

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, OCTOBER 7, 2019 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

PRESENT: Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Shaun Cameron, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor John LoRegio, Councillor Bruce Luebke, Councillor Glen Parker

ABSENT: Councillor Jan Chaboyer

ADOPTION OF AGENDA:

LoRegio-Parker

385 That the Agenda for the Regular Meeting of City Council to be held Monday, October 7, 2019 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Cullen-Cameron

386 That the Minutes of the Regular Meeting of City Council held on Monday, September 16, 2019 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF PRESENTATIONS:

Nil

COMMUNITY COMMENTS/FEEDBACK:

Nil

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

Nil

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE VERBAL OCTOBER 7, 2019

Councillor Luebke provided a verbal report from the meeting of the Keystone Centre held on September 26, 2019. He noted the Keystone Centre 5-year business plan was prepared over the summer to meet the long-term funding agreement with the Province, and would be presented to City Council at the October 21, 2019 meeting.

Councillor Luebke indicated a new video scoreboard had been installed and was operational for the Wheat Kings' home opener. He also noted that a new wall-mounted score clock was installed on the North wall of the main arena and stated that both of these items would enhance fan experience.

Councillor Luebke concluded by citing the upcoming events to be held at the Keystone Centre including: Dallas Smith and Dean Brody Concert, Rock the Rink Tour, Manitoba Ag Ex, Flight for the Troops and Champions of Magic. He invited members of Council and the public to attend the Keystone Centre's Annual General Meeting to be held on Thursday, November 28, 2019 at 6:00 p.m.

(B) AUDIT AND FINANCE COMMITTEE VERBAL OCTOBER 7, 2019

Councillor Fawcett provided a verbal report from the meeting of the Audit and Finance Committee held on September 19, 2019. He noted the main topic discussed was the August budget review. He advised that a \$91,000 surplus in the General Fund and a \$568,000 surplus in the Utility Fund were projected. It was noted Administration had no concerns with the budget review or the ability to maintain the budget for the rest of 2019.

Luebke-Berry

387 That the reports of the Keystone Centre Board and the Audit and Finance Committee be received. CARRIED.

ENQUIRIES:

(69) POLICY FOR PLACEMENT OF SCHOOL ZONE AND SPEED SIGNS

Councillor Loregio enquired as to what the sign placement policy was in relation to school zones and, additionally, the impact it had on crosswalks within school zones.

At the request of His Worship the Mayor, the City Manager responded that the Engineering Department established school zones to create safe environments for children in high traffic areas of a school. He stated that school zones usually began at property lines but may be shortened or extended after evaluation. He advised that if the City received concerns about sightlines, on-street parking, speed compliance, traffic calming, intersection treatment, or any other similar concerns around school zones, Administration would look at the utility of existing infrastructure to determine if there was a shortfall or if additional measures were required. Mr. Sage affirmed that in the case of Waverly School, Engineering had reviewed the existing posted signage and was working with the Operations Department to make changes that would ensure continued safety in the school zone.

(70) TRAFFIC ON RICHMOND AVENUE WEST OF 18TH STREET

Councillor Loregio enquired if Administration would conduct a study into increased commercial traffic on Richmond Avenue west of 18th Street.

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

(71) SIGNAGE AT 18TH STREET AND ROSSER AVENUE

Councillor Luebke enquired if additional signage could be posted at the intersection of Rosser Avenue at 18th Street to emphasize the lane assignments.

At the request of His Worship the Mayor, the City Manager advised that Rosser Avenue west of 17th Street had been recently resurfaced and line painting was underway. He stated that Engineering would work with Manitoba Infrastructure, who operated the signals in the intersection of 18th Street and Rosser Avenue, to determine if signage could be placed on the signal arms themselves as well as painting delineated lines connecting the two sides of Rosser Avenue. Mr. Sage affirmed that the City was working with Manitoba Infrastructure to improve the alignment of the intersection as a part of the Daly Overpass design.

(72) REQUIREMENT FOR LIABILITY INSURANCE FOR USER GROUPS AT SPORTSPLEX

Councillor Luebke enquired if the City's liability insurance policy had changed in relation to the Sportsplex facility and, if affirmed, what the changes were.

Further to this issue, Councillor Berry enquired if changes impacted all facilities operating under the policy, such as the Keystone Centre.

At the request of His Worship the Mayor, the City Manager responded that the matter would be reviewed by City Administration with a response provided to City Council and affected user groups at a later date.

