

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, OCTOBER 10<sup>TH</sup>, 2006 AT 7:30 P.M. 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 L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Councillor B. Smale, Youth Councillor S. Senkbeil

**ABSENT:** Nil

**ADOPTION OF AGENDA:**

1990 Brown-Rice  
That the Agenda for the Regular Meeting of City Council to be held on Tuesday, October 10<sup>th</sup>, 2006 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

1991 Jessiman-Barletta  
That the Minutes of the Regular Meeting of City Council held on Monday, September 25<sup>th</sup>, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) PERRY STONEHOUSE – BRANDON RIVERBANK INC.

Perry Stonehouse, President of Brandon Riverbank Inc., appeared before City Council to provide the annual update to City Council. He provided information on the capital developments and operations ongoing at the Riverbank, as well as a financial update and review of future plans.

1992 Black-Blight  
That the presentation by Perry Stonehouse with respect to the annual update on Brandon Riverbank Inc. be received. CARRIED.

**PUBLIC HEARINGS:**

(A) VARIATION – 2808 PRINCESS AVENUE (ROBAR)

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

Ted Snure, General Manager of Development Services appeared before City Council to advise that the applicant had been unable to obtain an arborist report on the condition of trees on her property, a requirement that had be recommended for approval of the application. Mr. Snure advised that Development Services was prepared to accept an alternate condition to the approval of the application, whereby the report could be submitted to Development Services when obtained.

Lynda Robar appeared before City Council in support of her application and to answer any questions. She stated that the purpose of the application was to provide for the addition of a 3-car garage on the property. Ms. Robar noted that there was a full grown Basswood and Manitoba Maple tree on the property and requested that a variation be granted in order to construct the garage without having to remove the existing trees.

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

1993 Chrest-Black  
That the Public Hearing for the variation application by Lynda Robar for 2808 Princess Avenue be concluded. CARRIED.

1994 Chrest-Smale  
That the variation application by Lynda Robar to reduce the minimum required easterly side yard of a reverse corner lot from 4.6m (15.09') to 1.524m (5') to construct a three car garage in the rear yard with access via the back lane at 2808 Princess Avenue (Lots 15/16 & Ely 15 feet of Lot 17, Block 68, Plan 15 BLTO) be approved, whereby such approval is hereby granted in accordance with the intent of the application dated September 14<sup>th</sup>, 2006, the letter of intent dated September 11<sup>th</sup>, 2006 and the attached drawing, subject to the existing driveway on 28<sup>th</sup> Street being closed and the curb and boulevard restored at the applicant's expense and completed by a bonded contractor. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) VERBAL REPORT - WESTMAN CENTENNIAL AUDITORIUM

OCTOBER 11<sup>TH</sup>, 2006

Councillor Blight presented a verbal report on the recent meeting of the Westman Centennial Auditorium Board Meeting held September 26<sup>th</sup>, 2006. He reported that the Board discussed several issues including a salary review, the installation of air conditioning which would be cost shared with the Province and the City of Brandon, the liability issue with the front entrance of the building, and recent and upcoming events at the Auditorium including the Fall into Fashion show, Brush Strokes, Anne of Green Gables and Grease. Councillor Blight encouraged the public to check out the Auditorium's website for a full list of upcoming events.

1995 Blight-Paterson  
That the verbal report of Council Blight on the Westman Centennial Auditorium Board Meeting held September 26<sup>th</sup>, 2006 be received. CARRIED.

ENQUIRIES:

(754) NOISE AT THE CANADIAN PACIFIC RAILWAY (CPR) YARDS

Councillor Paterson noted that the shunting operations at the Canadian Pacific Railway (CPR) Yards had been very loud at all hours of the night recently and requested a report from By-Law Enforcement as to whether CPR was subject to the noise control measures of the City.

