

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, October 23, 2006 at 6:00 p.m.

PRESENT: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson, and Wagner.

ABSENT: None.

ADOPTION OF MINUTES 262/06 Moved by Councillor Brennan
Seconded by Councillor Wagner
RESOLVED THAT the Minutes of the regular meeting of Council held at City Hall on Tuesday, October 10, 2006, and the Minutes of the Special Meeting of Council on Tuesday, October 17, 2006, be approved as presented.
Carried.

DELEGATIONS: None.

HEARINGS:

Variation – JN Developments Ltd., 20 Cadham Bay Faye Nickart appeared before Council to speak in favour of the variation.
One written objection from Eleanor Giffin has been received for this variation request.

263/06 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the request for Variation by JN Developments Ltd. at 20 Cadham Bay, now be closed.
Carried.

The applicant, JN Developments Ltd., is applying for a variation order to allow the rear yard to be reduced from the required 7.5m to 4.572m. The same request was previously denied through Variation PC 44-06 on September 11, 2006. A concern had been raised by a neighbouring property owner at the variation PC 44-06 hearing regarding encroachment of personal property. As of September 28, 2006, J.N. Developments has no encroachments onto neighbouring 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. Public notices have been sent to all property owners within a 100 meter radius.

264/06 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT Council of the City of Portage la Prairie approve the variation request of JN Developments Ltd. to vary the rear yard to be reduced from the required 7.5m to 4.572m at the property known as 20 Cadham Bay, legally described as Lot 13 Block 6 Plan 35629 Parish of Portage la Prairie.
Carried.

COMMITTEES:

Finance, Legislative & Property Committee
Unpaid Water, Sewer & Solid Waste to Taxes –
By-Law 06-8305 – 2nd/
3rd Readings

This is part of the normal monthly procedure to allow unpaid water, sewer and solid waste accounts to be added to property taxes.

265/06 Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT By-Law 06-8305 being a by-law to authorize unpaid water, sewer and solid waste charges for September, 2006, be added to taxes, be read a second time.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT By-Law No. 06-8305 be now read a third time, finally passed, signed and sealed.
Carried.
In Favour: Mayor MacKenzie, Councillors Quinn, Robinson, Brennan, Keryluk, Porter, and Wagner.

Heritage Tax Credit By-Law 06-8334 – 2nd/3rd Readings

The Portage Heritage Committee presented its request for the City to offer property tax credits to encourage and assist in the renovation of buildings that have been designated as municipal heritage sites under the Heritage Resources Act.

By-Law 06-8334 was given first reading on October 10, 2006.

266/06 Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT THAT By-Law No. 06-8334 being a by-law to establish a program of property tax credits to encourage and assist in the renovation and improvement of buildings designated as Municipal Heritage Sites be given second reading.
Carried.

Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT By-Law No. 06-8334 be read a third time, finally passed, signed and sealed.
Carried.
In Favour: Mayor MacKenzie, Councillors Quinn, Robinson, Brennan, Keryluk, Porter, and Wagner.

Award of Request for Proposal (RFP) for Elm Street Subdivision

Three proposals were submitted for the Elm Street Subdivision:

- **Earth Tech** – upset limit of fees and disbursements \$130,173
- **Stantec** – Fixed Fee contract of \$102,000
- **Cochrane Engineering Ltd.** – Total fee of \$87,150. Fixed Fee of \$31,800 for Pre-design and Design Stages plus taxes plus Contract Administration fees of \$43,150 plus taxes plus disbursements of \$12,200 for all three stages.

In reviewing the proposals, Cochrane Engineering has the lowest price (even if the project is staged in terms of pre-design and construction management) overall and has had previous work with the City although not on this project.

This project was not budgeted for however the City has \$61,553.16 in a capital levy reserve that could be used towards the project. With the bulk of the design cost being borne in 2007, there should be sufficient funds to commence the project now with the balance of funds being allocated via the 2007 budget process or via 2006 surplus dedication. These costs do not include actual development costs to phase in the project over time.

