

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, FEBRUARY 6TH, 2006 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

PRESENT: Mayor D. Burgess in the Chair, Councillor E. Black, Councillor M. Blight, Councillor L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Councillor B. Smale

ABSENT: Councillor V. Barletta

ADOPTION OF AGENDA:

1497 Rice-Paterson
That the Agenda for the Regular Meeting of City Council to be held on Monday, February 6th, 2006 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1498 Blight-Jessiman
That the Minutes of the Regular Meeting of City Council held on Monday, January 23rd, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

1499 Brown-Smale
That the Minutes of the Special Meeting of City Council held on Monday, January 30th, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) MICHAEL LEECH – TEAM BRANDON FOR ECONOMIC DEVELOPMENT

Michael Leech, Chair of Team Brandon for Economic Development, a committee of the Community Strategic Plan, appeared before City Council to provide an update on the team's activities. He provided information on economic development from 2002 until present and outlined the team's future initiatives.

1500 Chrest-Paterson
That the presentation by Michael Leech, Chair of Team Brandon for Economic Development, with respect to the activities and accomplishments of the group to date and current initiatives be received. CARRIED.

(B) STEPHEN MONTAGUE – MUNICIPAL GOVERNMENT COMMITTEE OF THE COMMUNITY STRATEGIC PLAN

Stephen Montague of the Municipal Government Committee of the Community Strategic Plan appeared before City Council to provide an update on the committee, inclusive of its desire to explore having a youth member on Council. He provided a written summary of the power point presentation utilized at the meeting.

1501 Paterson-Smale
That the presentation by Stephen Montague with respect to the Municipal Government Committee of the Community Strategic Plan be received. CARRIED.

(C) BARRY WOWK - CANADIAN NATIONAL SENIOR "AAA" BASEBALL CHAMPIONSHIPS

Barry Wowk of the Manitoba Senior Men's Baseball League appeared before City Council to provide information on the 2006 Canadian National Senior "AAA" Baseball Championships and to request funds from the Major Events Hosting Fund.

Jessiman-Brown

1502 That the presentation by Barry Wowk of the Manitoba Senior Baseball League with respect to hosting the Canadian National Senior "AAA" Championships in Brandon from August 23rd to August 28th, 2006 be received. CARRIED.

(D) CHIEF OF POLICE F. RICHARD BRUCE – PURCHASE AND USE OF TASERS

Chief of Police F. Richard Bruce appeared before City Council to provide information on the purchase and use of tasers, as requested by City Council during its 2006 budget deliberations. He stated that there were at least 71 police agencies using the device and reported that it was an effective alternative to other use of force options currently being utilized.

Paterson-Blight

1503 That the presentation by Chief of Police Richard Bruce with respect to the purchase and use of tasers by the Brandon Police Service be received. CARRIED.

PUBLIC HEARINGS:

(A) VARIATION – 1540 & 1550 – 21ST STREET (BOLES O/B/O 4120329 MANITOBA LTD.)

City Council sat to receive representation on the above noted matter.

Harley Boles, legal counsel for the applicant, appeared before City Council in support of the application and to answer any questions. He stated that the purpose of this application was to allow for a condo development on the property. He provided information on the difference between a bare land condominium development and a unit condominium development.

Jake Bouchard, 28 Heron Cove, appeared in opposition to the application. He noted that the application had already been defeated once, and did not believe it should be considered again. He further stated that the developer was attempting to put too many units on the subject property.

City Council also considered written opposition from Ken & Susan Hutton, 24 Heron Cove and Michael & Arceli Tagay, 26 Heron Cove, dated January 24th, 2006.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Campbell-Jessiman

1504 That the Public Hearing for the variation application by Harley Boles on behalf of 4120329 Manitoba Limited for 1540 and 1550 – 21st Street be concluded. LOST.

1505 Chrest-Brown

That the Public Hearing for the variation application by Harley Boles on behalf of 4120329 Manitoba Limited for 1540 and 1550 – 21st Street be adjourned to be reconvened at the meeting of City Council to be held February 20th, 2006, following a meeting between Administration, the applicant and area residents. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) BOARD OF REVISION COMMITTEE REPORT JANUARY 18TH, 2006

Considered was a report from the Chair of the Board of Revision dated January 19th, 2006 with respect to the above.