His Worship the Mayor agreed to take this matter under advisement

(755) SPEED OF TRAFFIC ON MCDONALD AVENUE

Councillor Paterson referred to a September 2006 Ward Meeting in which concerns were raised with the speed of traffic on McDonald Avenue. He noted that this has been an ongoing issue despite the efforts of the Brandon Police Service and requested a report from Development Services as to what physical restrictions could be implemented to slow down traffic in this area.

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

(756) FLOOD CLAIMS FROM THE 2005 SUMMER STORM

Councillor Campbell referred to ward residents concerns regarding Federal assistance for the flood damage from the July 2005 summer storm and enquired as to when and how claims could be made.

His Worship the Mayor advised that he had been in touch with the Provincial Minister, The Honourable Steve Ashton to discuss this matter and that they did not have any details worked out yet with the Federal Government but that he understood that the information would be swift in coming and he hoped to have details to release very soon.

(757) TRAFFIC STUDY - 13<sup>TH</sup> STREET AND ABERDEEN AVENUE

Councillor Campbell advised that she had requested a traffic study be conducted in the area of 13<sup>th</sup> Street and Aberdeen Avenue in relation to a 3-way stop at this intersection and requested an update from the City Engineer when this study was completed.

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

(758) T-ALIGNMENTS ON 18<sup>TH</sup> STREET SOUTH

Councillor Campbell referred to a response from the Property & Traffic Co-ordinator to a previous enquiry in regards to the construction of t-alignments at the intersections of Maryland Avenue and Lyndale Drive on 18<sup>th</sup> Street South and enquired whether or not there was a timeline for the completion of these projects.

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

(759) WALKPATHS - PATRICIA AVENUE AND 18<sup>TH</sup> STREET

Councillor Campbell requested that 18<sup>th</sup> Street and Patricia Avenue be added to the City of Brandon Walkpath List.

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

(760) TRAFFIC LIGHTS - 9<sup>TH</sup> STREET & RICHMOND AVENUE

Councillor Campbell enquired whether there were plans to make the traffic lights at 9<sup>th</sup> Street and Richmond Avenue vehicle activated similar to those at the 6<sup>th</sup> Street and 13<sup>th</sup> Street intersections on Richmond Avenue.

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

(761) PEDESTRIAN CORRIDOR – ABERDEEN AVENUE & 18<sup>TH</sup> STREET

Councillor Campbell referred to the new pedestrian corridor that would soon be open on 18<sup>th</sup> Street across from the Zellers store, noting that the traffic lights at the corner of 18<sup>th</sup> Street and Aberdeen Avenue did not have a pedestrian corridor and enquired whether there were plans to construct one at this intersection.

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

(762) ODOR FROM CONSTRUCTION ON 13<sup>TH</sup> STREET

Councillor Campbell noted that she had received numerous complaints from area residents regarding the smell from the construction work being undertaken by Zenith Paving in the area in and around 13<sup>th</sup> Street. She further noted that she was of the understanding that there were products available to reduce this odor and enquired whether Zenith Paving was using these products appropriately.

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

(763) BRANDON TRANSIT POLICY ON STROLLERS

Councillor Barletta noted that he was pleased to see that a public meeting had been scheduled to address the concerns raised regarding the Brandon Transit Policy on baby strollers on City buses. Councillor Barletta noted that the same problem arose for senior citizens who used the push carts to carry their groceries and enquired whether this item could be added to the agenda of the meeting to be held on October 13<sup>th</sup>, 2006.

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

(764) SIDEWALK CLOSED – 800 BLOCK OF VICTORIA AVENUE (NORTH SIDE)

Councillor Barletta noted that he had received numerous complaints about the sidewalk being closed off on the north side of the 800 Block of Victoria Avenue due to the construction that was taking place on the new Renaissance Station. He enquired if some form of pedestrian access could be provided along this stretch.

