

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, April 28, 2008 at 6:00 p.m.

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

ABSENT: Councillor Wagner, Councillor Bereza

ADOPTION OF MINUTES 114/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on April 14, 2008 be approved as circulated. Carried.

DELEGATIONS: None

HEARINGS: There are two hearings to be dealt with this evening.

Request for Variation – Genivar/PAMI Ian Douglas from Genivar and Harvey Chorney from Westest appeared before Council to answer any questions.

115/08 Moved by; Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT the public hearing for the Variation request of Genivar/PAMI now be closed. Carried.

The applicant, Genivar, is applying for a variation order to allow the maximum building height of an accessory building to exceed the height of the principal building. The accessory building to be 9.45m in height.

This building is in an EI – Educational Institutional 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.

116/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT the City of Portage la Prairie approve the variation request of Genivar to vary the maximum building height of an accessory building to exceed the height of the principal building, the accessory building to be 9.45m in height, at the property known as 390 River Road which is legally described as Lot 1, Plan 2049, P.L. 109, Parish of Portage la Prairie. Carried

Request for Conditional use – Austin Credit Union Ltd. Space Holding Ltd. Brent Budz of Austin Credit Union appeared before Council to provide Council with more information on the application regarding the communication tower.

117/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT the public hearing for the Conditional Use application of Austin Credit Union Ltd. and Space Holdings now be closed. Carried.

The applicant, Austin Credit Union Ltd., has applied for a conditional use to allow for an accessory structure to be built as a communication tower. The maximum height of the tower would be 38.1m.

This property is located in a C2 - Central Commercial Zoning District.

The application was circulated to the various City Departments, with no concerns noted.

Public notices have been sent to all property owners within a 100 meter radius.

118/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Austin Credit Union Ltd. to allow for an accessory structure to be built as a communication tower to a maximum height of 38.1 meters in a C2 – Central Commercial Zoning District at the property 14 Tupper St. S., which is legally described as Lots 139/141, Plan 12, Parish of Portage la Prairie.

Carried.

COMMITTEES:

Finance, Legislative & Property Committee

By-Law 08-8386 – Unpaid Water, Sewer & Solid Waste to Taxes for March – 2nd & 3rd Reading

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

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

119/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law 08-8386 being a by law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a 2nd time.

Carried.

120/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law 08-8386 be now read a third time, finally passed, signed and sealed.

Carried.

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

By-Law 08-8397 – Debenture Authorization – Wilkinson Crescent – 2nd & 3rd Reading

The Debenture by-law for the design and construction of Wilkinson Crescent allows for borrowing up to a maximum of \$2,185,000.00 for the project.

The project is budgeted at a cost of \$2.64 million dollars funded by 2008 and future Federal Fuel Tax revenues. The debt term for \$2.185 million is for 5 years, with the principal and interest to be paid with future Fuel Tax revenues in each of the 5 years.

The Debenture authorization by-law received 1st reading on January 28, 2008 and was approved by the Municipal Board with the attached notes in the order. The Board stated in the order that future borrowing may not proceed until the City's debt is reduced.

The by-law is now ready for 2nd & 3rd reading. Once the funds are actually required, another by-law will be required to issue the debt and release the funds.

121/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 08-8397 authorizing the City's request to borrow in the amount of \$2,185,000.00 for the design and

construction of Wilkinson Crescent be given 2nd reading with the amendment to delete “the City of Portage la Prairie and the Province of Manitoba are cost sharing this project” in the second “Whereas” clause.
Carried.

122/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 08-8397 be given third and final reading, finally passed, signed and sealed.

Carried.

In Favour: Councillors Shindle, Ferris, Quinn, Keryluk & Mayor Brennan.

By-Law 08-8399 – Tax Levy
By-Law – 2nd & 3rd Reading

City Council adopted the 2008 budget for the City of Portage la Prairie on February 11, 2008. The Tax Levy By-Law is comprised of the 2008 budget in the Financial Plan and sets the mill rates needed to raise the tax dollars. The 10–year Capital Plan also makes up part of the Financial Plan.

The mill rate is based on the budgeted amount of tax dollars the City requires to meet it's obligations in 2008. The 2008 Budget Estimates relies on \$8,363,368 in taxes to meet all the expenditures not recovered by other revenues. The total tax dollar requirement is spread over the entire assessment base for the City. This results in an increase of 1.15 mills or 3.9% to the City's municipal mill rate. The 2008 municipal tax rate is \$30.488 for every \$1,000 of the assessment portion that is subject to taxation.

Residential property assessed at \$100,000 in 2007 and again in 2008 would see an increase in municipal taxes of \$51.52.

The City's web site contains a tax impact calculator for taxpayers to calculate the increase or decrease that will take place on their 2008 tax bill in regards to municipal taxes and school taxes.

The School Board's mill rate within the City of Portage la Prairie decreased by .1% from 2007. The Foundation levy, which is applicable to commercial property only, did not change from 2007.

For 2008, the tax payment deadline is July 31, 2008.

