

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, March 10, 2008 at 6:04 p.m.

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

ABSENT: None

ADOPTION OF MINUTES 64/08 Moved by: Councillor Wagner
Seconded by: Councillor Bereza
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on February 25, 2008 be approved as circulated. Carried.

DELEGATIONS: Mr. Bruce Jamieson
Mr. Jamieson appeared regarding water and sewer problems at 845 Duke and ongoing problems of freeze-ups. The lines are buried quite shallow and he would like a resolution to this problem. Mr. Jamieson expressed concerns regarding resale value of his property.

Mr. John Boehm
Mr. Boehm expressed concern regarding leaving out a skateboard park in the new Multiplex. He submitted the questionnaire that he recently had published in the March 10th Daily Graphic.

HEARINGS: There are three hearings to be dealt with this evening:

Rezoning – Odd Fellows Towers Inc. – By-Law 08-8383
The hearing was mistakenly put on the agenda for February 25th, 2008. The hearing was to take place on March 10, 2008.

65/08 Moved by: Councillor Bereza
Seconded by: Councillor Quinn
RESOLVED THAT the Council of the City of Portage la Prairie rescind Resolution 53/08 giving By-Law 08-8383 2nd & 3rd Reading. Carried.

A public hearing was held in regards to Rezoning for Odd Fellows Towers Inc. Nancy & Fred Sobkowich own the property adjacent to the property in question and expressed concern regarding drainage from the property. In the past, snow has built up from the parking lot and has caused flooding in their basement.

66/08 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the Rezoning for Odd Fellows Towers Inc. now be closed. Carried

The property in question, Lots 466/471, Plan 12, Parish of Portage la Prairie, is presently zoned R1 – Single Family Dwelling. The applicants, Odd Fellows Towers Inc., wish to rezone this property to R3 - Multiple Family Dwelling District. The applicant wishes to construct a garage for the tenants of Odd Fellows Towers, on the property being rezoned.

The City of Portage la Prairie Development Plan states:

5.7 Multiple-Family dwellings are permitted in the residential designation.

B) Within existing residential areas, consideration of applications for multiple-family development will be based upon the following:

- Adequate off-street parking must be provided;
- Sites should be preferably along major collector roads near the

downtown or other shopping areas and open space.

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

The application has been advertised in the Daily Graphic for two consecutive weeks, circulated to the Province and public notices have been sent to all owners of property within a 100 meter radius of the proposed development as per Section 168 of the Planning Act.

First Reading of this By-Law was given on January 14, 2008 to commence the process as defined in the Planning Act in considering this application.

As of this writing, we have not received any written objections to the proposed re-zoning scheme.

Kelly commented that a condition on the development would be that there should be no adverse affects from drainage on surrounding properties.

67/08 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land legally described as: Lots 466/471, Plan 12, Parish of Portage la Prairie with the following conditions:

1. That a variation order be obtained for accessory off-street parking facilities located elsewhere than on the same site as the building.
2. That the City of Portage la Prairie registers a Caveat on the land to ensure that it is used for parking as long as it is required under this By-law.
3. That a lot drainage plan be submitted satisfactory to the City detailing the impact of the drainage flows from the property to the area and confirming that there are no adverse impacts to the neighbouring properties.

THAT By-Law No. 08-8383 be read a second time.

Carried.

68/08 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 08-8383 be read a third time, finally passed, signed and sealed.

Carried.

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

Rezoning – Stronghold Self Storage Ltd.

The hearing was mistakenly put on the agenda for February 25th, 2008. The hearing was to take place on March 10, 2008.

69/08 Moved by: Councillor Bereza

Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie rescind Resolution 55/08 giving 08-8396 second reading.

Carried.

A public hearing was held for the Rezoning of Stronghold Self Storage Ltd. Steve Van Vlaenderen, President of Stronghold Self Storage appeared in favour of this rezoning.

70/08 Moved by: Councillor Bereza
Seconded by: Councillor Shindle
RESOLVED THAT the public hearing for the rezoning for Stronghold Self Storage Ltd. now be closed.
Carried

The property in question, Lots 233/244, Plan 29 and Lots 231/232 & 245/246, Plan 29 and portion of Cervantes Avenue, Parish of Portage la Prairie, is presently zoned C2 – Central Commercial. The applicant, Stronghold Self Storage Portage Ltd., wish to rezone this property to M1 – Light Industrial District. The applicant wishes to construct self storage buildings on the property being rezoned.

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

The application has been advertised in the Daily Graphic for two consecutive weeks, circulated to the Province and public notices have been sent to all owners of property within a 100 meter radius of the proposed development as per Section 168 of the Planning Act.