At the request of the Chair, the City Manager advised that Administration had also received a number of complaints on this issue and that they had followed up with the developer. He further advised that due to the excavation taking place so close to the sidewalk there was a danger of the sidewalks collapsing and therefore, no pedestrian access would be allowed for safety reasons. He noted that there were pedestrian crossings at the lights at both the intersections of 8<sup>th</sup> Street and 9<sup>th</sup> Street and Victoria Avenue. He further advised that the City would work closely with the developer to make this inconvenience as short as possible.

(765) STATUS OF THE MOBILE SIGN BY-LAW

Councillor Blight enquired to the status of the City of Brandon Mobile Sign By-Law.

At the request of the Chair, the City Manager advised that currently provisions for mobile signs fell under the Zoning By-law, making enforcement difficult. He further advised that very shortly these provisions would be removed from the Zoning By-Law and a new separate by-law, enforced by City of Brandon By-law Enforcement Officers, would be presented to City Council for their consideration. He added that he hoped that this new by-law would be coming forward in November 2006.

(766) BICYCLE SAFETY – MAPLE LEAF EMPLOYEES

Councillor Blight referred to a concern raised by a ward resident with respect to the safety of Maple Leaf employees riding their bicycles to work in the dark. He noted that Canexus Ltd. has offered to donate a number of fluorescent vests and enquired whether the Brandon Police Service would be willing to do a short campaign to monitor these activities and hand out these vests on behalf of Canexus Ltd.

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

(767) BACKLANE LIGHTING – 500 BLOCK OF 2<sup>ND</sup> STREET

Councillor Rice referred to a City policy in regards to extra lighting being supplied by the City for safety purposes. He noted that there was a section of the 500 Block of 2<sup>nd</sup> Street that backed onto commercial property on 1<sup>st</sup> Street whereby the back lane was not lit and this caused some concerns. He enquired if this area could be added to the list of properties requiring extra lighting.

His Worship the Mayor noted that the business itself could provide this lighting at a minimal cost but that he would take this matter under advisement.

(768) RETENTION POND – 1<sup>ST</sup> STREET & RICHMOND AVENUE

Councillor Jessiman noted that the 2006 Engineering Budget included funds for improvements to the retention pond at 1<sup>st</sup> Street and Richmond Avenue and requested a report on the status of this project, inclusive of when those improvements could be expected.

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

(769) GREEN ACRES SCHOOL CLOSURE

Councillor Jessiman noted that a number of area residents had expressed concern with a rumour going around that Green Acres School was going to be phased out in the future. He enquired if a response could be obtained from the Brandon School Division as to whether or not there was any truth to this rumour.

His Worship the Mayor encouraged Councillor Jessiman, as Ward Councillor, to approach the Brandon School Division directly in this regard.

(770) INSPECTIONS - BRIDGES & OVERPASSES

Councillor Black referred to the inspection of bridges and overpasses in the City of Brandon and enquired as to who was responsible for these inspections, how frequently they took place and whether access to these inspection reports was available to the public.

His Worship the Mayor noted that the 8<sup>th</sup> Street Bridge was the responsibility of the City of Brandon but the 1<sup>st</sup> & 18<sup>th</sup> Street Bridges were the responsibility of the Province of Manitoba. He agreed to take the matter of frequency of inspections and access to those reports under advisement.

(771) WALKPATH LIGHTING – BALMORAL DRIVE TO MCLEOD DRIVE

Councillor Campbell noted that the walkpath from Balmoral Drive to McLeod Drive was very dark and was a serious safety concern. She requested that lighting be installed along this walkpath.

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

(772) BUFFERS BETWEEN COMMERCIAL & RESIDENTIAL PROPERTY

Councillor Campbell referred to a residence on 13<sup>th</sup> Street where there was only a 10 foot green space between the residence and the commercial property located behind it. She noted that if there was a back lane between the commercial property and the residence, an opaque fence would be required, but given that there was no back lane these residents were forced to look at just a chain link fence. She enquired if any assistance could be given to these residents to improve their view.

