

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, May 10, 2010 at 6:00 p.m.

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

ADOPTION OF MINUTES 114/10 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, April 26, 2010, be approved as circulated.
Carried.

DELEGATIONS:

Mr. Bill Knott Mr. Knott asked if Council would consider a Question Period at the end of Council meetings.

Mr. Knott also asked a question regarding Section 2 of By-Law #00-8068 – Firearms, and asked for permission to fire a sling shot or pellet gun at rabbits eating his lettuce. Mayor Brennan advised that neither is allowed to be discharged in City limits. Inspector Nadeau answered, stating that he is located in the City and that is the reason the By-law is in place. Councillor Bereza suggested an environmentally friendly method such as cayenne pepper.

HEARINGS:

Variation PC 14-10 – Jack McLean – 30 Assiniboine Drive / Lot 4, Plan 2436, Parish of Portage la Prairie Jack McLean was present to answer questions.

115/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for Variation PC 14-10 – Jack McLean – 30 Assiniboine Drive / Lot 4, Plan 2436, Parish of Portage la Prairie now be closed.
Carried.

The applicant, **Jack McLean**, is applying for a variation order to allow the maximum height requirement of 4.5m to be increased to 6.096m. Applicant wishes to build a detached garage for double height storage of vehicles.

This building is in an RR – Rural Residential District.
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.

116/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Jack McLean** to vary the maximum height requirement of 4.5m to be increased to 6.096m at the property known as **30 Assiniboine Drive** which is legally described as Lot 4, Plan 2436, Parish of Portage la Prairie.
Carried.

Variation PC 17-10 – Owen & Paula McKenzie – 6 Dufferin Avenue West / Lot 121, 122, & 527, Plan 12, Parish of Owen McKenzie was present to answer questions.

Portage la Prairie

- 117/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for Variation PC 17-10 – Owen & Paula McKenzie – 6 Dufferin Avenue West / Lot 121, 122, & 527, Plan 12, Parish of Portage la Prairie now be closed.
Carried.

The applicants, **Owen and Paula McKenzie**, are applying for a variation order to allow the west side yard requirement of 1.5m to be reduced to .7m. Applicant wishes to add an attached garage to the west side of the existing dwelling.

This building is in an R1 – Single Family Dwelling District.
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.

- 118/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Owen and Paula McKenzie** to vary the west side yard requirement of 1.5m to be reduced to .7m at the property known as **6 Dufferin Avenue West** which is legally described as Lots 121, 122 & 527, Plan 12, Parish of Portage la Prairie.
Carried.

Variation PC 20-10
– Don and Gwen
Brugger – 820 9th
St. NW/ Lots
11/13, Block 15,
Plan 100, Parish of
Portage la Prairie

No one appeared.

- 119/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for Variation PC 20-10 – Don and Gwen Brugger – 820 9th St. NW/ Lots 11/13, Block 15, Plan 100, Parish of Portage la Prairie now be closed.
Carried.

The applicants, **Don and Gwen Brugger**, are applying for a variation order to allow the south side yard requirement of 1.5m to be reduced to 1m. Applicant wishes to increase the size of an existing attached single garage to a double garage to the south side of the existing dwelling.

This building is in an R1 – Single Family Dwelling District.

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.

- 120/10 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Don and Gwen Brugger** to vary the south side yard requirement of 1.5m to be reduced to 1m at the property known as **820 9th St NW** which is legally described as Lots 11/13, Block 15, Plan 100, Parish of Portage la Prairie.
Carried.

Variation PC 21-10
– Holly & Kinelm
Brookes – 421 9th
St. NW / Lots
28/29, Block 8,
Plan 100, Parish of
Portage la Prairie

No one appeared.

- 121/10 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for Variation PC 21-10 – Holly & Kinelm Brookes – 421 9th St. NW / Lots 28/29, Block 8, Plan 100, Parish of Portage la Prairie now be closed.
Carried.

The applicants, **Holly and Kinelm Brookes**, are applying for a variation order to allow the

- 1) front yard requirement of 7.5 m to be reduced to 6.012 m;
- 2) rear yard requirement of 7.5m to be reduced to 6.4m.

Applicant wishes to construct a new single family dwelling on property.

This building is in an R1 – Single Family Dwelling District.

The application has been circulated to the various City Departments with no concerns being expressed.

