

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
SEPTEMBER 21, 2009 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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 J. McCrae, Councillor D. Paterson, Councillor G. Rice

ABSENT: Nil

ADOPTION OF AGENDA:

1135 Harwood-Rice
That the Agenda for the Regular Meeting of City Council to be held on Monday, September 21, 2009 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1136 Blight-Harwood
That the Minutes of the Regular Meeting of City Council held Tuesday, September 8, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) NORMA BOROTSIK - BRANDON RIVERBANK INC.

Norma Borotsik, President of Brandon Riverbank Inc. appeared before City Council with respect to the activities of Brandon Riverbank Inc. She advised that the major capital project for 2010 would be the construction of the Commemorative Plaza, with fundraising currently underway for same. Other major projects noted were the ongoing development of the Arbour Trail and Power Smart Waterfall of Lights. Mrs. Borotsik noted that Brandon Riverbank Inc. continued to deliver tourism programs on behalf of the City of Brandon through the Discovery Centre.

She concluded by announcing that a shoreline clean-up would take place on Thursday, September 24, 2009 at 6:30 p.m. and volunteers were welcome to come help out.

1137 Harwood-Paterson
That the presentation by Norma Borotsik, President of Brandon Riverbank Inc., with respect to the activities of Brandon Riverbank Inc. and the delivery of tourism programs and services on behalf of the City of Brandon, be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE
VERBAL

SEPTEMBER 21, 2009

September 21, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fitzpatrick provided a verbal report on the Keystone Centre noting that the scaffolding had been removed, and the new JumboTron scoreboard would be unveiled at the Wheat King's home opener on Friday, September 25, 2009. He further advised that the concourse was now closed, and Ticketmaster, located in the Pioneer Lounge, would now have to be accessed from the east entrance off of the ramp. Councillor Fitzpatrick concluded by announcing that season ticket holders and persons with pre-purchased tickets were requested to use the east, west or south entrances directly into Westman Communications Place for upcoming hockey games and other events.

Blight-Paterson

1138 That the verbal report by Councilor Fitzpatrick with respect to the Keystone Centre be received.
CARRIED.

ENQUIRIES:

(676) IMPACT OF AVAILABILITY OF ASPHALT

Councillor Rice noted that the availability of asphalt had been a problem over the summer and enquired as to the impact of same on the Public Works Department.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that due to the availability of asphalt from a second contractor in the city, the Public Works Department had not been impacted and pothole repairs continued to be on schedule.

(677) PAVING OF LANE - 500 BLOCK BETWEEN 6TH AND 7TH STREETS

Councillor Rice enquired as to when paving of the lane in the 500 Block between 6th and 7th Streets was expected to be completed.

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

(678) MAINTENANCE OF STORM DRAINS

Councillor Rice noted that many storm drains throughout the City were becoming clogged with leaves and enquired as to the scheduled maintenance of the storm sewer drainage lines.

At the request of His Worship the Mayor, the General Manager of Operational Services responded that street sweeping operations were running at full capacity in all residential areas of the city, with a second sweep being conducted in densely treed areas. He added that an ongoing maintenance program was in place for all sewer drainage lines throughout the city, however, if a problem area was identified, same should be reported to the Public Works Department at 729-2285 and crews would be dispatched to rectify the problem.

(679) PATROLS OF WAVERLY PARK AREA - VANDALISM

Councillor Blight referred to an email circulated to members of City Council wherein a resident in the Waverly Park area had raised a concern regarding vandalism and loud outdoor gatherings in the area. He enquired if extra police patrols could be conducted in the area to address these issues.

At the request of His Worship the Mayor, the City Manager advised that the issues raised by the resident would be dealt directly with that resident. He added that recent police reports had indicated an increase in vandalism and other concerning issues in the area, therefore, police patrols had been increased and the situation would be monitored.

(680) INSTRUMENT LANDING SYSTEM (ILS) FOR THE BRANDON AIRPORT

Councillor Harwood noted that funding had been approved for the installation of an Instrument Landing System (ILS) for the Brandon Airport and enquired as to the status of that project.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that the tender for the installation of the ILS closed at the end of September 2009, adding that same had generated much interest, with the potential for many suppliers and prices to choose from.

(681) AIRPORT LIGHTING UPGRADE FUNDING

Councillor Harwood enquired as to the status of the application for funding for upgrades to the lighting at the Brandon Airport.

At the request of His Worship the Mayor, the General Manager of Operational Services responded that while an application had been made to Transport Canada in 2007, no response had been received. He noted that Administration continued to work with the local Member of Parliament, Mr. Merv Tweed, who had taken a revised funding application package to Ottawa, however, a response was still pending. He added that all possible funding resources would be researched until the search was successful.