1506 Paterson-Black
That the report of the Board of Revision dated January 18th, 2006 on the proceedings of the assessment appeal hearings by the Board be received. CARRIED.

ENQUIRIES:

(605) LONG TERM LEASE OF LAND AT SPORTSPLEX

Councillor Paterson referred to the situation between the Keystone Centre and Canad Inns with respect to the long term lease agreement for the property the Canad Inns was situated on. He enquired if a similar arrangement could be made between the City of Brandon and a developer for use of the property at the Sportsplex whereby the revenue derived from the lease could be used to offset the redevelopment costs of the Sportsplex.

His Worship the Mayor advised that members of the Administration had provided a response to Councillor Paterson which outlined the difficulties associated with the above suggestion, but indicated that a formal response could be obtained.

(606) REQUESTS FOR VIDEO LOTTERY TERMINALS FOR HORSE PARK DEVELOPMENT

Councillor Paterson referred to recent media coverage with respect to video lottery terminals (vlt's) not being available for the proposed horse park, thereby possibly derailing the project. He noted there appeared to be some discrepancy with how the City of Winnipeg was treated compared to the rest of the province with respect to gambling and enquired if His Worship the Mayor could contact the Premier of Manitoba requesting equalized treatment.

In conjunction with the above, Councillor Brown also expressed his concern with the affect not obtaining vlt's might have on the development.

Councillor Black suggested if His Worship the Mayor were to contact the Premier, that he seek clarification on the gaming policy with respect to vlt caps.

His Worship the Mayor agreed to take this matter under advisement.

(607) SLIPPERY SIDEWALKS

Councillor Chrest referred to the previous enquiries with respect to slippery sidewalks and walk paths and noted that a response had been received, however he enquired if the situation could be revisited in an effort to provide relief as soon as possible.

Councillor Campbell concurred with Councillor Chrest on the need to address the problem and suggested either sanding the sidewalks or removing the ice entirely.

His Worship the Mayor agreed to take this matter under advisement.

(608) FLEMING SCHOOL PLAY STRUCTURE

Councillor Chrest noted that Fleming School had closed last June whereby the play structure that had been located at the school had been moved to Earl Oxford School. He reported that funds for the play structure had been raised by the neighbourhood and he enquired what could be done to ensure a similar structure was reinstated in the Fleming School vicinity.

His Worship the Mayor agreed to take this matter under advisement.

(609) TAXI BUSINESS ON 1500 BLOCK OF 22ND STREET

Councillor Campbell reported that she had received a telephone call from an individual who had recently purchased a house in Richmond Ward and had concerns with a lot of taxi traffic in the area. She enquired if a taxi business was operating in the vicinity.

His Worship the Mayor agreed to take this matter under advisement.

(610) USE OF COUNCIL CHAMBER AND MEETING ROOMS BY ORGANIZATIONS

Councillor Campbell enquired how many organizations utilized the Council Chamber or meeting rooms for meetings, if there was a charge for the use and if there was a policy that outlined who could use the facilities, the criteria for use and who could authorize that use.

His Worship the Mayor agreed to take this matter under advisement.

(611) RAILWAY CROSSING AT 17TH STREET EAST AND SPUR TRACK INTO SIMPLOT CHEMICALS

Councillor Black referred to previous enquiries with respect to the rail crossing on 17th Street East and the spur track into Simplot Chemicals and the unsafe jog in the walking path that put pedestrians dangerously close to vehicular traffic. He reported that work on the rail line and walking path had been scheduled for 2005 but had not been completed. He enquired when same would be repaired.

At the request of the Chair, the General Manager of Development Services confirmed that the work had been scheduled for 2005, but had to be coordinated with Canadian National (CN) Railway thereby postponing the work until 2006. He noted the City would still have to coordinate efforts with CN Railway.

In regard to the walking path, he advised that it would be relocated to the west side of the existing signage to improve safety conditions.

(612) CUTTING TREES ON ROSSER AVENUE EAST AND 17TH STREET EAST

Councillor Black referred to recent activity by the City with respect to cutting down trees along Rosser Avenue East and 17th Street East and he enquired why this was being done.

At the request of the Chair, the Acting City Manager advised that the purpose of cutting down the trees was to improve drainage in the area by replacing a valve and sealing the dike.