Moved by Councillor Quinn
Seconded by Councillor Robinson
RESOLVED THAT Council accept the written proposal of Cochrane Engineering Ltd. To provide Residential Design Services for the Elm Street Subdivision at a fixed fee cost of \$87,150 plus taxes. This

fixed fee includes \$31,800 for pre-design and design services and an upset hourly contract rate for the construction stage not to exceed \$43,150 plus disbursements not to exceed \$12,200 in all three stages, plus all applicable taxes, as identified in their proposal to the City marked CEL Proposal No. WE 99 000 PR WE – 593, and further that Administration be authorized to enter into an agreement for services based on the City request for proposal and the accepted Cochrane Engineering Ltd. proposal.

- 267/06 Moved by Councillor Porter
Seconded by Councillor Robinson
RESOLVED THAT this matter be tabled to the first Regular Meeting of Council in November.
Carried.

Monthly Activity
Reports – For
Information Only

Council reviewed the activity reports for September, 2006.

**City Planning and
Economic Development
Committee**

Monthly Activity
Reports – For
Information Only

Council reviewed the activity reports for September, 2006.

**Public Safety
Committee**

Monthly Activity
Reports – For
Information Only

Council reviewed the activity reports for September, 2006.

**Waterworks
Committee**

Monthly Activity
Reports – For
Information Only

Council reviewed the activity reports for September, 2006.

**Transportation
Committee**

Island of Lights –
Closure of Streets in
Island Park

In previous years, City Council passed a resolution that authorized the closure of International Drive, George Hill Drive, Brandon Avenue, and Massey Crescent to allow for the operation of the Island of Lights.

The residential access will be from Royal Road South, Pelechaty Drive, to Brandon Avenue and Massey Crescent. A letter to all Island Park residents will be sent notifying them of the closure once approved by Council.

- 268/06 Moved by Councillor Keryluk
Seconded by Councillor Porter
1. RESOLVED THAT Council advise the Island Park residents that the route for access to their properties will be Royal Road South, Pelechaty Drive, to Brandon Avenue and Massey Crescent for the following dates and times:

Nov. 7, 2006 to Nov. 17, 2006	10:00 pm to 6:00 am daily
Nov. 17, 2006 to Jan. 20, 2007	5:30 pm to 6:00 am daily
 2. THAT International Drive, George Hill Drive and Brandon Avenue east from George Hill Drive to International Drive are hereby closed for the following dates and times:

Nov. 7, 2006 to Nov. 17, 2006	10:00 pm to 6:00 am daily
Nov. 17, 2006 to Jan. 20, 2007	5:30 pm to 6:00 am daily
- Carried.

Loading Zone –
Roomers Furniture

Council reviewed this report in camera.

269/06 Moved by Councillor Keryluk
Seconded by Councillor Porter

RESOLVED THAT Council authorize the creation of a loading zone, 15m in length, on the west side of Tupper Street N from the rear lane paralleling Saskatchewan Avenue to a point 15m (50 feet) to the south, with restricted hours of 10:00 am to 6:00 pm Monday through Saturday, and to amend the Traffic By-Law Traffic Sign Directory accordingly.

Defeated.

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly activity reports for September, 2006.

**Community Services
Committee**

Monthly Activity
Reports – For
Information Only

Council reviewed the monthly activity reports for September, 2006.

**DEFERRED
BUSINESS:**

NEW BUSINESS:

Appointment of Legal
Counsel – Personnel
Matter

The Portage la Prairie Fire Fighters Association Local No. 1079 engaged Mr. Garth Smorang, Myers Weinberg, as their legal counsel concerning a personnel matter. The City is in a position to continue dealing with this issue, with support from the Portage la Prairie Fire Fighters Association. Mr. Smorang is familiar with the issue at hand, specializes in labor law and it would be beneficial to engage him to act on the City's behalf in this matter.

270/06 Moved by Councillor Quinn
Seconded by Councillor Robinson

RESOLVED THAT Mr. Garth Smorang of Myers Weinberg law office be engaged to represent the City of Portage la Prairie, in conjunction with the Portage la Prairie Fire Fighters Association Local No. 1079, concerning the personnel matter he has been dealing with.
Carried.

Mayor MacKenzie extended his appreciation to both present and past Council members for their support and co-operation during his years as Mayor of the City of Portage la Prairie.

ADJOURNMENT:

The meeting adjourned at 6:40 p.m.

Mayor

Manager of Administration