(73) SPEED LIMITS ON SECTIONS OF RICHMOND AVENUE AND PATRICIA AVENUE

Councillor Berry requested an update from Administration on his previous enquiry with respect to reducing the speed limit on Richmond Avenue from Linden Boulevard west to the 34th Street traffic circle from 60km/hour to 50km/hour. He additionally requested the same be done for Patricia Avenue from 34th Street to 42nd Street.

At the request of His Worship the Mayor, the City Manager responded that the Engineering Department was working on a policy and procedure for processing speed limit changes within the City of Brandon. Upon completion, Engineering would present the recommended policy and procedure to Council for adoption, and at that time, the queue of requests received would be evaluated. He confirmed that the two segments of roads listed by Councillor Berry had been added to the queue for speed limit review. Mr. Sage outlined that Engineering was working to have the policy for Council to adopt later in the fall.

(74) PROPOSED COMPLETION TIMELINE FOR SEWER AND WATER MAIN CONSTRUCTION PROJECT ON MCDONALD AVENUE

Councillor Cameron requested an update from Administration on the proposed completion timeline of the sewer and water mains project on McDonald Avenue between 27th and 31st Streets. Additionally, he enquired if the City could review the condition of the southern back lane, which handled eastbound traffic on McDonald Avenue.

At the request of His Worship the Mayor, the City Manager advised that provided there was favourable weather in October and November, the project was expected to be completed by mid-November. He affirmed that Engineering was aware of the back lane condition and continued to coordinate with Public Works to perform routine maintenance. Mr. Sage outlined how recent heavy rains had created challenging conditions and how it was necessary to wait several days after a rain event to access the lane with heavy equipment.

ANNOUNCEMENTS:

ACCOLADES TO BRANDON POLICE OFFICER JASON MEDWECHUK

Councillor Luebke recognized Brandon Police Constable Jason Medwechuk who had saved the life of a citizen suffering cardiac arrest at the parking lot of Brandon's Canadian Tire. He noted that the event occurred on the weekend while Constable Medwechuk was off-duty and that Constable Medwechuk had performed CPR and utilized a defibrillator from the Canadian Tire store until paramedics arrived. Councillor Luebke wished to express gratitude to Constable Medwechuk on behalf of City Council.

JOINT WARD MEETING - LINDEN LANES, MEADOWS-WAVERLY AND RICHMOND WARDS

Councillor Brown announced that a joint-ward meeting of Linden Lanes, Meadows-Waverly and Richmond wards would be held at 7:00 p.m. on October 8, 2019 at Meadows School. He advised that Administration would be present to answer questions from the public.

BRANDON GENERAL MUSEUM & ARCHIVES INC. FUNDRAISING DINNER

Councillor Loregio advised Council and Brandon residents that the Brandon General Museum & Archives would be holding its Annual Fundraising Dinner and Vaudeville Performance at Lady of the Lake Café on Thursday, November 7, 2019. He noted that tickets were available through the Brandon General Museum & Archive, Councillors Brown, Cameron and Loregio.

GENERAL BUSINESS:

(A) BRAECREST DRIVE CORRIDOR FUNCTIONAL DESIGN STUDY

City Council considered a report from Engineering Services dated August 7, 2019 with respect to the above.

Fawcett-Parker

388 That the Braecrest Drive Corridor Functional Design Report dated June, 2019 be received;

and further, that the recommended enhancements and alternatives in the Braecrest Drive Functional Design Study be adopted whereby Administration shall integrate these recommendations into the infrastructure schedule for approval by City Council during the budget deliberation process. CARRIED.

Councillors Desjarlais and Cameron abstained from voting on the above motion due to the potential involvement of Assiniboine Community College, who was their employer.

(B) APPLICATION TO SUBDIVIDE – 1910 & 2000 BELL AVENUE AND 1910 HAMILTON DRIVE

Considered was a report from the Legislative Services Department dated September 24, 2019 with respect to the above.

Fawcett-Luebke

389 That the application to subdivide 1910 and 2000 Bell Avenue and 1910 Hamilton Avenue to create three (3) lots and a public road in the Development Reserve (DR) Zone, Residential Moderate Density (RMD) Zone, and Commercial Arterial (CAR) Zone, be approved subject to the following conditions:

1. The owner or successor providing written confirmation to the City of Brandon Planning & Buildings Department that:
 - a. Taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council; and
 - b. Arrangements have been made for an easement agreement to the satisfaction of Manitoba Hydro, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision; and
2. Proposed Lots 4 and 5 being consolidated as a single title to be registered in series with this subdivision. CARRIED.