122/10 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Holly and Kinelm Brookes** to vary the

- 1) front yard requirement of 7.5 m to be reduced to 6.012 m;
- 2) rear yard requirement of 7.5m to be reduced to 6.4m

at the property known as **421 9th St NW** which is legally described as Lots 28/29, Block 8, Plan 100, Parish of Portage la Prairie.

Carried.

Variation PC 22-10
Shirley Nisbet –
701 4th St. NW /
Lots 31/32, Block
6, Plan 364, Parish
of Portage la
Prairie

Shirley Nisbet was present to answer questions.

123/10 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the public hearing for Variation PC 22-10 Shirley Nisbet – 701 4th St. NW / Lots 31/32, Block 6, Plan 364, Parish of Portage la Prairie now be closed.

Carried.

The applicant, **Shirley Nisbet**, is applying for a variation order to allow

- 1) fence height requirement in a front yard of 1m to be increased to 1.83m;
- 2) corner side yard requirement of 3.6m to be decreased to 2.4m.

The civic address is the front yard and this house has a front yard of 4th Street. The house sits on a corner lot and faces south to 7th Avenue. There is no back yard because of the way the house sits on the lot. The applicant wishes to fence in the yard for children's safety and build a patio from doorstep to the fenced yard area.

This building is in an R1 – Single Family Dwelling District.

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.

124/10 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of **Shirley Nisbet** to allow

- 1) fence height requirement in a front yard of 1m to be increased to 1.83m;
- 2) corner side yard requirement of 3.6m to be decreased to 2.4m.

at the property known as **701 4th St NW** which is legally described as Lots 31/32, Block 6, Plan 364, 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
April, 2010 – By-
Law #10-8459 –
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.

125/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 10-8459 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.
Carried.

By-Law #10-8481
– Amending By-
Law #01-8098 –
Outdoor Mobile
Vending License –
2nd & 3rd Reading

The current section 15 of License By-Law 01-8098 pertains to an Outdoor Mobile Vending Unit that operates on a regular basis in the City. This type of Mobile Vendor is required to be licensed with the City as well as with the Provincial Health Department. They are also required to hold liability insurance. This section does not currently permit businesses from holding charity BBQ's on an occasional basis.

It is proposed to add a clause (l) to this section that allows businesses to hold BBQ's for the purpose of raising funds for charity, but not more than 4 days in a year. The following clause is proposed to be added to the by-law:

“15 (l) A business or organization that operates an Outdoor Mobile Food Vending Unit for the purpose of conducting an outdoor barbeque to raise funds to donate to a charity may do so up to 4 times in a calendar year and is exempt from the provisions of clauses b, c, d and j of this section.”

Clause 15(k) should also be amended by deleting the words “Director of Economic and Community Development” and replacing with “Manager of Administration”.

126/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT By-law No. 10-8481 being a by-law to amend Section 15 – Part 11 of License By-Law 01-8098 be read a second time.
Carried.

127/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT By-law No 10-8481 be read a third time, finally passed, signed and sealed.
Carried.
In Favour: Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner, and Mayor Brennan

**City Planning &
Economic
Development**

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

Monthly Activity
Reports for March

Council reviewed the Monthly Activity Reports.

**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:

WPCF Monthly
Activity Report for
March

Council reviewed the Monthly Activity Report.

**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:

Crescent Lake
Water Rights
Licence

Several years ago the City applied for a Water Rights Licence for the diversion of water from the Assiniboine River to Crescent Lake. Manitoba Water Stewardship conducted a review of the application in 2009 and has issued a proposed licence which requires acceptance by Council.

The proposed licence will permit the City to withdraw water from the Assiniboine River at a rate of 0.53 cubic metres per second (7000 gpm), with an annual limit of 6784.18 cubic decametres (6.78 million cubic metres, 5500 acre-feet). These figures are roughly equivalent to the approximate capacity of the two existing river pumps.

The Licence requires the City to install a flow measuring device, which we do not currently have in place, and to keep a weekly and annual record of water “use”, and must submit an annual report by February 1st each year.

The signed Licence is to be returned to Water Stewardship by May 14.

The term of the Licence is 5 years, and the City must reapply for renewal.

128/10 Moved by: Councillor Shindle
Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie accept the proposed Water Rights Licence No. 2009-101 issued by Manitoba Water Stewardship, and authorize the Mayor and Manager of Administration to sign the Licence on the City’s behalf.

Carried.

**DEFERRED
BUSINESS**

None

NEW BUSINESS

Award of Tender:
2010 Paving
Contract

The tender for the 2010 Pavement Contract was advertised in the Daily Graphic, Construction Data, Winnipeg Construction Association and on the city web page. The tender closed and bids were opened on Tuesday, April 27, 2010.