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

ANNOUNCEMENTS:

PROCLAMATION – CANADA WORLD YOUTH DAY – OCTOBER 19<sup>TH</sup>, 2006

His Worship the Mayor announced the following proclamation:

WHEREAS young people in all countries are key agents for social change and represent our collective hope for a more peaceful, tolerant, and just global society;

AND WHEREAS, in close to 600 host communities across Canada, Canada World Youth has created networks of people of different backgrounds and cultures, united by mutual respect and understanding;

AND WHEREAS thousands of host families in Canada and abroad have taken in Canada World Youth participants into their homes and have built strong, lasting relationships that have marked their lives;

AND WHEREAS Canada World Youth has given the opportunity to more than 27,000 young people from Canada and abroad the opportunity to see the world and become global citizens engaged in their communities;

AND WHEREAS the annual contribution of Canada World Youth participants' volunteer work in host communities represents close to 1 million hours each year – or the equivalent of 520 full-time jobs.

AND WHEREAS for 35 years, Canada World Youth's programs have fostered cross-cultural exchange, created closer ties within communities and among people from different backgrounds;

AND WHEREAS Canada World Youth fosters in young people the acquisition of the knowledge, skills, attitudes and values necessary for active community involvement;

AND WHEREAS Brandon proudly supports Canada World Youth's mission to increase the ability of people, and especially youth, to participate actively in the development of just, harmonious and sustainable societies;

NOW THEREFORE be it resolved that I, Dave Burgess, Mayor of the City of Brandon, do hereby proclaim October 19<sup>th</sup>, 2006 Canada World Youth Day for Brandon.

FORMER CITY COUNCILLOR MARGARET WORKMAN

His Worship the Mayor announced that Margaret Workman, who had served on Council for nine years, passed away last Thursday, and noted that the funeral would be held at St. Augustine's Church on Wednesday morning, October 11<sup>th</sup>, 2006 at 10:00 a.m.

IDLE FREE ZONE

Councillor Rice announced that he was pleased to see that City employees were being educated on the benefits of not idling City vehicles, noting that unnecessary or non-essential idling of equipment wasted fuel, created pollution, caused increased engine wear and cost a lot of money.

UNITED COMMERCIAL TRAVELERS' YOUTH FUN CLUB

Councillor Jessiman announced that he had attended a meeting of the United Commercial Travelers (UCT) held September 22<sup>nd</sup>, 2006 at which a report had been given on the successful Youth Fun Club. He noted that UCT had given \$20,000 towards sponsoring this club which had 1164 attendees between the two locations over the summer. He expressed his accolades to the UCT for their great work in the community.

UNITED COMMERCIAL TRAVELERS’ FUNDING FOR COMMUNITY CENTRES

Councillor Jessiman announced that he had met with three members of the United Commercial Travelers on October. 4<sup>th</sup>, 2006 who advised him that the UCT was prepared to give a one-time only donation of \$500.00 to each community club in the City of Brandon to assist with programs for youth betterment. He noted that any interested community clubs could contact him and he would provide further information.

RADAR CHECKS ON ABERDEEN AND MARYLAND AVENUES

Councillor Campbell announced that, due to a concern raised by an area resident, she had researched the number of radar checks being done on Aberdeen and Maryland Avenues and confirmed with Brandon Police Service that over a six month period there were 21 speeding tickets issued on Aberdeen Avenue and 29 speeding tickets issued on Maryland Avenue. She stated that this information proved that there were radar checks being done on these two avenues which should alleviate some of the concerns of area residents.

WARD AND AREA MEETINGS FOR RICHMOND WARD

Councillor Campbell announced that she had held a number of Ward and Area Meetings during her recent term of office and provided dates and locations of same.

GENERAL BUSINESS:

(A) LARK STREET AND CLARE AVENUE RIGHT-OF-WAY EXTENSIONS

Considered was a report from the Property and Traffic Coordinator dated September 20<sup>th</sup>, 2006 with respect to the above.