(613) SUPPORT FOR CASINO PROJECT ON 10TH STREET

Councillor Black referred to recent statements that indicated City support for the proposed casino on 10th Street, without any such decision having been made by City Council and enquired what support or advice had been offered by the City.

His Worship the Mayor agreed to take this matter under advisement.

(614) PEDESTRIAN CROSSWALK ON 300 BLOCK OF ABERDEEN AVENUE

Councillor Jessiman referred to a decision made last fall to install a pedestrian crosswalk on Aberdeen Avenue in the vicinity of 3rd Street. He noted that there had been a close call in the area last week and enquired how quickly the signage could be installed.

His Worship the Mayor agreed to take under advisement.

GENERAL BUSINESS:

(A) MANITOBA SENIOR BASEBALL LEAGUE REQUEST FOR REPAYABLE LOAN FROM THE MAJOR EVENTS HOSTING FUND

Considered was a report from the General Manager of Corporate Services with respect to the above.

Paterson-Jessiman

1507 That in accordance with the authority granted by Municipal Act Section 180(1), a loan in the amount of \$25,000 be made to the Manitoba Senior Baseball League to host the 2006 Canadian National Senior "AAA" Baseball Championships subject to:

- 1) an agreement being entered into between the City of Brandon and the Manitoba Senior Baseball League whereby such funds shall:
 - a) be repayable to the City of Brandon; and
 - b) in the event of default, be expended from the Major Events Hosting Fund Reserve; and
- 2) a by-law in accordance with Municipal Act Section 180(2) being duly passed authorizing said loan.
CARRIED.

(B) PURCHASE OF CONDUCTED ENERGY DEVICES (TASERS)

City Council considered a report from the Chief of Police dated January 20th, 2006 with respect to the above.

Chrest-Paterson

1508 That the funds in the amount of \$60,987.06 (taxes included) be expended from the Police Equipment Reserve for the purchase of twenty (20) Conducted Energy Devices (TASERS). CARRIED.

Prior to the above motion being voted on, it was suggested that a review take place after 4 years to examine new technology.

(C) EARLY IMPLEMENTATION OF 6 & 12 MONTH MEMBERSHIP RATES FOR SPORTSPLEX

Submitted for consideration was a report from the General Manager of Operational Services dated January 20th, 2006 with respect to the above.

1509 Paterson-Black
That the early implementation of the six and twelve month Sportsplex membership fees effective February 7th, 2006 be approved. CARRIED.

(D) SIGNS ON THE PUBLIC RIGHT-OF-WAY

Considered was a report from the General Manager of Development Services dated January 30th, 2006 with respect to the above.

1510 Chrest-Blight
That a by-law be prepared to amend Traffic By-law No. 5463 with respect to real estate open house signs, which at a minimum would regulate the size, placement and duration of such signs on City streets. CARRIED.

Prior to voting on the above, it was suggested that consideration be given to the wording to include authority for an individual to hold an open house.

(E) 2006 GRANT-IN-AID REQUEST

City Council considered a report from the General Manager of Development Services dated January 27th, 2006 with respect to the above.

1511 Black-Jessiman
That a grant in the amount of \$57,500 be requested from the Manitoba Department of Transportation and Government Services for the paving of Victoria Avenue East under the 2006 Grant-In-Aid Program. CARRIED.

(F) HOSTING OF MARCH 2008 FEDERATION OF CANADIAN MUNICIPALITIES' BOARD OF DIRECTORS MEETING

Considered was a report from Councillor D. Jessiman dated January 24th, 2006 with respect to the above in accordance with his notice of motion filed at the January 23rd, 2006 meeting of City Council.

1512 Jessiman-Rice
That the City of Brandon host the March 2008 meeting of the Federation of Canadian Municipalities' Board of Directors at a cost not to exceed \$10,000. CARRIED.

(G) IMPROVED NOTIFICATION PROCESS FOR LAND USE APPLICATIONS

City Council considered a report from Councillor D. Paterson dated January 24th, 2006 with respect to the above in accordance with his notice of motion filed at the January 23rd, 2006 meeting of City Council.

