

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, May 25, 2009 at 6:00 p.m.

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

**ABSENT:**

**ADOPTION OF MINUTES** 146/09 Moved by: Councillor Quinn  
Seconded by: Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, May 11, 2009 and be approved as circulated.  
Carried.

**DELEGATIONS:**

**HEARINGS:**

Variation PC 22-09  
– CHB  
Developments –  
133 – 6<sup>th</sup> St.  
NW/Lots 80/81,  
Plan 34, Parish of  
Portage la Prairie

No one appeared.

147/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the public hearing for Variation PC 22-09 CHB Developments Inc. now be closed.  
Carried.

The applicant, CHB Developments Inc., is applying for a variation order to allow the rear yard to be reduced from the required 7.5m to 5.79m. The applicant wishes to build a deck at the rear of the house.  
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.

148/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of CHB Developments Inc. to vary the rear yard to be reduced from the required 7.5m to 5.79m at the property known as 133 6th St NW which is legally described as Lots 80/81, Plan 34, Parish of Portage la Prairie.  
Carried.

Variation – PC  
24/09 – Kelly &  
Dawne Braden

Kelly Braden appeared in support of the application.

149/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the public hearing for Variation PC 24/09 Kelly & Dawne Braden now be closed.  
Carried.

The applicants, Kelly and Dawne Braden, are applying for a variation order to allow

- 1) Minimum site area requirement of 460 square meters to be reduced to 319.3 square meters;
- 2) Minimum rear yard to be reduced from the required 7.5m to 6m as per conditions of subdivision 4550-09-5157.

- 150/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Kelly and Dawne Braden to vary the Minimum site area requirement of 460 square meters to be reduced to 319.3 square meters; Minimum rear yard to be reduced from the required 7.5m to 6m. at the property known as 115 4th St SW which is legally described as Parcel 4, Plan 1358, 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. 09-8421 – Unpaid Water, Sewer and Solid Waste to Taxes for April 2009 – 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.

- 151/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-law No. 09-8421 being a by-law unpaid water, sewer and solid waste charges be added to taxes be read a second time.  
Carried.

- 152/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-law No. 09-8421 being a by-law 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 Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner and Mayor Brennan

By-Law 09-8440- Amendment to 2009 Fees & Charges By-Law 08-8412 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

It has been discovered that the Development Agreement Fees were unintentionally missed in the Fees and Charges By-Law since the formation of the Portage la Prairie Planning District in 2004. This By-Law amendment will correct this error by including these fees. This By-law received first reading on May 11, 2009. A By-Law is required to amend the Fees and Charges By-Law.

- 153/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 09-8440 to amend the 2009 Fees and Charges By-Law No. 08-8412 be given second reading.

- 154/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No. 09-8440 be given third reading, finally passed, signed and sealed.  
Carried.  
In favour: Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner and Mayor Brennan

Monthly Activity Reports

Council reviewed the monthly activity reports.

**City Planning &  
Economic**

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

## **Development**

Monthly Activity Reports

Council reviewed the monthly activity reports.

Tourism Awareness Week

Councillor Bereza announced that the 9th Annual Tourism Awareness Week will take place May 25-29, 2009.

## **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.

Operator of the Year Award

Councillor Keryluk announced that Michael Sandney won the Operator of the Year Award at the Manitoba Water and Waste Conference.

## **Transportation Committee**

The Transportation Committee respectfully submits the following reports:

Monthly Activity Reports

Council reviewed the monthly activity reports.

Organic Lawn Care Workshop

Councillor Wagner commented on the success of the Organic Lawn Care workshops held April 28, 2009. 14 attended the noon session and 24 attended the evening session. Congratulations were extended to Operations Department on a job well done.

