked in an off-street parking area for more than 48 consecutive hours. The City has experienced problems in snow clearing and sweeping operations with vehicles being parked in off-street parking areas for lengthy periods of time.
- Signs, indicating the maximum continuous parking duration, will need to be posted.
- 80/09 Moved by: Councillor Wagner
Seconded by: Councillor Ferris
RESOLVED THAT That By-Law No. 09-8436 being a by-law to amend By Law No. 01-8105 be read a second time.
Carried
- 81/09 Moved by: Councillor
Seconded by: Councillor
RESOVLED THAT That By-Law No. 09-8436 be read a third time, finally passed, signed and sealed.
Carried.

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

Streetlights –
Willow Bay

Under the Willow Bay Development Agreement, the Developer is required to install six streetlights at his cost. Manitoba Hydro requires a Council resolution authorizing the installation and acceptance of the ongoing operating costs.

The monthly operating costs six new 100 watt streetlights is estimated at \$70, which is \$840 per year.

82/09 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie authorize, at no cost to the City, the installation of six 100 watt streetlights on Willow Bay and agrees to pay the ongoing operating costs.

Carried

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Community
Services
Committee**

The Community Services Committee respectfully submits the following reports.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**DEFERRED
BUSINESS**

None

NEW BUSINESS

Infrastructure Grant
Application for
Sewage Nutrient
Removal

In discussions with the Province, City Staff were advised that other Manitoba cities have applied for Infrastructure funding for wastewater nutrient removal projects. The Canada Strategic Infrastructure Fund is part of the Canada – Manitoba Building Canada Program.

The Clean Environment Commission has not yet made recommendation to the Province concerning nitrogen removal from wastewater. However, the Province has made it very clear that wastewater phosphorous removal will be required in the future.

After reviewing Water Pollution Control Facility existing processes and various options to add additional facilities to effect phosphorous and possibly nutrient removal, AECOM Engineers and City staff have selected the most likely new facilities and processes that will be required to be constructed at the Water Pollution Control Facility. Although engineering studies to effect nutrient removal are at pre-feasibility level of study, it appears incumbent on the City to make application new to secure funding for the Provincially mandated requirement.

City staff have had some preliminary discussions with the two potato plants affected and extensive discussions, negotiations and changes to existing agreements will be required as part of the process for nutrient removal. Sewer rates will have to continue to be reviewed to ascertain what impact the City's funding requirements for nutrient removal will have on the Utility.

AECOM has estimated that the total cost to construct the wastewater treatment facilities necessary to effect nutrient removal will be approximately \$51.1 million.

83/09 Moved by: Councillor Keryluk
Seconded by: Councillor Quinn

RESOLVED THAT the city of Portage la Prairie apply for funding for engineering design and construction of wastewater nutrient removal facilities under the Canada Strategic Infrastructure Fund, at an estimate total cost of \$51.1 Million.
Carried.

Request for
Funding – Water
Services on 100
Old Bridge Road

Mr. Philip Ronald has requested that the City install a water service line to 100 Old Bridge Road. The nearest location to connect to a watermain is approximately 390m to the west, where Old Bridge Road turns southward, on an existing 100mm diameter watermain. The service line would require one road crossing, one lane crossing, and a creek crossing. There would be no benefit to any other property owners along the route or further east. This service line would have no benefit to the distribution system water quality since it would not be looped.

84/09 Moved by: Councillor Keryluk
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the request for the installation of a water service line to 100 Old Bridge Road, with a flow restrictor, subject to plans being submitted to and approved by the Director of Operations; and

THAT the owner be responsible for all installation and maintenance costs of a service line from the main line connection to the house.
Carried.

Proposed
Subdivision –
Portage Industrial
Exhibition
Association

The applicant, Portage Industrial Exhibition Association, has proposed to subdivide a 19.36 acre parcel from their present holding of 40.92 acres, in Block 7, Plan 523, in order to provide for a leasehold title for the construction of the recreational multiplex for the City and the RM of Portage la Prairie.

This proposed subdivision is being processed under the “Shortened Process for Minor Subdivisions”, Section 134 of the Planning Act, and is being sent directly to Council for their decision.

The owner of the subject land has entered into a 99 year lease with the City and the Rural Municipality of Portage la Prairie. The tenants intend to construct a recreational multiplex for the benefit of their citizens. The current Zoning for the subject land will remain unchanged as the proposed use is permissible in that Zoning. The subdivision is required to allow the Tenants to obtain a Leasehold Title under the provisions of The Real Property Act. A Manitoba Land Surveyor has been directed to prepare a Plan of Subdivision. All utility providers have been and will continue to be consulted to ensure access for utility services is protected.

Community Planning Services recommends approval of this subdivision.

85/09 Moved by: Councillor Bereza
Seconded by: Councillor Keryluk

RESOLVED THAT the Council of the City of Portage la Prairie authorize the subdivision of a 19.36 acre parcel from the Portage Industrial Exhibition Association’s present holding of 40.92 acres, Block 7, Plan 523, for the purpose of obtaining a leasehold title for the construction of a recreational multiplex.
Carried.

Councillor Wagner abstained from voting.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 6:28 p.m.

Mayor

Manager of Administration