

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Tuesday, October 13, 2009 at 6:02 p.m.

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

ADOPTION OF MINUTES 268/09 Moved by: Councillor Quinn
Seconded by: Councillor Wagner
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, September 28, 2009 be approved as circulated.
Carried.

DELEGATIONS: Mayor Brennan welcomed a young observer, Madeline Lee, to Council.

HEARINGS: None

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

By-Law 09-8426 – Unpaid Water, Sewer and Solid Waste to Taxes for September 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.

269/09 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-Law No. 09-8426 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.
Carried.

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

Encroachment Agreement – 15 – 20th St. NW – Candace Love
The owner, Candace Love, of 15 – 20th Street N.W. has requested an encroachment agreement with the City of Portage la Prairie. The south wall and eave located on the land encroaches onto the public lane adjoining the south limit of the land as much as 2.8 feet. The owner has requested the City to allow the encroachment to remain for the life of the building. Similar encroachments have been granted on other properties.

270/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Candace Love to allow the building, a house including the eave, located at 15 – 20th Street N.W., situated on the land legally described as being Lot 7, Plan 20 PLTO in RL 56 Parish of Portage la Prairie, to encroach onto the Public lane owned by the City of Portage la Prairie, as much as 2.8 feet for the life of the building.
Carried.

Monthly Activity Reports
Council reviewed the Monthly Activity Reports.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following reports:

Animal Control
By-Law 09-8447
(By-Law 02-8165
Amendment) – 1st
Reading

In April of 2004, an amendment was approved to Animal Control By-Law No. 02-8165 by giving third reading to By-Law 04-8224. This By-law was an amendment with respect to an Excess Animal Permit and maximum number of cats and dogs permitted in one household.

There was reference made to a specific fees and charges by-law 03-8207 which was done in error. The clause should have made reference to the current fees and charges by-law and not the 2003 one stated. There were also sections of this clause inadvertently left out.

We propose to delete Clause 5 Excess Animal Permit in Section 17 in its entirety and replace with a revised new Clause 5.

271/09

Moved by: Councillor Ferris

Seconded by: Councillor Bereza

RESOLVED THAT By-Law No. 09-8447 to amend the Animal Control By-Law No. 02-8165 be given first reading.

Carried.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Western Canada
Water Association
Awards – for
Information Only

At the recent Western Canada Water Association Conference held in Winnipeg, staff from the City of Portage la Prairie were recognized for their past and ongoing volunteer efforts toward the Association's activities.

Mr. Doug Campbell, Manager of the Water Treatment Division, received the Kenneth J. Miller Founder's Award to acknowledge his volunteer contribution toward, and promotion of the Water for People charitable organization.

Mr. Wayne Wall, Manager of the Wastewater Treatment Division, received the H.M. Bailey Award for "long, faithful, and meritorious service in wastewater works." In addition, Wayne was elected to the position of Vice-chairman of the Western Canada Water Association.

Letter of Request

Councillor Keryluk read a letter of request from 29 people that the temporary road from 18th Street NW to Walmart Shopping Centre be maintained. These people are somewhat mobility challenged and requested that the road be left travelable as it shortens the distance. Mr. Lyle said it will be discussed and a report will come forward to Council.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Nothing to Report.

**Recreation and
Community
Services
Committee**

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

Splash Island
Seasonal Report –
for Information
Only

Splash Island closed September 7, 2009 with a respectable season attendance of 35,673 patrons. The average annual attendance over the 8 years since the opening is 34,876. The highest annual attendance was in 2007 with 38,559 and the lowest attendance of 28,708 was in 2004.

Despite the challenge from the weather, the 2009 Splash Island season is considered a success. It continues to be a fun water park for patrons from Portage and area, while maintaining its reputation as a worthwhile family tourist destination.

**DEFERRED
BUSINESS**

None

NEW BUSINESS

Debenture Issuance
– Portage Mutual
Arena Construction
By-Law 09-8450 –
1st Reading

Debenture By-Law 09-8439 is the borrowing by-law for \$1.55 Million for the construction of the Portage Mutual Arena and associated works. The by-law was approved by the Municipal Board.

The Canada-Manitoba Infrastructure Program has approved the City's submission for \$5.1 million to construct a second arena at the PCU Centre. This is tri-partite funding with the City, Province and Federal shares each being \$1.7 million. The Federal share of the funding is new money available for construction of the second arena. This will bring the Federal/Provincial share of funding for phase 1 and phase 2 of the PCU Centre to \$10 million; \$5 million each.

The remaining \$1.85 Million dollars of the City's share for the Portage Mutual Arena will be funded from General Reserves.

By-law 09-8450 issues the borrowing, with \$85,000 from the Portage & District Foundation and \$1,465,000 from the Province of Manitoba. It requires first reading and then will be forwarded to the Municipal Board for approval.

272/09

Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 09-8450 authorizing the issuance of \$1,550,000.00 for partial costs of the construction of the Portage Mutual Arena and associated works be given first reading; and

THAT By-Law No. 09-8450 be forwarded to the Municipal Board for approval.

Carried.

2010 Water and
Sewer Rates By-
Law #09-8448 – 1st
Reading

Utility rates have been reviewed for the next 3 years. The City's Debt Management Plan in 2009 included rate increases for nutrient removal. Manitoba Conservation entered into discussions with the City to remove nutrients from the wastewater prior to discharging it into the Assiniboine River. Brandon and Winnipeg have been issued the order and are raising their rates to accommodate this enormous undertaking. The cost of this project is estimated at \$51 Million and an application for funding 2/3 of this project through grants has been submitted to the Canada Manitoba Infrastructure. The City's share of \$17 Million has been built into the 10 year capital plan, with funding sources of \$14.2 Million from its reserves and \$2.8 Million issued as debt. The project is scheduled to take place over the next 5 years, with engineering and design work in 2011 and 2012 and construction from 2012 to 2014.

Rate increases in this plan propose 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 proposed rates will generate an additional \$1.7 million in annual revenues by the end of year 2012 for the nutrient removal project. Additional rate increases for 2013 and 2014 will also be required for the project but will be reviewed in a later study.

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% per year at the 3rd and 4th steps (higher level users). This will generate an annual \$694,274 to meet operating increases.

273/09

Moved by: Councillor Keryluk
Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 09-8448 being a by-law to authorize the change in water and sewer rates effective January 1, 2010 be given first reading.

Carried.

Variation
Extension Request
PC 77-09 - Landry

The applicants, Andy & Irene Landry of 252 4th Ave. NE, have requested an extension to their original Variation order, which was passed by Resolution No. 286/08 on October 14, 2008, for an additional 12 months.

274/09 Moved by: Councillor Bereza
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the request of Andy and Irene Landry to extend the original variation order (PC 58-08) at the property known as 252 4th Avenue NE and is legally described as Lot 253, Plan 29, Parish of Portage la Prairie.
Carried.

OLD BUSINESS

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 6:20 p.m.

Mayor

Manager of Administration