The bids were as follows:

a. Maple Leaf Construction Ltd	\$ 330,645.00
b. Borland Construction Ltd.	\$ 384,818.18
c. Nelson River.	\$ 393,891.75
d. Bituminex Paving	\$ 438,583.95

* All prices include G.S.T.

The work in the tender includes:

Overlays:

Portage Avenue - 4th Street SE to 5th Street SE

Radisson Avenue - Armstrong Street to Roe Street

Armstrong Street – Radisson Avenue to 72 m north

2nd Street NE parking lot – between 2nd St NE, Princess Ave. and Prince Ave.

5th Street SE – Saskatchewan Avenue to Dufferin Avenue

Lorne Avenue West – 8th Street NW to 9th Street NW

The Contractor intends on starting the overlays by June 1, 2010.

		FUNDING SOURCES FROM BUDGET			
Project	Tender Price	Highways Funding	Overlay Program	Capital Projects	Total Funding
Overlay Program	\$251,338.50	\$50,000	\$210,000		\$260,000
2 nd St. N.E. Parking Lot	\$ 79,306.50			\$90,000	\$90,000
Total	\$330,645.00	\$50,000	\$210,000	\$90,000	\$350,000

Overlays

The tendered price allocated to the overlay program, (\$191,750.95 net G.S.T.) is approximately \$18,000 under the 2010 budget of \$210,000.

Fifth Street S.E. (PR 240) is partially funded by the Manitoba Department of Infrastructure and Transportation. As shown in the above table the Province has committed up to \$50,000 for their share of the work.

Second Street N.E. Parking Lot

The tendered price of \$75,530.00, net G.S.T., is \$14,470 under the budget of \$90,000 for 2nd Street NE Parking Lot.

The scope of work includes asphalt milling, asphalt patching, asphalt overlay, curbing and boulevarding. However, proposed scope changes on the 2nd St parking lot such as concrete curbing instead of asphalt curbing, will increase the cost, but provide a more visually appealing and durable product. Also, it is intended to construct a concrete boulevard along Princess St., partially to allow for solid waste bins to be placed on the boulevard rather than in the parking lot, and to provide for a clean, low maintenance boulevard.

129/10 Moved by: Councillor Wagner
 Seconded by: Councillor Bereza

RESOLVED THAT Council award the contract for the 2010 Pavement Program, as specified in tender 10 OPS 008, to Maple Leaf Construction Ltd. for the tendered price of \$330,645.00 including taxes.
 Carried.

PCU Centre
 Construction and
 Funding

To provide Tower Engineering with spending authorization to continue construction of Phase 1 and 2 of PCU Centre construction.

Spending Authorization for Project Manager

A summary breakdown of PCU Centre spending authorized by Council follows:
 Spending approved by Council as recommended by Project Manager \$29,579,079.
 Approved project costs that are not Project Manager's responsibility 1,545,000.
 Additional spending authorization for Project Manager approved by Council 10,171,379.

PCU Centre spending authorization to date \$41,295,458.

PCU Centre Control Budget #21 43,217,417

Balance of funding authorization required for Project Manager \$1,921,959.

Funding

Funding Required:
 Project Manager's cost estimate \$43,217,417.
 Add – FF&E increase for donated items (note 1) 55,000.

Total Funding required \$43,272,417.

Funding Provided:
 RM of Portage la Prairie \$8,000,000
 Province of Manitoba 5,000,000.
 Government of Canada 5,000,000.
 Donations (note 3) 3,400,000.

Total non-City funding	<u>21,400,000.</u>
City funding required	\$21,872,417.
City Funding authorized to date	
Recreation Reserve	\$1,879,368.
General Reserve	4,691,090.
Borrowing	<u>13,350,000.</u>
	<u>19,920,458.</u>
Additional funding required	<u>\$1,951,959.</u>

Note 1 – PCU Centre estimated costs do not include \$55,000 in donated Furniture Fixtures and Equipment “FF&E” items that have been included in donations total. In addition, the cost estimate includes FF&E at \$860,000, and the PRRA is working toward this as their budget amount for FF&E, although the Council resolution approved FF&E at \$893,000.

