

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
JANUARY 19, 2009 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION  
BUILDING, BRANDON, MANITOBA**

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**PRESENT:** Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black, Councillor M. Blight, Councillor M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Youth Member Sid Robinson

**ABSENT:** Councillor J. McCrae

**ADOPTION OF AGENDA:**

**Harwood-Barletta**

965 That the Agenda for the Regular Meeting of City Council to be held on Monday, January 19, 2009 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

**Blight-Rice**

966 That the Minutes of the Regular Meeting of City Council held on Monday, January 5, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

Nil

**PUBLIC HEARINGS:**

(A) **VARIATION APPLICATION - 36 ROSSER AVENUE EAST (DOWNEY)**

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City Council sat to receive representation on the appeal of the Planning Commission's decision to reject the variation application of Tyler Downey for 36 Rosser Avenue East.

Craig Downey appeared before City Council on behalf of his son, Tyler who was the property owner and applicant. He advised that a stairway had been built on the exterior of the building to provide access to his son's residence on the second floor. Mr. Downey stated that the original interior stairs were only 30" wide and were a safety hazard, as well as being too narrow to move furniture or appliances up or down, and were removed. Mr. Downey further stated that he had discussed the stairway with neighbouring residents who had no concerns with same. Mr. Downey concluded by noting that he would be willing to enclose the stairway if that was the only option to having the stairs remain.

Angie Clark, Senior Planner appeared before City Council and provided some background information on the variation application. She noted that the current City of Brandon Zoning By-law did not permit stairways exceeding 1.5m in height to be located between a principal building and a front or corner side site line. Ms. Clark stated that had Mr. Downey applied for a building permit prior to the construction of the stairway, he would have been made aware of where on his property an exterior stairway would have been permitted.

No further representation was put forward either in support of or in opposition to the variation application.

967 Black-Jessiman  
That the Public Hearing on the variation application by Tyler Downey for 36 Rosser Avenue East be concluded. CARRIED.

968 Black-Paterson  
That the variation application of Tyler Downey to increase the maximum height of a stairway located between a principal building and a front or corner side site line from 1.5m (4.92') to 3.66m (12') at 36 Rosser Avenue East (Lots 27/28, Block 24, Plan 4 BLTO) in an RLD Residential Low Density Multiple Family Zone be approved. CARRIED.

At the request of Councillor Black, a recorded vote was taken on the above motion.

<u>FOR</u>	<u>AGAINST</u>
Councillor Black	His Worship Mayor Burgess
Councillor Blight	Councillor Barletta
Councillor Fitzpatrick	Councillor Campbell
Councillor Harwood	Councillor Jessiman
Councillor Paterson	
Councillor Rice	

969 AMENDMENT  
Burgess-Jessiman  
That the above motion be amended by adding the following thereto: "subject to the enclosure of the stairway to the satisfaction of the Planning Department of the City of Brandon." LOST.

At the request of Councillor Paterson a recorded vote was taken on the amending motion.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	Councillor Black
Councillor Barletta	Councillor Blight
Councillor Campbell	Councillor Fitzpatrick
Councillor Jessiman	Councillor Harwood
	Councillor Paterson
	Councillor Rice

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE  
VERBAL REPORT

JANUARY 19, 2009

January 19, 2009  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Fitzpatrick provided a report to City Council regarding the proposed upgrades to the Keystone Centre required for the 2010 Memorial Cup, inclusive of the installation of luxury boxes, a jumbo-tron screen and refurbished dressing rooms. He noted that the agreement with the Province of Manitoba, the City of Brandon and the Keystone Centre regarding funding for these projects had not been finalized, however, the Keystone Board was moving forward with the tendering process for the upgrades.

Councillor Fitzpatrick presented drawings for the seven luxury boxes that would be located on the east side of the arena, noting that each box would have seating for 20 people. He advised that the need for a sprinkler system had been identified that would add an additional \$.5 million to the cost of the project.

He concluded by stating that the Keystone Centre was also considering upgrading the facility lighting if money was available.