The capital plan included in the Financial Plan is the City's Debt Management Plan. This plan lays out the capital expenditures over the next ten years with their impact on the operating funds, reserves and debt. It is worth highlighting construction costs for nutrient removal (\$60 Million) to comply with new environmental regulations is included in the plan. Projects over \$500,000 that are planned to take place over the next 10 years are as follows:

The Plan includes a significant increase in sewer rates to fund the Nutrient Removal project – an estimated 45% over the next 10 years. This project is still in the preliminary stages with timelines and estimates to be discussed and analyzed further with the Province. A separate report on the utility rates and application request to the Public Utilities Board is forthcoming later this year.

The 2008 Budget approved on February 11, 2008 included funding for the multiplex with initial plans that the remaining \$4,000,000 from the General Reserve. It has now been revised to include this funding in the 2008 budget.

123/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law No. 08-8399, being a by-law of the City of Portage la Prairie to authorize the levying and raising of property taxes for school and municipal purposes for the year ending December 31, 2008

be given second reading.
Carried.

124/08 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-law No. 08-8399 be read a third time,
finally passed, signed and sealed.
Carried.
In Favour: Councillors Shindle, Ferris, Quinn, Keryluk and Mayor Brennan.

By-Law 08-8401 – Unpaid
Trailer License to Taxes – 1st
Reading

The Fees & Charges Bylaw #08-8401 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.”.
In order to collect unpaid trailer licence fees, it is the city’s practice to semi-annually add sums of money owing to the City of Portage la Prairie for trailer licence fees to the Collector’s Roll.

125/08 Moved by: Councillor Quinn
Seconded by: Councillor Shindle
RESOLVED THAT By-law No. 08-8401 being a by-law to authorize the unpaid July to December 2007 trailer license fees as per schedule “A” be added to taxes, be read a first time.
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports.

City Planning & Economic Development

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

Monthly Activity Reports

Council reviewed the monthly activity reports.

Public Safety Committee

The Public Safety Committee submits the following item:

Monthly Activity Reports

Council reviewed the monthly activity reports.

Fire Chief

On behalf of Council, Mayor Brennan welcomed Chief Carpenter to the position of Fire Chief and to the Management Team. Chief Carpenter thanked the Mayor and looks forward to working with Council in his new capacity of Fire Chief.

Waterworks Committee

The Waterworks Committee respectfully submits the following reports:

Biosolids Tender

The tender was advertised in the Daily Graphic and the City of Portage la Prairie Web site. The tender opening was Wednesday, April 2, 2008. Two packages were issued with only one returned. Assiniboine Injections has been the City’s contractor for the past several years and they have done an excellent job.

126/08 Moved by: Councillor Keryluk
Seconded by: Councillor Quinn
RESOLVED THAT the Council of the City of Portage la Prairie award tender 08 OPS 013 to Assiniboine Injections Ltd. for the tendered price of \$594,720.00 including GST.
Carried.

University of Manitoba –
Water Treatment Study

The University of Manitoba Environmental Engineering Graduate Studies program has requested authorization for a student to conduct a study of the operation of specific unit processes within the Water Treatment Plant, with specific interest on pH control and water stability. Subject to funding, the student would be sampling and testing water at various

locations within the Water Treatment Plant stream; making adjustments, with Operator assistance and supervision, to process control, and monitoring effects of the adjustments; and finally to make any recommendations to effect optimal treatment.

A letter of support and a financial contribution of \$5000 from the City has been requested in order for the University to access available matching Provincial funds in the amount of \$5000.

There is \$30,000 in the Utility budget designated for a study on pH control, corrosion control, and water stability, and the \$5000 requested could come out of that budget. The results of this testing would be incorporated into further study on the water distribution system.

127/08 Moved by: Councillor Keryluk

Seconded by: Councillor Ferris

RESOLVED THAT the City of Portage la Prairie authorize the University of Manitoba Environmental Engineering Graduate Studies program to conduct a study of the Water Treatment plant operation; and

AND FURTHER THAT Council provides \$5000 and a letter of support to the University of Manitoba for the study.

Carried.

Pre-Feasibility Study – Nutrient Removal

Manitoba Conservation met with the City in early 2007, and at that time, Council 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.

Following discussions with McCain Foods Ltd and Manitoba Conservation, Earth Tech Canada was retained in the September 2007 and directed to conduct a conceptual study of treatment options at the WPCF for the removal of phosphorus and nitrogen from the wastewater stream and also to propose and review associated solids management process options.

The Pre-feasibility study executive summary report highlights the fact that the wastewater stream received by the City is unique due to the very high concentration of nitrogen and phosphorus, mainly due to the agricultural processing industries. A wide variety of strategies to treat the wastewater were investigated. The nature of the wastewater and the significance of the industrial dischargers complicate the selection of treatment processes.

The proposed implementation schedule indicates that design would begin in 2009 with construction beginning in 2013, however, the schedule is greatly dependent upon the City obtaining grants from the Provincial and Federal governments, and on negotiations with industry.