1513 Paterson-Black
That the City and Planning District Administration provide specific cost and staff time implications of and recommendation on utilizing the following means by which to improve the notification process for land use applications such as variations, conditional use and zoning amendment applications:

1. Radio Public Service Announcements
2. Print Public Service Announcements
3. Television Public Service announcements
4. Advertising on Cable Channel 23
5. Random Notices to Addresses Beyond the Required Area
6. Portable Signs

- 7. City of Brandon Website Link
 - 8. Email List of People Wanting Notices
 - 9. Plain Wording of Notices
- CARRIED.

AMENDMENT

Rice-Smale

1514 That the above motion be amended by deleting therefrom Point 6 and renumbering the remaining Points as 6 through 8 respectively. LOST.

(H) 2006 APPOINTMENTS TO THE BOARD OF REVISION

Submitted for consideration was a report from the City Clerk's Department dated January 30th, 2006 with respect to the above.

Paterson-Brown

1515 That the following appointments be and are hereby made to the City of Brandon Board of Revision, with terms of office to expire December 31st, 2006:

Don Cornell (Chairman)

Keith Timmons

Wes Shewchuk

Don Partrick

CARRIED.

(I) 2006 CITIZEN APPOINTMENTS TO THE WESTERN MANITOBA REGIONAL LIBRARY BOARD

Considered was a report from the City Clerk's Department dated January 30th, 2006 with respect to the above.

Smale-Black

1516 That the following appointment be and is hereby made to the Western Manitoba Regional Library Board for a two year term of office to expire December 31st, 2007:

Joan Lawrence

CARRIED.

(J) 2006 APPOINTMENTS TO BRANDON MUNICIPAL HERITAGE COMMITTEE

City Council considered a report from the City Clerk's Department dated January 30th, 2006 with respect to the above.

Rice-Paterson

1517 That the following appointments be and are hereby made to the Brandon Municipal Heritage Committee, with terms of office to expire December 31st, 2006:

Dr. Derek Eberts (Brandon University representative)

Lawrence Jones (Rosser Ward Citizen Association)

Dave Hughes (Citizen Representative)

John Everitt (Citizen Representative)

Stephen Hayter (Citizen Representative)

Bill Chester (Citizen Representative)

Deb Walker (Citizen Representative)
Reg Hildebrand (Citizen Representative)
CARRIED.

(K) 2006 CITIZEN APPOINTMENTS TO THE POVERTY COMMITTEE

WITHDRAWN

(L) APPOINTMENTS TO BIA BOARD OF MANAGEMENT

Considered was a report from the City Clerk dated January 12th, 2006 with respect to the above.

Blight-Paterson

1518 That pursuant to Sections 6 and 7 of Downtown Brandon Business Improvement Area By-law No. 5474, as amended, the following appointments be and are hereby made to the Downtown Brandon Business Improvement Area Board of Management with terms of office to expire as indicated:

- Glen Parker (expires December 31st, 2008)
 - Neil Cristall (expires December 31st, 2007)
 - Barry Cullen (expires December 31st, 2007)
 - Donna Pratt (expires December 31st, 2006)
- CARRIED.

BY-LAWS:

NO. 6814 - TO CREATE A RENAISSANCE DISTRICT IN THE CITY OF BRANDON AND IMPLEMENT A TAX ABATEMENT PROGRAM FOR ELIGIBLE PROPERTIES IN THE DISTRICT

Considered was a report from the City Clerk's Department dated January 27th, 2006 with respect to the above.

Brown-Jessiman

1519 That By-law No. 6814, to create a "Renaissance District" in the City of Brandon and implement a tax abatement program for eligible properties in the district, be read a first time. CARRIED.

NO. 6817 - TO ADOPT THE 2006 SCHEDULE OF FEES FOR SERVICES AND ACTIVITIES PROVIDED BY THE CITY OF BRANDON

It was noted that this by-law had received first reading at the January 23rd, 2006 meeting of City Council.

Paterson-Smale

1520 That By-law No. 6817, to adopt the 2006 Schedule of Fees for services and activities provided by the City of Brandon, be amended by deleting therefrom Page 7 of Schedule "A" in its entirety, and substituting therefor the revised Page 7 which sets out an implementation date of February 7th, 2006 for the six and twelve month Sportsplex membership rates. CARRIED.