(B) GENERAL MUSEUM ADVISORY COMMITTEE  
VERBAL REPORT

JANUARY 19, 2009

January 19, 2009  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Black reported that the General Museum Advisory Committee (GMAC) had met on January 13, 2009 to consider a proposed by-law to establish an organizational structure for a community based committee that would assume the responsibilities of the current committee whereby a report would be coming forward to City Council in February. He also reported that the GMAC had met with representatives of CP Rail on January 16, 2009 to discuss the recently subdivided properties on Pacific Avenue and the CPR Station.

(C) MILITARY MONUMENT SUB-COMMITTEE OF BRANDON MUNICIPAL HERITAGE  
ADVISORY COMMITTEE  
VERBAL REPORT

JANUARY 19, 2009

January 19, 2009  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Paterson reported that the Military Monument Sub-committee of the Brandon Municipal Heritage Advisory Committee (MHAC) had met twice recently. He advised that the sub-committee consisted of Linda Wakefield, Charlie Carlson and himself. Councillor Paterson reported that they were making good progress, having researched potential suppliers and pricing for such monuments and would be meeting again to discuss recommended locations for same, following which they would be meeting with the MHAC as a whole.

Jessiman-Paterson

970 That the verbal reports by Councillors Fitzpatrick, Black and Paterson with respect to the Keystone Centre, the General Museum Advisory Committee and the Military Monument Sub-committee of the Municipal Heritage Advisory Committee respectively be received. CARRIED.

ENQUIRIES:

(518) "CALL BEFORE YOU BUILD" PROGRAM

Councillor Paterson referred to the recent increase in the number of builders who were unaware that a building permit was required before any construction began. He enquired if a "Call Before You Build" education program, much like the "Call Before You Dig" program used by Manitoba Telephone System and others, could be considered by the Planning Department to alleviate such situations.

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

(519) BUSINESS CLIMATE SURVEY - BRANDON CHAMBER OF COMMERCE

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Councillor Blight referred to the recent Business Climate Survey results circulated by the Brandon Chamber of Commerce which indicated a lack of leadership and vision by City Council and expressed his concern over same. He noted that this Council had made many decisions and started many projects, which would take the City well into the future. He enquired if more information could be provided which listed some examples of the numerous projects undertaken by this Council in recent months.

His Worship the Mayor thanked Councillor Blight for bringing this issue to the table. He noted that while City Council was always open to critical assessment, some recent accusations made had been unfair, noting that he was very proud of how progressive this Council had been and all that it had achieved. He added that this Council had made some major decisions such as the Police Station, the Fire Hall and the YMCA Project showing that it was willing to make the tough decisions with a vision for the future.

Further to this issue, His Worship the Mayor listed the following plans currently in place which further justified that this Council was looking to the future: The Community Strategic Plan; The Recreation Facilities Master Plan; The Solid Waste Management Plan; The Cemetery Plan; The Volunteer Development Plan; The Cultural Development and Diversity Plan; The Greenspace Master Plan; The Environmental Strategic Plan; The Brandon Transit Operating Strategic Plan; The Urban Forestry Inventory Plan; The Development Plan with Brandon and Area Planning District; The Road Network Development Plan; The Five-Year Capital Plan and the Ten-Year Capital Plan Projection; The Two-Year Financial Plan; The Capital Acquisition and Debt Management Policy; The Information Technology Strategic Plan; The Emergency Communications Plan; The Housing Plan; and many more. He noted that it was impossible to force feed this information to the public, however, the information was readily available for anyone interested, and further, public consultations had been held before many of the above noted plans had been adopted.

At the request of the Chair, the City Manager advised that, further to His Worship the Mayor's list, the Brandon Police Service had completed a new Strategic Plan in 2008, and the Brandon Fire and Emergency Services was working on theirs. He echoed His Worship the Mayor in that all the plans were available at any time for anyone and public input had been sought in the development of most of them. He added that the annual Report to Citizens was delivered to each household and a semi-annual update was distributed through the local media. He noted that the Paperless Council Agenda allowed full access on the website to the general public to view all reports considered by City Council and further, enquiries made by City Council and the responses to same were also available on-line. In conclusion, he stated that new and improved methods to get information out the community were constantly being considered and implemented.