First Reading of this By-Law was given on January 14, 2008 to commence the process as defined in the Planning Act in considering this application.

As of this writing, we have not received any written objections to the proposed re-zoning scheme.

71/08 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land legally described as: Lots 233/244, Plan 29 and Lots 231/232 & 245/246, Plan 29 and portion of Cervantes Avenue.

THAT By-Law No. 08-8396 be read a second time.
Carried.

72/08 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT By-Law No. 08-8396 be read a third time, finally passed, signed and sealed.
Carried.
In Favour: Councillors Bereza, Shindle, Ferris, Keryluk, Wagner, Quinn & Mayor Brennan.

Variation – DC Security

A public hearing was held for the Variation request of DC Security. Dean Cairns appeared in favour of this variation request.

73/08 Moved by: Councillor Bereza
Seconded by: Councillor Wagner
RESOLVED THAT the public hearing for the variation request of DC Security now be closed.
Carried.

The applicant, DC Security Ltd., is applying for a variation order to allow a similar use to a permitted use. The existing zoning by-law allows for agricultural sales, fuel sales and financial services. The applicant wishes to compliment his locksmith business with incidental sales.

This building is in an MI – Light Industrial district.

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

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

74/08 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of DC Security Ltd. to allow a similar use to permitted uses at the property known as 115 10th St. NE, which is legally described as Lot 4, Block 1, Plan 27884, Parish of Portage la Prairie.

Carried.

COMMITTEES:

Finance, Legislative & Property Committee

By-Law 08-8385 – Unpaid Water, Sewer & Solid Waste to Taxes for February – 1st 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.

75/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED THAT By-Law 08-8385 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

Street Naming – Keith Street – By-Law 08-8398 – 2nd & 3rd Reading

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

On January 14, 2008, City Council named the new street in the Subdivision located at the West End and adjacent to Yellowquill School Kelly K. Street. Council also determined that Keith Street from the new subdivision line to Sunset Drive described as follows:

All that portion of Keith Street lying to the south of the straight production easterly of the north limit of Lot 7, Block 2, Plan 20977 P.L.T.O., in River Lot 54, Parish of Portage la Prairie, and to the north of the straight production easterly of the southern limit of Lot 6, Block 2, Plan 20977 P.L.T.O.

should be named Kelly K. Street as well. Because this is the re-naming of an existing street it is required that Council pass a by-law to rename this portion of the street.

The property owners on this street have been notified. There is one existing household on the street and they have been informed that the City will assist them in the change of address process of up to \$75.00.

Keith Street has been added to the Street Naming Policy as a priority of Council.

76/08 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT By-Law No. 08-8398 being a by-law to re-name Keith Street to be now read a second time.

Carried.

77/08 Moved by: Councillor Bereza

Seconded by: Councillor Wagner

RESOLVED THAT By-Law No08-8398 be now read a third time, finally passed, signed and sealed.

Carried.

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

Public Safety Committee

The Public Safety Committee has nothing to report.

Waterworks Committee

The Waterworks Committee has nothing to report.

Transportation Committee

The Transportation Committee has nothing to report.

Community Services Committee

The Community Services Committee respectfully submits the following reports:

A group of volunteers from the Manitoba Developmental Centre is hoping to organize a fundraising hockey tournament for government employees with all proceeds going to the Portage & District General Hospital Foundation. They plan on utilizing 17.5 hours of ice time at an anticipated cost of \$105.00/hour. The ice is available and has tentatively been booked for this event. The cost to the City of Portage la Prairie to operate the arena is calculated at \$150.00/hour.

Each year the City receives several requests to assist with many meaningful charities. While all are worthwhile in the past it has been the position of City Council that support for these events must remain with each individual. On that basis administration recommends that rental fees for the Portage Centennial Arena be charged as per the 2007 Fees and Charges By-Law.

78/08 Moved by: Councillor Shindle

Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie deny the request to waive or reduce the Portage Centennial Arena facility rental fees for April 17 – 18, 2008.

Carried.

DEFERRED BUSINESS

Portage Terriers – Request for Liquor Permit

The Portage Terriers have requested an occasional liquor permit for their upcoming play off games. The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers. The City of Portage la Prairie is granted six Community events each year (April 1 – March 31). The City has not reached its maximum number of events for the 2007-2008 year.

During the February 25, 2008 City Council meeting Council requested that the Club provide additional information and a decision was deferred. This information has now been provided. Due to the timing of the approval process the Terriers were not able to proceed with this initiative during play off round one and are now requesting approval for the remaining play off home games.