## **Community Services Committee**

The Community Services Committee respectfully submits the following reports:

Secondary Naming Rights

The Portage Recreation Committee (PRC), led by co chairs Brian Gilbert and Warren Neufeld, had coordinated the Phase 2 Secondary Naming Rights to raise funds for the PCU Centre. Businesses were given the opportunity to bid a pledge for one of 15 naming opportunities throughout the complex, as authorized by Council in 2008. The following 8 Naming Rights have been negotiated and are respectfully submitted for Council's consideration:

Can Oat Milling - \$100,000	Can Oat Wellness Centre
Portage Toyota - \$50,000	Client Entertainment Room
Daily Graphic - \$40,000	Community Room
EF Moon - \$30,000	Sound Room
Jonair/Super 8 - \$30,000	Media Room
Manitoba Hydro - \$30,000	Dressing Room #5
Horizon Insurance - \$25,000	Universal Change Room
BMO - \$20,000	Home Team Dressing Room

Naming Right agreements are 20 year terms and are subject to both the City and Rural Municipality Council's approval. There are additional Phase 2 Naming Rights to follow in the near future for the remaining naming opportunities including the Visitor Team Dressing Room, Arena Dressing Rooms #1 – 4 and #6, and the Men's and Women's Change rooms.

Phase 2 focused on support from the business community and is a combination of naming right agreements and monetary gifts. An estimated total of \$435,000 has been pledged to date within the second phase fundraising stage.

155/09 Moved by: Councillor Shindle  
 Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the Secondary Naming Rights as proposed by the Portage Recreation Committee including: Can Oat Milling - \$100,000 for the Can Oat Wellness Centre, Portage Toyota - \$50,000 for the Client Entertainment Room, Daily Graphic - \$40,000 for the Community Room, EF Moon - \$30,000 for the Sound Room, Jonair/Super 8 - \$30,000 for the Media Room, Manitoba Hydro - \$30,000 for Dressing Room #5, Horizon Insurance - \$25,000 for the Universal Change Room, BMO - \$20,000 for the Home Team Dressing Room and furthermore that approval be on the condition that the Rural Municipality of Portage la Prairie also approves the Secondary Naming Rights.  
 Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports.

**DEFERRED BUSINESS**

None

**NEW BUSINESS**

Award of Tender –  
 2009 Pavement  
 Contract 09 OPS  
 009

The tender for the 2009 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, May 19, 2009. The work in the tender includes:

- Twentyfifth Street N.W. Pavement Reconstruction
- Overlays:
  - Radisson Avenue – Armstrong Street to Roe Street**
  - Seventh Avenue N.W. – 4<sup>th</sup> Street N.W. to 6<sup>th</sup> Street N.W.
  - Eighteenth Street N.W. – Saskatchewan Avenue to the C.P. Tracks
  - Armstrong Street – Radisson Ave. to 72 meters north
  - Gigot Avenue – 18<sup>th</sup> Street N.W. to 21<sup>st</sup> Street N.W.
  - Eighth Street N.W. – Lorne Ave. to Fisher Ave.
  - Centennial Arena Parking Lot – Skateboard Area

The following bids were received:

- |                                |                 |
|--------------------------------|-----------------|
| a. Maple Leaf Construction Ltd | \$ 699,945.75   |
| b. Borland Construction Ltd.   | \$ 724,137.75   |
| c. Bituminex Ltd.              | \$ 1,119,336.75 |

			FUNDING SOURCES FROM BUDGET		
Project	Tender Price*	Budget Estimate	Grant In Aid Request	Overlay Program	Capital Projects
25 <sup>th</sup> Street NW	\$252,343.75	\$210,000.00			\$210,000.00
Radisson Ave	\$101,691.25	\$ 80,000.00		Deleted	
7 <sup>th</sup> Avenue	\$ 60,750.00	\$ 40,000.00	\$20,000.00	\$40,750.00	
18 <sup>th</sup> St NW	\$ 88,957.50	\$ 70,000.00	\$35,000.00	\$53,957.50	
Armstrong Street	\$ 19,305.00	\$ 10,000.00		Deleted	
Gigot Avenue	\$ 69,840.00	\$ 55,000.00		\$69,840.00	
8 <sup>th</sup> St NW	\$ 68,227.50	\$ 60,000.00	\$30,000.00	\$38,227.50	
Arena Parking Lot	\$ 5,500.00	\$ 5,500.00			\$5,500.00
<b>Total</b>	<b>\$666,615.00</b>	<b>\$530,500.00</b>	<b>\$85,000.00</b>	<b>\$202,775.00</b>	<b>\$215,500.00</b>

\* Above costs from Maple Leaf bid and do not include G.S.T.

