

REGULAR CITY COUNCIL
MONDAY, APRIL 6, 2009 AT 7:30 PM
COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING

AGENDA

RECOMMENDATIONS

Please note that all recommendations in this agenda have been put forward by members of City Council or the Administration for Council's consideration and debate.

1. Roll Call
2. Adoption of Agenda
3. Presentations

(A) GRANT OF ARMS TO CITY OF BRANDON

Note: The Grant of Arms will be presented to City Council by Chief of Police Keith Atkinson and City Clerk Con Arvisais.

- [Grant of Arms.pdf](#)

4. Confirmation of Minutes

REGULAR	MARCH 16, 2009
SPECIAL	MARCH 31, 2009

5. Hearing of Delegations

(A) DENISE JUBENVILL, MANITOBA DEPARTMENT OF INFRASTRUCTURE AND TRANSPORTATION - UPDATE OF CONSTRUCTION ACTIVITIES FOR 1ST STREET NORTH

That the presentation by Denise Jubenvill of the Manitoba Department of Infrastructure and Transportation with respect to an update on the 2009 construction activities planned for 1st Street North in the City of Brandon be received.

- [Delegation - D. Jubenvill - 1st Str North.pdf](#)

6. Public Hearing
7. Communication and Petitions

8. Committee Reports

(A) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE

MARCH 18, 2009

That the report from the Brandon Municipal Heritage Advisory Committee from its meeting held March 18, 2009 be received.

That City Council consider and adopt the following motion:

WHEREAS according to the Heritage Canada Foundation, Canada has lost more than 20% of its pre-1920 heritage buildings to demolition over the past 30 years;

AND WHEREAS the Heritage Canada Foundation has stated that urgent action is needed to stop the demolition of Canadian landmarks, to restore and re-use them, and to acknowledge their value as a reminder of our origins and cultures;

AND WHEREAS heritage buildings are also a valuable economic development resource, supporting re-urbanization initiatives and tourism, stimulates adjacent development, increase property values, as well as providing environmental benefits by way of reducing landfill, preserving natural resources and promoting sustainability;

AND WHEREAS there are currently no federal financial incentives to encourage private sector investment in the rehabilitation of heritage properties;

NOW THEREFORE BE IT RESOLVED that the Corporation of the City of Brandon endorse resolutions by the Heritage Canada Foundation and the Federation of Canadian Municipalities and request the Federal Ministers of Finance and the Environment to establish tax incentives which would encourage private sector investment in the rehabilitation of heritage properties;

AND BE IT FURTHER RESOLVED that this motion be forwarded to local Members of the Legislative Assembly, local Members of Parliament, and area municipalities for their support;

AND BE IT FURTHER RESOLVED that the Association of Manitoba Municipalities be requested to support the work of the Heritage Canada Foundation and the Federation of Canadian Municipalities by endorsing this resolution at its Annual Convention.

- [MHAC Report - March 18, 2009.pdf](#)

(B) PERSONNEL COMMITTEE

MARCH 23, 2009

That the report of the Personnel Committee of its meeting held March 23, 2009 regarding the non-union pay administration program and salary increases be received.

That the City of Brandon authorize an amount equal to 3.0% (\$121,20.65) of the 2008 non-union salary for increasing the 2009 salaries as required to maintain the corporate rate and to provide for performance increases where appropriate, in accordance with the non-union pay administration program.

- [Personnel Committee.pdf](#)

9. Enquiries
10. Announcements
11. General Business

(A) ADOPTION OF THE 2009 FINANCIAL PLAN

That the 2009 Financial Plan be amended to reflect the final education requests by replacing pages 1, 8 and 9 as contained in the copy of the amended plan attached to the report of the Director of Finance dated March 16, 2009.

That the 2009 Financial Plan of The City of Brandon dated March 2, 2009, as set out in the form approved by the Minister, be adopted as amended, and that the said operating and capital estimates in the plan be incorporated in and form part of the 2009 Tax Levy By-law.