(682) WEB WORM INFESTATION IN TREES

Councillor Black referred to the recent infestation of web worms in trees and shrubs throughout the city and enquired whether or not citizens should be concerned about same, and further, how the issue could be dealt with effectively.

At the request of His Worship the Mayor, the City Manager responded that staff had been monitoring this situation for the past three years and had found pruning the webs out of the trees to be a successful solution. He advised that as the numbers had increased in 2009, an evaluation would take place in early 2010 whereby the use of a pesticide would be considered. He added that pesticides to deal with this problem were available to residents in many local stores or, if residents chose to prune out the webs, the affected branches could be disposed of in their refuse bins.

(683) TRAFFIC INCREASE IN THE VICINITY OF THE BRANDON REGIONAL HEALTH CENTRE (BRHC)

Councillor Black advised that area residents had raised concerns regarding the increase in traffic, inclusive of pedestrians and persons in motorized scooters, in the vicinity of the Brandon Regional Health Centre (BRHC). He noted that the increase in non-vehicular and vehicular traffic was becoming a safety concern. He enquired if the City was working with the Brandon Regional Health Authority (BRHA) on a solution to manage traffic volumes and flows.

At the request of His Worship the Mayor, the City Manager responded that traffic had increased in the area, not only due to the BRHC, but also new residential and other development. He added that traffic monitoring in the area was ongoing and specific issues were being dealt with on an individual basis. He further added that the City continued to work with the BRHA to find solutions to the traffic problems without impeding access to the BRHC Campus.

ANNOUNCEMENTS:

ACCOLADES TO ENGINEERING - ROSSER AVENUE WEST SIDEWALK

Councillor Blight announced that he had observed many pedestrians enjoying the new sidewalk on Rosser Avenue West and thanked the Engineering Department for a job well done.

WESTERN CANADIAN MUSIC AWARDS

Councillor Paterson announced that he, along with His Worship and many other members of City Council, had attended the Western Canadian Music Awards Ceremony held at the Western Manitoba Centennial Auditorium on September 20, 2009 whereby a good time was had by all.

Further to this issue, His Worship the Mayor thanked Brandon First and all the volunteers for their efforts in making not only the awards ceremony, but this entire event a huge success.

CRIME LEVELS IN THE CITY OF BRANDON

His Worship the Mayor referred to comments made at the September 8, 2009 meeting of City Council which indicated that the level of the severity of crimes within the City of Brandon was very high. He announced that such was not the case and provided comparative statistics on same from cities across Manitoba and the other Prairie Provinces.

GENERAL BUSINESS:

(A) AMENDMENT OF DEVELOPMENT AGREEMENT FOR LAND SOUTH OF RICHMOND AVENUE AND WEST OF 34TH STREET (WAVERLY DEVELOPMENTS LTD.)

His Worship the Mayor declared a conflict of interest in this matter due to his relationship with the developer and left the Council Chamber prior to any further discussion.

City Council considered a report from the General Manager of Development Services dated September 11, 2009 with respect to the above.

Fitzpatrick-McCrae

1139 That the development agreement between the City of Brandon and Waverly Developments Ltd. dated May 25, 2009 with respect to the property located south of Richmond Avenue and west of 34th Street (NW 1/4 9-10-19 WPM) be amended by replacing Page 4 of the agreement with the revised Page 4 attached to the report of the General Manager of Development Services dated September 11, 2009; and further, that the amended development agreement be registered in the Brandon Land Titles Office. CARRIED.

Following the above motion being voted on, His Worship the Mayor re-entered the Council Chamber.

(B) AMENDMENT TO TRAFFIC BY-LAW NO. 5463 - MAINTENANCE OF RESIDENTIAL DRIVEWAY APPROACHES

Submitted for consideration was a report from Councillor G. Rice dated September 9, 2009 with respect to the above and in accordance with his notice of motion given at the September 8, 2009 meeting of City Council.

Rice-Jessiman

That Administration prepare for City Council's consideration, an amendment to the Traffic By-law to remove from the by-law, the current provision that makes residential property owners responsible for the repair of that portion of their driveway located on public property whereby such repairs would then be the responsibility of the City of Brandon. NOT VOTED ON.

Councillor Jessiman indicated he was prepared to move an amendment to the motion to include the Province of Manitoba being responsible for those properties located along provincial roadways within the City of Brandon whereby His Worship the Mayor stated he would have to rule such an amendment out of order as City Council could not pass a motion that would be binding on the Province of Manitoba.

1140

Paterson-Barletta

That the requested amendment to the Traffic By-law to remove the current provision that makes residential property owners responsible for the repair of that portion of their driveway located on public property whereby such repairs would then be the responsibility of the City of Brandon, be referred to the Administration for report back to City Council at the October 19, 2009 meeting of Council inclusive of costs, the number of driveways impacted, practices of other cities, and any other issues identified. CARRIED.