In order to protect the interests of the City of Portage la Prairie and the patrons of the Portage Centennial Arena Administration recommends approval of this request providing the following measures are in place a minimum 48 hours prior to the first game :

- A copy of the Club's insurance policy outlining liability coverage for this type of event is provided
- A copy of the approved liquor permit is provided
- Security is arranged as per the Arena Facility Security Policy.

- The Club meets all requirements of the Manitoba Liquor Control Act regarding staff training, supervision and the sale of alcohol.

It should be noted that in the event of a capacity crowd congestion in the lobby area may become an issue if this request is approved

79/08 Moved by: Councillor Shindle

Seconded by: Councillor Bereza

RESOLVED THAT the Council of the City of Portage la Prairie approve the request to obtain a community use liquor permit through the Manitoba Liquor Control Commission for play off hockey games to be held at the Portage Centennial Arena between March 10, 2008 and May 16, 2008 by granting this a Community Event providing the measures listed above have been met.

Defeated.

NEW BUSINESS

Approval of Manitoba Hydro Servicing Agreement

The City is proceeding to develop 22 lots as part of Phase 1 of the Kelly K subdivision and requires authorization to contribute \$61,553.10 (which includes tax) to Manitoba Hydro to cover the costs related to the provision of utility related services and 3 – 70 watt HPS ornamental luminaries.

Manitoba Hydro will schedule the work after receipt of payment in conjunction with the City's project engineering consultant with the work being anticipated to be completed by June 2008.

As lots within the subdivision sell, the City is also eligible for rebates in accordance with Hydro policy that would reduce the net cost to the City in time.

80/08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED That the Council of the City of Portage la Prairie approve the payment of \$61,553.10 to Manitoba Hydro for the provision of services in accordance with the Manitoba Hydro Electric Service Agreement and further that the City Manager be authorized to sign said agreement on behalf of the City.

Carried.

Tender Award for Supply of Water Treatment Chemicals

The tender closed on Wednesday, February 20, 2008 at 2:00pm. The contract is to supply the Treatment Chemicals for a two-year period from March 1st 2008, to February 28, 2010. The tender award should be issued for each individual chemical based on the two-year pricing of the lowest Bidder for each chemical, with the exception of the PASS – Ferric Sulfate Blend, for which the tender bid was for a one-year quantity.

81/08 Moved by: Councillor Keryluk

Seconded by: Councillor Quinn

RESOLVED That the Council of the City of Portage la Prairie award contracts for the supply of chemicals for the Water Treatment Plant for a two year period, as specified in tender 08 OPS 007, to the following companies for the respective chemical product, for their submitted tendered price including GST, as follows:

1. Lime	Graymont Western Canada Inc.	\$375,376.40 (2008) \$400,831.40 (2009)
2. Potassium Permanganate	Brenntag	\$64,438.50
3. Chlorine	Brenntag	\$80,999.10
4. Flouried	Clear Tech Industries	\$37,920.00

5.	PASS – Ferric Sulfate Blend	Univar Canada Ltd.	\$75,600.00
6.	Phosphoric Acid	Univar Canada Ltd.	\$13,491.20
7.	Dry Anionic Polymer	Univar Canada Ltd.	\$43,146.00
8.	Cationic Coagulant	Univar Canada Ltd.	\$94,400.00

Carried.

845 Duke Avenue Frozen
Sewer & Water

The sewer and water service at 845 Duke Avenue has a chronic history of freezing during the winter. The sewer service is approximately 4.5 feet below grade at the main. The water service is relatively shallow as well. Many years ago, the City insulated the sewer service, and possibly the water service. The sewer and water have frozen recently.

82/08 Moved by: Councillor Keryluk
Seconded by: Councillor Quinn

RESOLVED That Council authorize the installation of a heat trace cable in the sewer at 845 Duke Ave, at City expense, and authorize the bleeding of water during the months of January through March, with the water bill being adjusted to historical consumption for those months.
Carried.

Sale of Three Residential Lots
– Kelly K Subdivision

As approved by City Council, Administration publicly advertised the sale of 22 lots as part of Phase 1 of the 2 areas that are to be developed in the western portion of the City as part of a lot draw process.

Public advertising for the project took place on the City website, the local newspapers and radio with a closing date of February 20 with three names being part of the lottery draw held on February 22.

Those that participated in the draw met the prerequisites as identified in the lottery draw eligibility criteria and as such, were placed in a draw box with their names being drawn at random by former Mayor Ian Mackenzie.