- [2009 Financial Plan.pdf](#)

(B) TENDER - AUTOMATED IRRIGATION SYSTEM FOR RECREATION CENTRE

That the low bid of Ful-Flo Industries Ltd. for irrigation upgrades to all 18 holes at the Recreation Centre Golf Course as per tender and specifications at a cost of \$299,199.25 (including GST) be accepted, and further that the net expenditure in excess of the 2009 Financial Plan of \$60,000 be charged to the Recreation Centre Reserve Fund.

- [Irrigation Tender - Rec. Centre Golf Course.pdf](#)

(C) AMENDMENTS TO BRANDON AND AREA PLANNING DISTRICT DEVELOPMENT PLAN

That the report of the General Manager of Development Services dated March 20, 2009 suggesting changes to the Brandon and Area Planning District Development Plan be received, and said changes be referred to the District's Board for inclusion in an amendment to the Development Plan.

- [BAPD Development Plan.pdf](#)

(D) 2009 PADDLE POOL REPORT

That the 2009 Paddle Pool report of the General Manager of Operational Services dated March 16, 2009 be received as information.

- [Paddle Pool 09 Rev.pdf](#)

(E) DISASTER FINANCIAL ASSISTANCE

WHEREAS overland flooding took place March 22 and 23, 2009 and resulted in many Brandon properties receiving extensive flood damage;

AND WHEREAS spring flood response activities continue;

NOW THEREFORE BE IT RESOLVED that the City of Brandon request that the Manitoba Emergency Measures Organization provide disaster financial assistance.

- [Disaster Financial Assistance.pdf](#)

12. By-laws

NO. 6919 TO AUTHORIZE THE POLICE STATION PROJECT AS A LOCAL IMPROVEMENT AND THE RELATED BORROWING OF \$12,994,000 AMENDMENT AND 3RD READING

That By-law No. 6919 to authorize the expenditure and borrowing of funds for the purpose of retrofitting and equipping the building at 10th Street and Victoria Avenue to create a Police Station as a local improvement be amended by:

1. deleting in the preamble the words: “provide for” and substituting therefor, the word: “authorize”;
2. deleting in the sixth “Whereas” clause, the words: “to issue debenture of The City of Brandon for” and substituting therefor, the words: “for The City of Brandon to borrow”; and
3. deleting Section 2 in its entirety and renumbering Sections 3 to 11 inclusive as Sections 2 to 10 respectively.

That the by-law, as amended, be read a third and final time.

- [Bylaw 6919.pdf](#)

NO. 6930

TO AUTHORIZE AS A LOCAL IMPROVEMENT THE CONSTRUCTION
OF A COMBINED FIRE STATION/EMERGENCY COMMUNICATIONS
CENTRE
AMENDMENT AND 3RD READING

That By-law No. 6930 to authorize the expenditure and borrowing of money for the construction of a combined Fire Station/Emergency Communications Centre as a local improvement be amended as follows:

1. by adding in the preamble, after the words: “authorize the”, the words: “expenditure and borrowing money for the” and by deleting after the words: “Communication Centre”, the words: “and to fund this project”;

2. by adding the following as the third “Whereas” clause:

“AND WHEREAS Section 172 of The Municipal Act provides, in part, as follows:

In this Division,

“borrowing” means the borrowing of money, and includes:

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,
- (e) issuing debentures”;

3. by adding the following as the fourth “Whereas” clause:

“AND WHEREAS subsection 174(1) of The Municipal Act provides as follows:

A municipality may make a borrowing only if

- (a) the borrowing is authorized by by-law; and
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5).”;

4. adding in the sixth “Whereas” clause, after the word: “necessary”, the words: “for the City of Brandon”, and by adding at the end of the clause, the words: “as hereinafter provided, which is the amount of the debt intended to be created by this by-law.”;

5. deleting in the ninth “Whereas” clause the figure: “\$1,280,804,160” and substituting therefor the figure: “\$1,315,268,410”;

6. adding the following as the tenth “Whereas” clause:

“AND WHEREAS the amount of the existing borrowing debt of the City of Brandon is \$9,824,589, of which no portion of the principal or of the interest thereon is in arrears.”;