(C) PROPOSAL – ALL WHEEL DRIVE ARTICULATING MOTOR GRADER

Submitted for consideration was a report from the Manager of Fleet Services dated September 26, 2019 with respect to the above.

Fawcett-Parker

390 That the bid from Toromont Cat to supply one (1) New 2019 or 2020 Cat 160M3AWD Motor Grader including Auto Articulation, Rear Steering, Grade Control, and 5-year Total Maintenance as per proposal and specifications for a total price of \$504,517.16 (net of GST) be accepted. CARRIED.

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

FOR

Mayor Rick Chrest
Councillor Ron W. Brown
Councillor Shaun Cameron
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Glen Parker

AGAINST

Councillor Shawn Berry
Councillor John LoRegio
Councillor Bruce Luebke

(D) QUOTATION - 18TH STREET NORTH WATERMAIN REPLACEMENT

City Council considered a report from the Manager of Public Works dated October 3, 2019 with respect to the above.

Fawcett-Cameron

391 That the bid from Alternative Landscaping Ltd. to carry out the 18th Street North Watermain Replacement as per quotation and specifications at a cost of \$119,842.26 (net of GST) be accepted. CARRIED.

BY-LAWS:

NO. 7218 TO REZONE 660 – 7TH STREET AND 725 VAN HORNE AVENUE FROM INDUSTRIAL RESTRICTED ZONE TO RESIDENTIAL MODERATE DENSITY ZONE

It was noted that this by-law received first reading at the October 1, 2018 meeting of City Council.

Luebke-Parker

392 That By-law No. 7218 to rezone property at 660 - 7th Street and 725 Van Horne Avenue (Lots 1/5 & Pt Lots 27/30, Block 71, Plan 8, Parcel A, Plan 43705 and Parcel A, Plan 51401 BLTO) from Industrial Restricted (IR) Zone to Residential Moderated Density (RMD) Zone be read a second time. CARRIED.

Luebke-Parker

393 That third reading of this by-law be held in abeyance pending the objectors to the by-law receiving notice, pursuant to Section 76(3) of The Planning Act, of their right to file a further objection, and the applicant entering into a Development Agreement with the City of Brandon subject to the following conditions:

1. The Developer agrees the development should be consistent with the attached site plan for a maximum of 24 residential multiple dwelling units. An increase to the density of the development or a significant variation from the site plan will require the developer to obtain approval from City Council, who may request additional public input and/or require amendment to the agreement.
2. The Developer agrees to provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post; to the approval of Canada Post.
3. The Developer agrees to consolidate Titles No. 2552397/2 and 2552365/2, prior to the release of the Building Permit.
4. The Developer agrees to construct and maintain a 1.8m chain link fence along the common site line of the proposed development property and the Canadian National Railway rights-of-way.
5. The Developer agrees to construct a crash wall and/or berm to the north of the parking lot along the Canadian National Railway rights-of-way property line. The crash wall and/or berm must be designed to Canadian National Railway Standard Specifications and is subject to approval by a City Engineer.
6. The Developer agrees that to design and construct a 1.8m boulevard sidewalk in conjunction with curb and gutter and completed with an asphalt road repair to tie into existing asphalt road surface. The Developer is also responsible to sod the City boulevard. The design of all work proposed within the right-of-way is subject to review and acceptance by the City Engineer and shall be performed as stated in the latest edition of the City of Brandon, Standard Construction Specifications.
7. The Developer acknowledges that, as per the requirements of the Canadian National Railway, the following clause be noted by all property owner(s) and/or future property owners and follow with the lands: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject thereof. There may be alterations to or expansions of the railways facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s).

CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

8. The Developer agrees to allow shared vehicle access with properties located to the east at 621 7th Street and 639 Van Horne Avenue in perpetuity as per attached site plan in Schedule "B".
9. The Developer agrees to pay a contribution towards seven (7) boulevard trees. The amount of payment for such trees will be due at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year.
10. The Developer agrees prior to issuance of the building permit, to contribute \$202.50/unit for 24 dwelling units to the Brandon School Division in lieu of land dedication totaling \$4,860.00.
11. The Developer agrees to contribute \$1,709.35 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.
12. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer.
13. The Developer agrees to provide to the City a Letter of Credit in the amount of 15% of the total cost of the detailed cost estimate; the total of which must be approved by the City Engineer.

And that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts. CARRIED.