His Worship the Mayor encouraged members of Council to forward any questions or other areas they would like considered in the report to the Administration directly.

(C) LOBBY FOR NATIONAL TASK FORCE ON DISAPPEARANCE AND MURDER OF WOMEN IN CANADA

Submitted for consideration was a report from Councillor E. Black dated September 14, 2009 with respect to the above and in accordance with his notice of motion given at the September 8, 2009 meeting of City Council.

1141

Black-McCrae

That the City of Brandon recommend that the Federation of Canadian Municipalities lobby the Federal Government to establish a national RCMP Task Force to work with municipal and provincial police forces where necessary in investigating the disappearance and murder of an increasing number of women in Canada. CARRIED AS AMENDED.

At the request of Councillor Paterson, a recorded vote was taken on the above amended 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 McCrae
Councillor Paterson
Councillor Rice

AMENDMENT

McCrae-Paterson

1142 That the motion be amended by adding the following thereto:

“and further, that this resolution be forwarded to the Federal Minister of Justice and the Ministers of Justice for Manitoba and all other Provinces and Territories.” CARRIED.

(D) IDENTIFICATION SIGNS FOR PACIFIC ESTATES - ALASKA BAY

City Council considered a report from the Planning Department dated September 3, 2009 with respect to the above.

Harwood-Paterson

1143 That the installation of two (2) freestanding identification signs for Pacific Estates at 2 Alaska Bay (Lot 1, Plan 47320 BLTO) and land legally described as Lots 15/17, Block 1, Plan 48, BLTO be approved in accordance with the site plan and drawings dated September 1, 2009 attached to the report from the General Manager of Development Services dated September 3, 2009. CARRIED.

BY-LAWS:

NO. 6950 - TO AMEND CITY COUNCIL PROCEDURE BY-LAW NO. 6634

It was noted that this by-law had received first reading at the September 8, 2009 meeting of City Council.

McCrae-Barletta

That By-law No. 6950 to amend City Council Procedure By-law No. 6634 with respect to the reconsideration of City Council decisions be read a second time. NOT VOTED ON.

Black-Barletta

1144 That the by-law be amended by adding to Section 164 in Clause 1, the following words: “present at the meeting at which the reconsideration is being put forward.” CARRIED.

McCrae-Barletta

1145 That the by-law, as amended, be read a second time. CARRIED.

McCrae-Barletta

1146 That the 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. 6950 third reading.

FOR

His Worship Mayor Burgess
Councillor Barletta
Councillor Blight
Councillor Fitzpatrick
Councillor Harwood
Councillor Jessiman
Councillor McCrae

AGAINST

Councillor Black
Councillor Campbell
Councillor Paterson
Councillor Rice

NO. 6955 - TO RENAME STREETS WITHIN THE WHISTLER LANDING SUBDIVISION LOCATED NORTH OF BRAECREST DRIVE (SW 1/4 35-10-19 WPM)

It was noted that this by-law had received first reading at the September 8, 2009 meeting of City Council.

Paterson-Fitzpatrick

1147 That By-law No. 6955 to name the streets within the Whistler Landing subdivision located north of Braecrest Drive (SW 1/4 35-10-19 WPM) be read a second time. CARRIED.

Paterson-Fitzpatrick

1148 That the 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. 6955 third reading.

FOR

His Worship Mayor Burgess
Councillor Barletta
Councillor Black
Councillor Blight
Councillor Campbell
Councillor Fitzpatrick
Councillor Harwood
Councillor Jessiman
Councillor McCrae
Councillor Paterson
Councillor Rice

AGAINST

Nil

NO. 6956 - TO AMEND BY-LAW NO. 6852 - 2009 SANITATION FEE SCHEDULE - WASTE REDUCTION AND RECYCLING SUPPORT (WRARS) LEVY

It was noted that this by-law had received first reading at the September 8, 2009 meeting of City Council.

Rice-Black

1149 That By-law No. 6956 to amend By-law No. 6852 - Schedule of Fees to include further sanitation collection fees for 2009 - 2011 be read a second time. CARRIED.

Rice-Black

1150 That the 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. 6956 third reading.

FOR

His Worship Mayor Burgess
Councillor Barletta
Councillor Black
Councillor Blight
Councillor Campbell
Councillor Fitzpatrick
Councillor Harwood
Councillor Jessiman

AGAINST

Nil

Councillor McCrae
Councillor Paterson
Councillor Rice

GIVING OF NOTICE:

Nil

ADJOURN:

Black-Barletta

That the meeting do now adjourn. (8:53 p.m.) CARRIED.

MAYOR

CITY CLERK