7. adding in Section 2, after the word: “Project”, the words: “as a local improvement”;
8. deleting Sections 3, 4, 5 and 6 in their entirety and substituting the following therefor:
 - “3. That for the aforesaid project, the City of Brandon may borrow Eleven Million Dollars (\$11,000,000), such borrowing shall be issued by The City of Brandon in the Province of Manitoba, and shall be dated November 1, 2008 (the “said debentures”). The said borrowing is hereby authorized to be issued in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited (CDS”) with provision for payment of principal and interest by cheque sent by post to the registered address of the registered holder, or if authorized in writing, by electronic transfer.
 4. The said borrowing shall bear interest at the rate of 5.5% per annum, subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule “A” hereto on the 1st day of November in each of the years 2009 to 2028, both inclusive.
 5. That the issuance of borrowing shall be signed by the Mayor, or by some other person authorized by by-law to sign same, and by the City Treasurer of The City of Brandon, and there shall be affixed thereto the corporate seal of the said municipality.
 6. That during the currency of the said debentures; namely, in each of the years 2009 to 2028, both inclusive, there shall be raised annually by a special mill rate on all the rateable property, including otherwise exempt property in the City of Brandon, an amount sufficient to provide the principal and interest requirements hereunder.”; and
9. adding the following as Sections 7 and 8:
 - “7. That pursuant to subsection 174(3)(d) of The Municipal Act, pending the issue of the debenture, the Council of The City of Brandon may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Eleven Million Dollars (\$11,000,000).
 8. That during the term of the borrowing authorized herein, in any year where the debt remains unissued, the levies may be made as if the borrowing had been issued; and upon completion of the project authorized herein, the levies shall be applied in reduction of temporary financing, and when issued, the amount and term of borrowing shall be reduced accordingly.”

That the by-law, as amended, be read a third and final time.

- [Bylaw 6930.pdf](#)

NO. 6933 TO REZONE PROPERTY LOCATED AT 2 LAUREL BAY (LOT 1, BLOCK 4, PLAN 42059 BLTO) FROM RMH RESIDENTIAL MOBILE/MODULAR HOME ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (CITY OF BRANDON)
2ND AND 3RD READINGS

That By-law No. 6933 to rezone 2 Laurel Bay (Lot 1, Block 4, Plan 42059 BLTO) from RMH Residential Mobile/Modular Home Zone to RSF Residential Single Family Zone be read a second time.

That the by-law be read a third and final time.

- [Bylaw 6933.pdf](#)

NO. 6940 TO OPEN A CORNER CUT-OFF AT 523 - 2ND STREET (PT LOT 20, BLOCK 80, PLAN 8)
1ST READING

That By-law No. 6940 to acquire and open as a corner cut-off a portion of 523-2nd Street (Pt. Lot 20, Block 80, Plan 8) for improved cornering in the adjacent north/south lane be read a first time.

- [Bylaw 6940.pdf](#)

NO. 6941 2009 TAX LEVY BY-LAW
1ST READING

That By-law No. 6941, being the 2009 Tax Levy By-law, be read a first time.

- [Bylaw 6941.pdf](#)

NO. 6942 TO CLOSE A PORTION OF PARK STREET, SOUTH OF VAN HORNE AVENUE IN PLAN 9
1ST READING

That By-law No. 6942 to close and convey that portion of Park Street, south of Van Horne Avenue in Plan 9 to the City of Brandon be read a first time.

- [Bylaw 6942.pdf](#)

NO. 6943

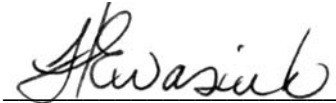
TO CLOSE AND CONVEY THE NORTH/SOUTH LANE IN BLOCK 7,
PLAN 223 LOCATED BETWEEN PARKER BOULEVARD AND MAPLE
AVENUE AND 16TH AND 17TH STREETS
1ST READING

That By-law No. 6943 to close and convey the north/south lane in Block 7, Plan 223 located between Parker Boulevard and Maple Avenue and 16th and 17th Streets to adjacent property owners be read a first time.

- [Bylaw 6943.pdf](#)

13. Giving of Notice

14. Adjournment



H. Ewasiuk
Deputy City Clerk