NO. 7246

TO REZONE 1837 PRINCESS AVENUE, PART OF 2003 PRINCESS AVENUE, PART OF THE EAST SIDE OF THE 200, 300 AND 400 BLOCKS OF 21ST STREET, 2021 VICTORIA AVENUE, AND 2030 LOUISE AVENUE

It was noted that this by-law received first reading at the July 15, 2019 meeting of City Council.

Cameron-LoRegio

394 That By-law No. 7246 to rezone the following properties around Brandon University:

- 2026, 2030, and 2040 Princess Avenue, 2030 and 2039 Louise Avenue, and 223, 225, 227, 229, 233, 241, 251, 253, 257, 261, 325, 329, 335, 341, 343, 405, 413, 421, 427, 437, and 445 – 21st Street (Lots 20/38, Block 28, Lots 27/34, 38/40, and Sly 12.5' of Lot 37, Block 39, and Lots 20/34, Block 44, all of Plan 15 BLTO) from Educational and Institutional (EI) to Residential Moderate Density (RMD);
- 1837 Princess Avenue (Lots 9/10, Block 25, Plan 15 BLTO) from Educational and Institutional (EI) to Residential Low Density (RLD);
- 2003 Princess Avenue (Lots 1/4, Block 23, Plan 15 BLTO) from Educational and Institutional (EI) and Residential Low Density (RLD) to Educational and Institutional (EI); and
- 2021 Victoria Avenue (Lots 1/3, Block 44, Plan 15 BLTO) from Commercial Arterial (CAR) to Educational and Institutional (EI)

be read a second time. CARRIED.

Cameron-LoRegio

395 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. 7246 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Ron W. Brown
Councillor Shaun Cameron
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor John LoRegio
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

NO. 7247 TO REZONE PART OF 1910 BELL AVENUE AND 1910 HAMILTON AVENUE FROM DEVELOPMENT RESERVE AND AGRICULTURE TO COMEMRCIAL ARTERIAL

It was noted that this by-law received first reading at the July 15, 2019 meeting of City Council.

Fawcett-Parker

396 That By-law No. 7247 to rezone a portion of 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) from Development Reserve (DR) to Commercial Arterial (CAR) and a portion of 1910 Hamilton Avenue (Pt. NE 1/4 34-10-19 WPM) from Agricultural (A) to Commercial Arterial (CAR) be read a second time. CARRIED.

Fawcett-Luebke

397 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. 7247 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Ron W. Brown
Councillor Shaun Cameron
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor John LoRegio
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

NO. 7248 TO AMEND ZONING BY-LAW NO. 7124 – PROVISIONS FOR AGGREGATE AREAS

It was noted that this by-law received first reading on July 15, 2019.

Fawcett-Cameron

398 That By-law No. 7248 to amend various provisions of Zoning By-law No. 7124 for clarity purposes with respect to aggregate areas be read a second time. CARRIED.

Fawcett-Cameron

399 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. 7248 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Ron W. Brown
Councillor Shaun Cameron
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor John LoRegio
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

NO. 7252 TO EXEMPT COMMONWEALTH AIR TRAINING PLAN MUSEUM AN OCCUPATION OF PROPERTIES LOCATED AT 100 AND 300 COMMONWEALTH WAY FROM MUNICIPAL PROPERTY TAXES

Considered was a report from the City Treasurer dated August 1, 2019 with respect to the above.

Fawcett-Luebke

400 That By-law No. 7252 to exempt the Commonwealth Air Training Plan Museum, an occupier of the properties located at 100 and 300 Commonwealth Way, from municipal property taxes be read a first time. CARRIED.

NO. 7253 TO EXEMPT THE PROVINCIAL EXHIBITION OF MANITOBA, AN OCCUPIER OF THE PROPERTY AT 1200 - 13TH STREET, FROM MUNICIPAL PROPERTY TAXES

Submitted for consideration was a report from the City Treasurer dated September 29, 2019 with respect to the above.

Luebke-Berry

401 That By-law No. 7253 to exempt the Provincial Exhibition of Manitoba, an occupier of the property at 1200 - 13th Street, from municipal property taxes be read a first time. CARRIED.

NO. 7255 TO ESTABLISH THE PLANNING PROJECTS RESERVE

City Council considered a report from the Planning & Buildings Department dated September 12, 2019 with respect to the above.

Desjarlais-Cameron

402 That By-law No. 7255 to establish a Planning Projects Reserve be read a first time.
CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Parker

That the meeting do now adjourn (8:50 p.m.) CARRIED.

MAYOR

CITY CLERK