**Twenty Fifth Street N.W.**

The original scope of work included the reconstruction of 120 meters of asphalt road, complete with gravel base material, curb/gutter and boulevards. The tender price is \$252,343.75, approximately \$42,000 over the estimated budget of \$210,000. The length of road reconstruction will be reduced by 20 meters to bring the project

within budget.

### Overlays

The tendered price allocated to the overlay program, (\$323,771.25 net G.S.T.) is approximately \$119,000 over the 2009 budget of \$205,000. Asphalt pricing was not greater than anticipated, however, the cost of the milling, curbing, boulevard restoration and miscellaneous work was significantly underestimated. It is proposed to reduce the scope of work by deleting the Radisson Avenue and Armstrong Street overlays. Alternatively, although not recommended, the old curbing could be left in place on some streets. The 2009 Grant-In-Aid portion of the overlay program has not been approved by the Province. Further cuts will be made if Grant-In-Aid funding is not approved as shown in the above table.

### Arena Parking Lot

A small portion of the Arena parking lot will be overlaid to provide a suitable area for people to skateboard. The capital budget includes \$5,500.

Since the scope of work is to be reduced significantly from the original tender, prices will have to be confirmed with Maple Leaf Construction.

156/09 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT Council award the tender for the 2009 Pavement Contract, as specified in tender 09 OPS 009 to Maple Leaf Construction Ltd. (tendered price of \$699,945.75 including taxes), subject to confirmation of the Provincial Grant-in-aid funding, and subject to the reduction in scope to meet the budget constraints.

Carried.

2<sup>nd</sup> Arena Ice Plant

Phase 1 of the PCU Centre includes a 120 ton ice plant capable of producing ice for the main arena. The second arena being constructed as phase 2 will require a 60 ton ice plant. Cimco Refrigeration has the contract to provide a 120 ton ice plant and refrigeration system for phase 1 PCU Centre for \$836,650 plus GST.

Cimco has manufactured the 120 ton ice plant; however, they have indicated that there is a purchaser for this ice plant and they are willing to change the order to a 180 ton unit, without penalty. Cimco has quoted an additional cost of \$183,100 plus PST and GST to upgrade to a 180 ton plant. In addition, the refrigeration lines and equipment required in the second arena would be \$97,650 plus taxes.

Tower Engineering estimates that proceeding with a 180 ton ice plant instead of separate 120 ton and 60 ton ice plants, will save \$250,000 to \$300,000. In addition, operationally it will be easier to maintain and operate one ice plant as opposed to two plants.

The offer from Cimco to switch to a 180 ton ice plant is time sensitive and has to be acted upon immediately. The refrigeration lines and equipment for the second arena can be awarded at a later date as part of the tender awards for the second arena.

The debenture debt required for the second arena has not yet been approved by the Municipal Board and is required as part of the funding for the PCU Centre phase 2 project. In any event, from a cost benefit approach, it makes sense to authorize the 180 ton ice plant at this time.

157/09 Moved by: Councillor Shindle  
Seconded by: Councillor Bereza

RESOLVED THAT the City of Portage la Prairie accept the offer from Cimco Refrigeration to change to a 180TR Eco Chill Artificial Ice System at an additional cost of \$183,100 plus PST and GST.

Carried.

**OLD BUSINESS**

None

**ADJOURNMENT**

There being no further business to discuss, Council adjourned at 6:30 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Manager of Administration