Further to this issue, Councillor Black enquired if hard copies of the above noted plans could be made available in the local libraries, such as the Brandon Public Library, the Brandon University Library and the Assiniboine Community College Library.

At the request of the Chair, the City Manager advised that hard copies were available through the City Clerk's Office at any time and further that some, but not all, were available at the local libraries. He agreed to follow up on this issue.

(520) FOLLOW-UP TO BUILDING PERMITS

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Councillor Black enquired if information on building permit costs, inclusive of the fines, penalties and consequences for citizens who neglected to get a permit prior to the start of construction, could be sought from other Canadian cities.

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

(521) FEDERAL GOVERNMENT INFRASTRUCTURE FUNDING PROGRAM

Councillor Black enquired if the City of Brandon was expected to benefit from the Federal Government Infrastructure Funding Program and further, whether or not a prioritized list of potential items which could benefit from the program had been prepared.

His Worship the Mayor advised that more information on the program had been sought and when that information was received, members of Council would be requested to share their lists of potential projects.

(522) INCREASE IN SOCIAL ASSISTANCE HOUSING ALLOWANCE PAYMENTS

Councillor Black referred to a previous letter written by His Worship the Mayor to the Minister of Family Services and Housing whereby His Worship the Mayor had requested that social assistance allowance rates be raised for the citizens of Manitoba. He enquired if another letter with the same request could be sent. He suggested that same should include a note that an increase in these payments could potentially cause an economic stimulus in Manitoba.

His Worship the Mayor agreed to send the letter however he stated that a reference to the economic stimulus would not be included in that letter. He added that the letter would include a request that the Province take a serious look at an increase in the housing allowance for social assistance recipients as same had not been increased for a number of years and was well below the actual cost of housing in Manitoba.

(523) UPDATE ON KEYSTONE CENTRE FUNDING FROM PROVINCIAL GOVERNMENT

Councillor Fitzpatrick requested an update on the status of the funding for the Keystone Centre. He noted that he understood that the City had completed its portion of the agreement, however, the Province had not. He requested that if the proposals from the Province were not available within the next two weeks, the City share its proposals so that the Keystone Centre had an idea of where it was headed financially.

At the request of the Chair, the City Manager responded that the City and Provincial representatives were in agreement on the structural issues associated with the Keystone Centre, and further, that a full report was expected within the two week time period. He added that given the information with respect to the structural assessment of the Keystone Centre, he was to meet with Provincial staff later in the week where approaches to put forward to City Council and the Provincial Government were to be discussed.

(524) UPDATE ON CONVERGYS

Councillor Jessiman advised that he had heard reports that Convergys was out of business in Brandon and requested an update on same.

His Worship the Mayor advised that no correspondence had been received from Convergys which indicated a change in their status. He noted that the Economic Development Office continued to work closely with Convergys, and a long term lease agreement between the City and Convergys still existed. He added that the City had no control over private companies and therefore, they were not obligated to share their plans with the City.

(525) TRAFFIC BOTTLENECK - 18TH STREET CANADIAN PACIFIC RAILWAY (CPR) OVERPASS

Councillor Jessiman referred to a recent comment in the media regarding a traffic bottleneck problem on the 18th Street CPR overpass whereby it had been stated that this issue would only be addressed by the Province if a request had been put forth by the City. He enquired if this request had been made.

His Worship the Mayor advised that this issue had been addressed more than once with the Province, and further, that this item was the number one priority of the City regarding improvements to local roads now that bridges over the river were being constructed.

(526) "LACK OF VISION" CITED BY BRANDON CHAMBER OF COMMERCE MEMBERSHIP

Councillor Campbell referred to the recent survey results released by the Brandon Chamber of Commerce which indicated that the City of Brandon "lacked a vision for the future". She noted that not having been aware of what the survey questions were or who the survey respondents were made it difficult to defend the results. She added that if that was the community consensus then efforts to keep the public informed needed to be increased. She referred to the recent fact sheet released in the media regarding the Police Station and the Fire Hall and noted that same had been extremely beneficial in giving citizens a clear and factual understanding of the reasoning behind the decisions surrounding those projects.