The cost estimate to implement nutrient removal and solids handling at the WPCF is in the order of \$35 million to \$40 million, in 2008 dollars. At the current construction cost escalation rate of 15% per year, the cost of the work is estimated to be in the order of \$70 million to \$80 million by 2013. Council has included \$20 million in the debt management plan for this project. This expenditure will have serious implications to the Utility customers, especially the major industries.

128/08 Moved by: Councillor Keryluk

Seconded by: Councillor Ferris

RESOLVED THAT Council accepts the Pre-feasibility Study for Nutrient Removal at the Water Pollution Control Facility including the time frames therein and authorizes administration to forward the report to Manitoba Conservation and that building is contingent on sufficient funding from other level of Government.

Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports.

Transportation Committee

The Transportation Committee respectfully submits the following reports:

Monthly Activity Reports

Council reviewed the monthly activity reports.

AMM Resolutions

Council was reminded that the deadline to submit resolutions to AMM for presentation at their upcoming Annual Conference is fast approaching.

Island Park Bridge

Council requested that Administration prepares a press release or communication to residents of the Island regarding the allowable weight on the bridge and timeline regarding construction of the causeway.

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

PCU Centre – Naming Rights

One bid was received for naming rights to the aquatic centre at the PCU Centre. The bid of \$50,018.18 up front for all years naming rights from Shindico was subsequently amended to 20 years with first right of refusal for an additional 20 years. Shindico is responsible for signage.

129/08 Moved by: Councillor Shindle

Seconded by: Councillor Quinn

RESOLVED THAT the following offer for 20 year naming rights, be approved:

Shindico to name the aquatic centre, with offer of first refusal for an additional 20 years, in the “PCU Centre” for \$50,018.18;

be accepted on the condition that the RM of Portage la Prairie also accepts the offer and that the Mayor and City Manager be authorized to sign the agreement with the RM of Portage la Prairie and Shindico in compliance with their offer.

Carried.

Portage Terriers

Mayor Brennan congratulated and recognized the Portage Terriers on being the MJHL Champions and extended congratulations on a successful year.

Award of Tender – Granular Materials

This tender was advertised in the Daily Graphic and closed on April 17, 2007 with these two companies submitting bids. The material and quantities asked for are used for maintaining our gravel roads, winter sand for slippery conditions, as well as pit run gravel and fill sand for necessary excavations.

The 2008 budget is \$99,900.00. This budget amount is made up of both municipal and utility accounts. The low bid is \$107,549.23 net of GST. This bid comes in \$7,649.23 over budget.

Quantities may vary due to weather conditions, road conditions, or the amount of excavations needed to be carried out in the course of the year.

The 2008 granular budget was adjusted to reflect the actual 2007 tendered prices, with a margin of approximately 10% being added to the prices for 2008. The individual material unit pricing in the bids varied significantly from last year. Higher prices are likely due to the expected higher fuel prices.

130/08 Moved by: Councillor Keryluk
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie award the tender for the Supply of Granular Materials, as specified in tender 08 OPS 021, to D. Humiski Trucking, for the tendered total price of \$112,926.70, including GST, with an adjustment to the quantity of pit run gravel ordered being made to match the budget.
Carried.

Removal of Parking Meter

The applicant wishes to obtain Council's approval in principle of a request to remove the first parking meter on the north side of the driveway to #20 Tupper St S, prior to purchase of that property and the adjacent MNP building and property.

The Traffic By-Law authorizes City Council to make changes to the installation and location of parking meters. A Council resolution is necessary to add or delete traffic control signage and change street designation.

Schedule E of the Traffic Bylaw, which indicates the location of parking meters, must be amended if the request is approved.

131/08 Moved by: Councillor Keryluk
Seconded by: Councillor Ferris

RESOLVED THAT Council conditionally authorize the request to remove the first parking meter on the north side of the driveway at #20 Tupper St. S., and amend Schedule E of the Traffic Bylaw No. 01-8105 accordingly, subject to the applicant purchasing the land, demolishing the existing building and establishing a paved parking lot at #20 Tupper St. South with an approach onto Tupper St S.
Carried.

Letter of Support – Long
Plains Reserve Casino

Long Plain Reserve has requested that the City issue a letter of support for their proposal to the Province for Manitoba to award a casino license to Lon Plain Reserve 6B (adjacent to the City). Long Plain has indicated that the casino license would be for 10 gaming tables and 300 VLTs.

Under current agreements with Long Plain for buildings located on Reserve 6B, the City receives equivalent municipal property taxes, excluding policing costs, as if the building was located in City Limits, fully taxable. The City issued a letter of support in March 2000 supporting Long Plain Reserve's bid for a casino at that time. Long Plain has indicated they will be also asking the RM for a letter of support.

132/08 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT the Council authorize the Mayor to send a letter of support for the Long Plain First Nation Casino to the Provincial Government.
Carried.

OLD BUSINESS:

None

ADJOURNMENT

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

Mayor

Manager of Administration