1996 Paterson-Jessiman  
That \$197,473.00 be expended from the Land Acquisition Reserve for the acquisition of property to extend Lark Street and Clare Avenue for the future development of the Black Property. CARRIED.

(B) LETTER OF UNDERSTANDING BETWEEN CITY OF BRANDON AND THE PROVINCE OF MANITOBA REGARDING THE FORMER BRANDON MENTAL HEALTH CENTRE PROPERTY

City Council considered a report from the General Manager of Development Services dated October 4<sup>th</sup>, 2006 with respect to the above.

1997 Paterson-Barletta  
That the City of Brandon enter into a letter of understanding with the Province of Manitoba setting out terms and conditions for the redevelopment of the former Nurse’s Residence and the Parklands Building on the former Brandon Mental Health Centre grounds as attached to the report from the General Manager of Development Services dated October 4<sup>th</sup>, 2006. CARRIED.

At the request of His Worship the Mayor, a recorded vote was taken on the above motion.

FOR  
His Worship the Mayor  
Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Brown  
Councillor Campbell

AGAINST  
Nil

Councillor Chrest  
Councillor Jessiman  
Councillor Paterson  
Councillor Rice  
Councillor Smale

(C) DESTINATION TAX

Submitted for consideration was a report from Councillor D. Jessiman dated September 26<sup>th</sup>, 2006 with respect to the above in accordance with his notice of motion filed at the September 25<sup>th</sup>, 2006 meeting of City Council.

1998 Jessiman-Black  
That consideration be given to applying a 2% destination tax on hotel/motel accommodations in the City of Brandon, dedicated to promotion of tourism, recreation and economic development. LOST.

1999 Jessiman-Campbell  
That Administration prepare a pro/con statement on the application of a destination tax in the City of Brandon including input from stakeholders for City Council prior to the December budget deliberations. LOST.

(D) BROWNFIELD REMEDIATION POLICY

Considered was a report from Councillor D. Paterson dated September 26<sup>th</sup>, 2006 with respect to the above in accordance with his notice of motion filed at the September 25<sup>th</sup>, 2006 meeting of City Council.

2000 Paterson-Barletta  
That Administration provide a report and recommendation regarding a consistent brownfield remediation policy, regardless of who owns the lands in question, or who the end users are. CARRIED.

(E) LEGISLATION FOR DISCLOSURE OF ELECTION EXPENSES

City Council considered a report from Councillor E. Black dated September 26<sup>th</sup>, 2006 with respect to the above in accordance with his notice of motion filed at the September 25<sup>th</sup>, 2006 meeting of City Council.

2001 Black-Rice  
That advice be provided to City Council on the steps to be taken to obtain legislation regulating contributions and expenditures for candidates in local elections in the City of Brandon and to require disclosure of such contributions and expenditures. LOST.

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

FOR  
Councillor Black  
Councillor Barletta  
Councillor Paterson  
Councillor Rice

AGAINST  
His Worship the Mayor  
Councillor Blight  
Councillor Brown  
Councillor Campbell  
Councillor Chrest  
Councillor Jessiman  
Councillor Smale



GIVING OF NOTICE:

(A) INFILL DEVELOPMENT ON 25' LOTS

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Barletta gave notice of his intent to introduce at the October 23<sup>rd</sup>, 2006 meeting of City Council the following motion:

“That Administration make a recommendation to City Council on an appropriate policy and by-law amendments to permit infill residential development on 25’ lots.

(B) COUNCIL COMMITTEE TO LIAISE WITH PROVINCIAL GOVERNMENT

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Black gave notice of his intent to introduce at the second meeting of City Council following the upcoming municipal election the following motion:

“That a 3 person committee of City Council be established to carry forward the wishes of Council to the Provincial Government on issues that are deliberated and supported by City Council to ensure that there is a follow-through on these matters.”

ADJOURN:

Jessiman-Barletta

That the meeting do now adjourn. (10:12 p.m.) CARRIED.

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MAYOR

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CITY CLERK