His Worship the Mayor advised that every attempt was to be made in the future to keep the public as informed as possible.

ANNOUNCEMENTS:

WARD MEETING - ASSINIBOINE WARD

Councillor Paterson announced that an Assiniboine Ward Meeting was to be held Thursday, January 29, 2009 at 7:30 p.m. at the Riverbank Discovery Centre. He noted that agenda items to be included were development issues, affordable housing, snow removal issues, spring flooding concerns, ward clean-up and better use of community centres as well as any other ward issues.

INFRASTRUCTURE IN THE VICTORIA WARD

Councillor Blight announced that a meeting was scheduled between himself and City Administration regarding current infrastructure projects in the Victoria Ward. He advised that ward residents were to be updated on the results of that meeting.

SNOW REMOVAL CAMPAIGN IN THE CITY OF BRANDON

Councillor Black referred to a presentation at the January 5, 2009 City Council meeting by the General Manager of Operational Services, Mr. Rod Sage, and announced that residents had been pleased with the information Mr. Sage had provided. He added that he had recently received numerous phone calls from ward residents who had stated that they were very impressed with the latest snow removal campaign to get the snow loaded up and transported out of the City in a timely manner.

GENERAL BUSINESS:

(A) COMMUNITY EVENT - LIEUTENANT GOVERNOR'S WINTER FESTIVAL

Considered was a report from Community Services dated January 7, 2009 with respect to the above.

Harwood-Black

971 That the Lieutenant Governor's Winter Festival to be held February 5, 6 and 7, 2009 be hereby designated as a Community Event in the City of Brandon whereby said festival shall include the following pavilions at the listed locations:

English Pavilion - 31-14th Street  
El Salvadorian Pavilion - 1140-9th Street  
First Nations Pavilion - 2320 Louise Avenue  
German Pavilion - 530 Richmond Avenue East  
French Canadian Pavilion - 1125-18th Street  
Icelandic Pavilion - 311 Park Avenue East  
Irish Pavilion - 3130 Victoria Avenue  
Metis Pavilion - 205-20th Street  
Scottish Pavilion - 3550 Victoria Avenue  
Ukrainian Pavilion - 1005 Assiniboine Avenue  
Chinese Pavilion - 800 Rosser Avenue CARRIED.

(B) SPORTSPLEX POOL CLOSURE REVIEW

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City Council considered a report from the Director of Community Services dated January 12, 2009 with respect to the above.

At the request of His Worship the Mayor, the City Manager provided clarification on information contained in the report and answered any questions.

Paterson-Barletta

972 That the Sportsplex Pool Closure Report dated January 12, 2009 from the General Manager of Operational Services be received. CARRIED.

(C) EXPENDITURE FROM CAPITAL DEVELOPMENT RESERVE - WATERMAIN  
OVERSIZING COSTS

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Submitted for consideration was a report from the General Manager of Development Services dated January 6, 2009 with respect to the above.

Campbell-Jessiman

973 That the developer of Woodlands Subdivision be paid \$9,265.46 GST inclusive for the oversizing costs associated with the installation of the watermain on Magnolia Drive whereby said costs shall be expended from the Capital Development Reserve. CARRIED.

(D) LAND ACQUISITION TO MAINTAIN LAND DRAINAGE SOUTH OF PATRICIA  
AVENUE

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Considered was a report from the General Manager of Development Services dated January 14, 2009 with respect to the above.

Campbell-Jessiman

974 That the City of Brandon extend the possession date for the purchase of approximately 11.86 acres of property from Mr. Edward McLeod (NE 1/4 1-10-19 WPM) from February 1, 2009 until April 1, 2009. CARRIED.

(E) EXCESS GOLF COURSE LAND

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City Council considered a report from Councillor V. Barletta dated January 8, 2009 with respect to the above in accordance with his notice of motion given at the January 5, 2009 meeting of City Council.