<u>Reasons for Additional Funding:</u>	
General Expense costs due to schedule extension (related to funding approvals)	230,000
Excavation and Backfill (schedule related and site conditions)	428,000
Concrete work – pool details	112,000
Enhanced ceramic tile finishes	100,000
Enhanced flooring	40,000
Pool enhancements (bigger water slide, chlorine, UV filtration, lights)	362,000
Furniture and Fixtures	55,000
Voice / Data wiring	50,000
Construction Mgt Fees (schedule related)	150,000
2nd arena washrooms and mechanical	300,000
Contingency	125,000
Total:	1,952,000

Potential Cost Savings

The only significant areas left that have potential savings are:

Hard landscaping (concrete, curbs, dirt, etc)	\$233,000.
Soft landscaping (shrubs, grass, etc)	91,000.
Paving (parking lots)	280,000.

The Parks crew may take over most of the responsibility for the soft landscaping costs and combined with donations of trees and shrubs may reduce this amount significantly.

Funding Shortfall

If donations to the PCU Centre reach the \$3.4 million mark, there would be a funding shortfall of \$1,951,959. This includes contingencies of \$125,000.

130/10 Moved by: Councillor Shindle
 Seconded by: Councillor Bereza

RESOLVED THAT Tower Engineering Ltd. be provided with additional spending authority of \$1,921,959 with a revised total spending authority of \$12,093,338; and

THAT a public hearing be held to amend the 2010 budget to provide \$2,000,000 in additional debenture debt.

Carried.

Award of Tender:
 Single Axle Dump
 Truck

This tender was advertised in the Daily Graphic and on the City’s web page. All bidders from last year were contacted and eight tenders couriered out or picked up at the Operation’s dept. The tender closed on May 4, 2010 with five bids being submitted, as follows.

Company Name	Price	Trade	Net
a. Hometown Service Ltd.	\$86,692.48	\$5,600.00	\$81,092.48
b. Parkside Ford Ltd.	\$90,823.04	\$8,400.00	\$82,423.04
c. Maxim Truck & Trailer	\$90,384.00	\$7,000.00	\$83,384.00
d. Custom Truck Sales Inc.	\$99,720.00	\$3,150.00	\$96,570.00
e. Connexion Trucks Centre	\$120,652.00	\$12,500.00	\$108,152.00

This truck will be used on a regular basis for excavation repairs, road and lane graveling, snow hauling, etc.

The budgeted amount from approved capital for this truck is \$95,000 including tax. Hometown Service Ltd's submitted tender met all specifications asked for in the tender package. The tendered price including the trade-in of the 1998 Top Kick net of GST is \$77,230.93. This unit comes in \$17,769.07 under budget and approximately \$12,750.00 lower than last years truck purchase.

131/10 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie award the Tender for the Supply of A Single Axle Dump Truck, as specified in tender 10 OPS 010, to Hometown Service Ltd, for the tendered price of 86,692.48 and accept the trade in price of \$5,600 for a net cost of \$81,092.48 including all applicable taxes.
Carried.

Road Closure:
Portion of 2nd
Street NE – By-
Law #10-8487 –1st
Reading

As part of the plans to upgrade and improve the Heritage Square area, including the public parking lots on the east and west side of 2nd Street NE, it is proposed to close the portion of 2nd Street NE directly east of the Glesby Centre.

In accordance with requirements of The Municipal Act, (sections 290(2) and 420), the by-law will be advertised and a hearing held on May 25, 2010.

132/10 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED THAT By-Law No. 10-8487, being a by-law to close a portion of Second Street NE be now introduced, read a first time and advertised.
Carried.

Boyne Valley
Water Initiative

Representatives of the Boyne Valley Water Initiative met with City Council on April 26th to present information concerning the Boyne River Dam project and to request support and funding for this initiative. This is a project that the South Norfolk-Treherne Community Development Corporation "CDC" has been studying for the last 10 years and calls for the diversion of water out of the Assiniboine River watershed into the Boyne River watershed.

133/10 Moved by: Councillor Keryluk
Seconded by: Councillor Wagner

RESOLVED THAT the City of Portage la Prairie is willing to enter into negotiations with the Cartier and Yellowhead Regional Water Systems to negotiate the sale of treated water to the Boyne Valley area; and

THAT the Province of Manitoba be requested to undertake a detailed cost benefit analysis to determine which regions of the Province are the most cost effective areas to expand irrigation and include off stream storage within the Assiniboine River watershed as part of the study; and

THAT the City of Portage la Prairie is opposed to any diversion of water out of the Assiniboine River watershed into the Boyne River watershed.
Carried.