Paterson-Smale

1521 That the by-law, as amended, be read a second time. CARRIED.

AMENDMENT

Smale-No Secunder

That By-law No. 6817 be further amended to remove on Page 16, public trade shows fees, until such time as a report is received from Audit and Finance Committee on the matter.

The above motion was ruled out of order by the Chair as there was no seconder.

Paterson-Jessiman

1522 That this by-law be read a third and final time. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 6817 third reading.

FOR

His Worship Mayor Burgess
Councillor Black
Councillor Blight
Councillor Brown
Councillor Campbell
Councillor Chrest
Councillor Jessiman
Councillor Paterson

AGAINST

Councillor Rice
Councillor Smale

GIVING OF NOTICE:

(A) YOUTH MEMBER ON COUNCIL

In accordance with Rule 60 of Procedure By-law No. 6634, Councillor Blight gave notice of his intent to introduce the following motion at the February 20th, 2006 meeting of City Council:

“That the proposal for the election of a youth member to City Council as outlined in the submission by Stephen Montague of the Municipal Government Committee of the Community Strategic Plan be approved.”

ANNOUNCEMENTS:

ASSINIBOINE WARD MEETING

Councillor Paterson announced that his recent ward meeting with respect to the installation of a play park at the North End Community Centre had been well attended by the Executive of the Centre and some great ideas had been put forward by City staff.

TOUR OF FIRE STATION AND RIDE ALONG

Councillor Paterson announced that he had taken a tour of the Fire Hall recently and participated in a ride along to three separate calls. He noted the opportunity had provided a much better understanding of what was expected from our fire and ambulance personnel.

LIEUTENANT GOVERNOR'S WINTER FESTIVAL

His Worship the Mayor announced that the City of Brandon had once again exceeded expectations with respect to the 3rd Annual Lieutenant Governor's Winter Festival. He reported that all 13 pavillions had

been filled to capacity and a great time had been enjoyed by all. He extended his thanks to the many volunteers and to Tom Keep for his coordination of the event.

In conjunction with the above, His Worship the Mayor announced that he had attended the Lieutenant Governor's levy held at the Canad Inns and was pleased to note the attendance by people as far away as Edmonton, Alberta and Fredericton, New Brunswick.

Councillor Paterson asked if a volunteer's reception would be held and if letters of appreciation to the volunteers would be sent by His Worship the Mayor. His Worship the Mayor confirmed both the reception and appreciation letters.

SKI TRAILS AT RECREATION CENTRE AND SKATING OVAL

Councillor Jessiman announced that the cross country ski trails located at the Recreation Centre were now groomed and in tremendous shape, as was the skating oval located west of 18th Street at the bridge. He suggested that the change house at the skating rink should be relocated to ice level.

CRIME STOPPERS ANNUAL LUNCHEON

Councillor Blight announced that he had been pleased to represent City Council at the annual Crime Stoppers Luncheon held recently at the Royal Oak Inn.

TOUR OF FIRE STATION

Councillor Blight expressed his appreciation at being able to tour the Fire Station and announced that an invitation would be extended by the Chiefs of Brandon Fire Department and Brandon Police Service for all members of City Council to tour their facilities.

SPEED OF TRAINS ENTERING THE CITY

Councillor Blight announced that he had been part of a telephone conference with Cathy Snelgrove, Brian Kayes and Rod Sage with representatives from Canadian Pacific Railway (CPR) with respect to the speed of trains entering the City of Brandon. He reported that there may be an opportunity for Council members and CPR staff to meet to discuss the issue.

ASSOCIATION OF MANITOBA MUNICIPALITIES ANNUAL CURLING BONSPIEL

Councillor Jessiman announced that the City of Brandon had once again attended the annual Association of Manitoba Municipalities Curling Bonspiel and he, along with team mates Judy Whittingham, Bob Wilson and Brenda Bussey had brought home the trophy!

WHEAT KING HOCKEY SPORTSMAN'S DINNER

Councillor Chrest announced that he had attended the annual Wheat King Hockey Team Sportsman's Dinner. He reported that the event had been extremely well attended and included tremendous entertainment. The proceeds from the event went to the Wheat King's Education Fund.

ADJOURN:

Paterson-Smale

That the meeting do now adjourn. (11:18 p.m.) CARRIED.

MAYOR

CITY CLERK