Barletta-Jessiman

975 That Administration provide an inventory of land at the City's golf course that may be available for residential development. LOST.

Councillor Paterson requested a recorded vote.

FOR

Councillor Barletta  
Councillor Black  
Councillor Fitzpatrick  
Councillor Rice

AGAINST

His Worship Mayor Burgess  
Councillor Blight  
Councillor Campbell  
Councillor Harwood  
Councillor Jessiman  
Councillor Paterson

AMENDMENT

Jessiman-No Seconder

976 That the above motion be amended by adding thereto:

"and further, that Administration provide a report on the operation of the facility at present compared to when it operated under a private lease agreement, including the number of current curlers, curling leagues and bonspiels scheduled."

His Worship the Mayor ruled the above motion Out of Order as it significantly altered the intent of the original motion.

AMENDMENT

Black-Rice

977 That the above motion be amended by deleting the word: "residential" and substituting therefor the words: "alternate forms of". CARRIED.

At the request of Councillor Jessiman, a recorded vote was taken on the above motion.

FOR

Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Campbell  
Councillor Fitzpatrick  
Councillor Paterson  
Councillor Rice

AGAINST

His Worship Mayor Burgess  
Councillor Harwood  
Councillor Jessiman

(F) INSTRUMENT LANDING SYSTEM - BRANDON MUNICIPAL AIRPORT

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Councillor Harwood withdrew his motion at this time, noting that in light of the ongoing work being done by Administration in this regard, he felt the motion was premature.

BY-LAWS:

NO. 6894 - TO REZONE PROPERTY LOCATED AT 737 STICKNEY AVENUE FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (LAMONT)  
2ND READING

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Councillor Paterson declared a professional conflict of interest in this matter and left the Council Chamber prior to any further discussion.

It was noted that this by-law had received first reading at the September 8, 2008 meeting of City Council.

978 Barletta-Blight  
That By-law No. 6894 to rezone 737 Stickney Avenue (Lots 19/20, Block 106, Plan 2 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone be read a second time. CARRIED.

979 Barletta-Jessiman  
That third reading of the by-law be held in abeyance pending:

- (a) the due process for a possible second objection to this application pursuant to Subsection 77 (3) of The Planning Act; and
- (b) the execution of the development agreement between the City of Brandon and the owner/successor attached to the report from the General Manager of Development Services dated January 6, 2009. CARRIED.

Following the above motions being voted on, Councillor Paterson re-entered the Council Chamber.

NO. 6919 - TO AUTHORIZE THE POLICE STATION PROJECT AS A LOCAL IMPROVEMENT AND THE RELATED BORROWING OF \$12,994,000  
2ND READING

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It was noted that this by-law had received first reading at the January 5, 2009 meeting of City Council.

980 Rice-Paterson  
That By-law No. 6919 authorizing the creation of the Police Station as a Local Improvement Project and the related borrowing of an estimated \$12,994,000 for that purpose be read a second time. CARRIED.

At the request of Councillor Barletta, a recorded vote was taken on the above motion.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	Nil
Councillor Barletta	
Councillor Black	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor Jessiman	
Councillor Paterson	
Councillor Rice	

NO. 6932 - TO CLOSE AND CONVEY A PORTION OF THE NORTH/SOUTH LANE TO PRINCESS AVENUE TO THE YMCA AND THE CITY OF BRANDON, AND TO OPEN AN EAST/WEST LANE TO 8TH STREET IN BLOCK 41, PLAN 2 BLTO  
1ST READING

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Submitted for consideration was a report from the General Manager of Development Services dated January 7, 2009 with respect to the above.

981 Barletta-Harwood  
That By-law No. 6932 to close and convey to the Young Men's Christian Association of Brandon Inc. and the City of Brandon respective portions of the north/south lane in Block 41, Plan 2 located south of Princess Avenue and east of 8th Street and to open an east/west lane through Lot 33 in said block and plan be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Blight-Jessiman  
That the meeting do now adjourn. (10:03 p.m.) CARRIED.

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MAYOR

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CITY CLERK