By-Law #10-8485
- Utility Rates for
2011-2012 – 1st
Reading

The City of Portage la Prairie submitted a study in 2009 to amend utility rates for 2010 through 2012. A public hearing was held by the Public Utilities Board on December 1, 2009 regarding the proposed rate increases. McCain Foods filed and was granted intervener status by the PUB. McCain Foods Ltd. requested a delay in the rate approval based on their belief that the nutrient removal project costs may be affected by the specific design and operation of the nutrient removal system in conjunction with specific treatment processes at the industrial plants.

The PUB then ordered interim rates for 2010 and gave McCain Foods a deadline of May 31, 2010 to provide detailed information on their position. The City understands that McCain Foods intends to request an extension of the deadline.

By-Law 10-8485 received final reading which provided interim utility rates for 2010 and on. The 2010 rates experienced an increase in sewer rates for capital purposes of 9% in Step 1 (domestic level) and 13 % in Step 2 (wholesale and variable levels). Also

included in the rates for operating costs in water and sewer rates are 1% for first 2 steps (Domestic and Intermediate levels) and 3% at the 3rd and 4th steps (higher level users).

The initial rate study proposed to increase the 2011 and 2012 rates by the same percentages in each of these years. These increases proposed were for the purpose of meeting operating increases but mainly for the nutrient removal project. Costs at that time were estimated at \$51 Million for nutrient removal.

The City received information from another study that estimates the costs for nutrient removal at a considerably lower amount than originally estimated. An addendum has been prepared for Council's approval. Notes within the addendum have been quoted below explaining the impact.

"... This study, conducted by AECOM estimates capital costs of approximately \$25 Million for the preferred processing nutrient removal method. The City's share of the capital project is now estimated to be \$8.3 Million with \$5.5 Million coming from Reserves and \$2.8 Million funded by debenture (borrowing). This significant change in estimates requires a revisit of the utility rates proposed for 2011 and 2012.

Rate increases are still required to meet operating increases and to fund the capital projects planned for the near future. Take note in 2009, the PUB received a study proposing to increase sewer rates for capital purposes by 9% in Step 1 (domestic level) and 13 % in Step 2 (wholesale and variable levels) in each of the years 2010 to 2012 inclusive. The revised capital costs for nutrient removal would now require only an increase in sewer rates for capital purposes of 4% in Step 1 (domestic level) and 6% in Step 2 (wholesale and variable levels) in each of the years 2011 and 2012. The rate increases for 2010 have not changed from the initial proposal and the approval by the PUB.

By the end of 2012 the annual Nutrient Removal Reserve transfer will be \$1,365,314 under this proposal. Once the project is complete and in operation, the annual transfer would be used to offset the increased operating costs.

It's important to note that the City's revised 10 year Capital Plan includes additional rate increases beyond 2012 totalling 10% for the purpose of nutrient removal implementation, reserve restoration and operating increases that are related to the operation of new nutrient removal processes. It is anticipated that annual operating increases to remove nutrients would be approximately \$2 Million. The additional rate increases for 2013 and 2014 will be reviewed in a later study."

134/10 Moved by: Councillor Keryluk
Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 10-8485 being a by-law to authorize the change in water and sewer rates for 2011 and 2012 and on be given 1st reading; and

THAT the Utility Rate Study addendum be forwarded to the Public Utilities Board for approval.

Carried.

Wastewater
Nutrient Removal
Study

Manitoba Conservation first met with the City in early 2007, and at that time, the City was directed to develop an implementation plan for the upgrading of the Water Pollution Control Facility to achieve nutrient removal prior to discharge of the treated wastewater into the Assiniboine River.

The City completed a pre-feasibility study for nutrient removal in early 2008, and followed that with full-scale testing for nitrogen removal and laboratory scale testing for chemical phosphorus removal in 2009.

AECOM Canada was retained in late 2009 to conduct a study with the intent of developing a phased implementation plan beginning with phosphorus removal and followed by nitrogen removal at a later date.

Results:

The draft phosphorus removal study executive summary has been distributed to Council.

The scope of the study was developed in two main parts, and each assumes that Industry will remove phosphorus at their pre-treatment facilities to a concentration of 7mg/l or less. The various options reviewed indicate a total project cost between \$25 to \$45 million.