The following lots were chosen:

Lots 8 – Block 2 - Newton Enterprises (1983)

Lots 9 and 10, Block 2 - K B Tessier Snow Clearing and Landscaping Ltd and Jim Keaveney Construction

Both parties have signed the City Sale and Purchase Agreement and once approved by City Council, these agreements will be forwarded to our solicitor for closing.

It is Administration's intention to continue advertising and selling all available Phase 1 lots in accordance with the same terms and conditions as Council had set out in the lottery lot draw process which includes the selling process of \$32,000/lot plus GST.

There are 19 lots still available in this first phase.

83/08 Moved by: Councillor Quinn
Seconded by: Councillor Shindle

RESOLVED THAT the Council of the City of Portage la Prairie authorize the Mayor and City Manager to sign the Sale and Purchase Agreements with Newton Enterprise (1983) and K B Tessier Snow Clearing and Landscaping Ltd/James Keaveney Construction for the following lots and price and further that the said agreements be forwarded

to the City solicitor to complete transaction closing:

Lots 8 – Block 2 - Newton Enterprises (1983) - \$32,000 plus
GST

Lots 9 and 10, Block 2 - K B Tessier Snow Clearing and
Landscaping Ltd and Jim Keaveney Construction - \$64,000 plus GST
Carried.

Award of Tender – Road
Construction – Kelly K

This tender was advertised in the Daily Graphic, City of Portage la Prairie website, Merx, Construction Data and the Winnipeg Construction Association. All major pavement construction companies were also notified by phone. Three bids were received.

The project was tendered through the office of Genivar Consultants Ltd. The pre-tender estimate for this work was \$198,700.00 including taxes and a \$15,000 contingency. The work includes road base construction, asphalt pavement, concrete curb and gutters, some land drainage sewer components and boulevarding.

84/08 Moved by: Councillor Wagner
Seconded by: Councillor Ferris

RESOLVED That Council award the tender for the Kelly K. Street Roadway & Associated Works Contract, as specified in tender 08–OPS–004, to Maple Leaf Construction Ltd. for the tendered price of \$218,995 including taxes and contingency.
Carried.

Award of Tender – Road
Construction – Wilkinson
Crescent

The project was tendered through the office of JR Cousin Consultants Ltd. The pre-tender estimate for this work was \$2,616,544.88. The work includes road base construction, asphalt pavement, concrete curb and gutters, land drainage sewers and boulevarding.

There is \$2,640,000 included in the 2008 budget for the reconstruction of Wilkinson Crescent. The project will be funded through the fuel tax grant (\$455,000 for 2008) over 5 years, but the project will initially be expensed from the General Reserve. The City is also applying for Grant-in-Aid funding in the amount of \$442,845 for the Crescent Road East section of the project, but this grant should not be expected.

The construction is scheduled to be completed by September 30, 2008. Once construction has commenced it must be completed within 90 working days. The construction work from Bridge Road to in front of Lakeshore Apartments must be completed between July 1st and August 30th to avoid conflicts with school traffic. Fairly large sections of Crescent Road and Wilkinson Crescent will be closed for extended periods, however, residents will be accommodated as best as possible. Details have to be worked out with the contractor. For example, garbage bins at the end of residential blocks might have to be set up.

85/08 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED That Council award the tender for the Wilkinson Crescent Pavement and Land Drainage Sewer Contract, as specified in tender 08–OPS–002, to Borland Construction Ltd. for the tendered price of \$2,256,895.20 including taxes.
Carried.

Neighbourhoods Alive
Community Facilitator

In 2007 the Province announced that Portage la Prairie was included in the Neighbourhoods Alive Program. The Neighbourhoods Alive Committee subsequently hired Elicia Funk as the Neighbourhoods Alive Community Facilitator on a part time term basis. Ms. Funk's term began February 25, 2008 and will run for one year to February 25, 2009.

Salaries and Benefits will be billed by-weekly to the Portage la Prairie School Division.

86 /08 Moved by: Councillor Quinn

Seconded by: Councillor Shindle

RESOLVED That the Council of the City of Portage la Prairie approve the hiring of Elicia Funk as the Community Facilitator for the Neighbourhoods Alive program in Portage la Prairie under the following terms:

- Term of employment will be February 25, 2008 to February 25, 2009
- Normal hours of work will be 21 hours per week.
- Wage will be \$20.00/hour
- Vacation pay will be awarded at 4% of annual wage.
- Sick leave will be awarded at the rate of 1 day earned for every two months worked.
- Salaries and Benefits will be billed by-weekly to the Portage la Prairie School Division.

Carried.

OLD BUSINESS:

None

ADJOURNMENT

There being no further business to discuss, Council adjourned at 7:30 p.m.

Mayor

Manager of Administration