There are many issues to clarify before a firm direction can be set:

- 1) The Province needs to establish firm nutrient limits and determine whether or not a phased implementation plan is acceptable. That being said, the City must decide whether nitrogen removal is to be implemented at the same time as phosphorous removal, or deferred to a later date.
- 2) The schedule is greatly dependent upon the City obtaining grants, from the Provincial and Federal governments.
- 3) Interim extensions to the McCain and Nutri-Pea Industrial Service Agreements have to be negotiated and Nutri-Pea's loading limits need to be reviewed.
- 4) Interim extension of the McCain Operating Agreement has to be negotiated.
- 5) McCain must decide whether or not they build and operate their own pre-treatment facility or continue to operate the City Bulk Volume Fermenter.
- 6) If the existing City BVF is to continue to be used by McCain and Nutri-Pea, the operating impacts of accepting raw McCain wastewater during the retrofit of the BVF need to be evaluated.
- 7) The overall design and facilities required for nutrient removal need to be established in negotiation with the Industries. The capital costs directly attributed to Industry need to be determined. NutriPea's ability to pay for capital upgrades is a concern.
- 8) Capital and operating budgets for the new capital works need to be refined.
- 9) The City's share of capital, taking into account higher-level government grants and Industrial contributions, and operating funding needs to be determined. Water and sewer rate studies to fund the City's commitment have to be completed and submitted to the Public Utilities Board for their approval.
- 10) New Industrial Services Agreements need to be negotiated with McCain, Simplot and Nutri-Pea.

If the anticipated required implementation date of 2015 is to be met, continuous progress must be made beginning immediately.

135/10 Moved by: Councillor Keryluk
 Seconded by: Councillor Quinn

RESOLVED THAT Council accepts the Pre-feasibility Study for Phosphorus Removal Upgrading at the Water Pollution Control Facility and authorizes administration to forward the report to Manitoba Conservation; and

THAT Administration be directed to follow up with the Canada-Manitoba Infrastructure Secretariat regarding the application for 2/3 funding for Nutrient Removal, and request initial funding in the amount of \$400,000 (total \$600,000) to conduct a feasibility and pre-design studies and pilot testing.
 Carried.

Issue Debt for
 Multiplex – By-
 Law #10-8482 –
 2nd and 3rd Reading

The construction costs for the multiplex are shared with the City, RM, other levels of government and public contributions.

<u>Funding (In Millions)</u>	
Total Funding required	\$43.3
Funding Provided:	
RM of Portage la Prairie	\$8.0
Province of Manitoba	5.0
Government of Canada	5.0
Donations (note 3)	<u>3.4</u>
Total non-City funding	<u>21.4</u>
City funding required	<u>\$21.9</u>

City Funding authorized to date:
 Recreation Reserve \$1.8

General Reserve	4.7	
*Borrowing	<u>13.4</u>	
(includes the \$1.8Million to be issued)		\$19.9
**Additional Borrowing		
(approval pending)	<u>2.0</u>	
	<u>\$21.9</u>	

*\$10 Million in Debt has already been issued under the authorizing by-law 07-8371 and \$1.55 Million has been issued under the authorizing by-law 09-8439. This by-law No. 10-8482 issues an additional \$1.8 Million.

**Another borrowing by-law will be forthcoming to authorize another \$2 Million. Public hearing is set for this borrowing on May 25, 2010.

The Province of Manitoba is providing \$1.6 Million under this by-law, while the Portage Hospital Foundation and the Community Foundation are providing \$100,000 each. This borrowing by-law was approved by the Municipal Board under Order No. E-10-089 and is now ready for 2nd & 3rd reading.

136/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 10-8482 authorizing the City's request to issue \$1,800,000.00 for the additional costs of construction of the multiplex be given 2nd Reading.
Carried

137/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 10-8482 be given 3rd Reading, finally passed, signed and sealed.
Carried.
In Favour: Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner, and Mayor Brennan

OLD BUSINESS

Tax Sale Services
– last two points or
By-Law #10-8477

This By-Law received 2nd and 3rd reading on April 26, 2010. However, the last two points of the resolution were missed in an administrative error. They are required in order to move forward.

138/10 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT pursuant to By-Law No. 10-8477 of the City of Portage la Prairie, TAXervice Inc. be appointed to conduct tax sales for the City of Portage la Prairie; and
THAT pursuant to By-Law No. 10-8477 of the City of Portage la Prairie, Donna Zinkiew, General Manager of TAXervice Inc., be appointed Tax Sale Manager for the City of Portage la Prairie.
Carried.

ADJOURNMENT

There being no further business to discuss, Council adjourned at 7:00 p.m.

Mayor

Manager of Administration