

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, NOVEMBER 20TH, 2006 AT 7:30 P.M. 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 L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Councillor B. Smale

ABSENT: Nil

ADOPTION OF AGENDA:

006 Blight-Harwood
That the Agenda for the Regular Meeting of City Council to be held on Monday, November 20th, 2006 be adopted as presented. CARRIED.

PRESENTATIONS AND RECOGNITION OF GUESTS

(A) INTRODUCTION OF YOUTH COUNCIL MEMBERS

Jamie Munro, a member of the Youth Council, introduced the remaining members of that Council.

CONFIRMATION OF MINUTES:

007 Campbell-Rice
That the Minutes of the Regular Meeting of City Council held on Monday, October 23rd, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Prior to voting on the above, Councillor Campbell noted that Enquiry No. 778 on Page 1141 should refer to the extension of the storm sewers in the area of 10th Street and Richmond Avenue, not 9th Street.

008 Barletta-Fitzpatrick
That the Minutes of the Inaugural Meeting of City Council held on Wednesday, November 8th, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) BARRY WOWK – CANADIAN NATIONAL SENIOR “AAA” BASEBALL CHAMPIONSHIPS

Barry Wowk appeared before City Council on behalf of the Canadian National Senior “AAA” Baseball Championships. He stated that the hosting of the Championships had been successful, both in its activities and financially and he reported that he was delighted to provide a cheque to the City to refund the seed money it had provided to assist in hosting the Championships.

In concluding, Mr. Wowk announced that Brandon had been named as the host city for the 2008 Championships.

009 Harwood-Paterson
That the presentation by Barry Wowk on behalf of the Canadian National Senior “AAA” Baseball Championships with respect to the refund of seed money from the Major Events Hosting Fund be received. CARRIED.

(B) CHARLENE YAWORSKY AND NICOLE FONTAINE – CITIZENS ADVISORY COMMITTEE

Charlene Yaworsky and Nicole Fontaine appeared before City Council on behalf of the Citizens Advisory Committee to the Correctional Service of Canada and provided a power-point presentation on the role and mandate of the Citizens Advisory Committee. A printed copy of the material was provided and reviewed and contact information was provided to anyone interested in becoming involved as a volunteer on the Committee.

McCrae-Fitzpatrick

010 That the presentation by Charlene Yaworsky and Nicole Fontaine regarding the Citizens Advisory Committee be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATIONS & PETITIONS:

(A) PETITION – RESURFACING OF KASIURAK BAY

A petition from residents on Kasiurak Bay with respect to resurfacing of that Bay was received and referred to Administration for consideration.

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(1) PLANNING COMMISSION PROCESS FOR COUNCIL NOTIFICATION

Councillor Blight enquired what the process would be for notifying City Council on planning issues now that the Planning Commission was operational and making the decisions on variation and conditional use applications.

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

(2) COMMERCIAL SNOW DUMPING

Councillor Blight referred to an article in the Brandon Sun regarding a snow dump site for commercial businesses now that the site in the East End of the City was no longer City property. He enquired whether or not the City had taken any steps to find a new site for commercial businesses that would alleviate any safety or environmental concerns the public had expressed.

At the request of the Chair, the City Manager advised that the City had not made any attempts to find another dumping site and there was no intention to do so. He noted that it had been made clear from 2001 that the property used for dumping was for sale and that if it sold, the site would no longer be available.

(3) CANADIAN PACIFIC RAILWAY (CPR) RAIL YARD NOISES

Councillor Paterson referred to a previous enquiry regarding the noise from the Canadian Pacific Railway Yards. He noted that in the response to that enquiry Transport Canada had offered to mediate between the City of Brandon and CPR. He enquired if same could be included with the motion of Councillor Blight whereby a meeting between City Council, Transport Canada, Canadian Pacific Railway and Canadian National Railway was requested.

His Worship the Mayor responded that it would be possible and agreed to take the matter under advisement.

(4) GEOGRAPHIC DISCRIMINATION ADHOC COMMITTEE

Councillor Paterson referred to a previously defeated motion regarding geographic discrimination between the City of Winnipeg and rural Manitoba. He enquired whether or not Council could set up a watchdog committee to keep track of those types of issues before they build up and cause problems and requested a recommendation from City Administration on that issue.

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

(5) FUTURE OF THE RECREATION CENTRE – STATUS OF REPORT

Councillor Harwood referred to public consultations held in late September 2006 regarding the future of the Recreation Centre and enquired when the report could be expected.

At the request of the Chair, the City Manager advised that a draft of the City of Brandon Recreation Master Plan was expected in early February 2007. Once Council had reviewed that document then individual issues such as the Recreation Centre would be dealt with in approximately late February or early March 2007.

(6) 22ND STREET PARKING – OTTAWA AVENUE TO RICHMOND AVENUE

Councillor Campbell noted that the enquiry she was about to raise dealt with a location that was in the Meadows Ward, however she had received numerous calls regarding vehicles parked on both sides of 22nd Street between Ottawa Avenue and Richmond Avenue. She noted that while this was beneficial in slowing traffic, it allowed for only one vehicle at a time to get through. She enquired if the issue could be investigated further.

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

(7) KELSEY BAY DRAINAGE AND SETTLING PROBLEMS

Councillor Campbell referred to the ongoing drainage and settling problems on Kelsey Bay. She noted that after discussions with the City Engineering Department she had referred those residents to the contractor/developer who in turn referred them back to the City. She stated that she felt caught in the middle and requested advice on the issue.

His Worship the Mayor advised Councillor Campbell to approach the City Engineering Department for a response.

(8) NEW TRANSIT MONEY FOR SUNDAY SERVICE

Councillor Barletta referred to the Throne Speech the previous week in which it was intimated that there would be new money coming from the Provincial and Federal Governments for Brandon Transit, which may allow expansion of service to Sundays. He enquired if the Mayor could elaborate on that subject.

His Worship the Mayor advised that it was still uncertain when, if at all, that money would be available. He further advised that if the subject money did become available, there would be consultation with Council, Administration and the Public before any decisions were made on how best to use it.

(9) 219 RIDEAU STREET – DRAINAGE PROBLEMS

Councillor Black referred to the drainage problems at 219 Rideau Street that had been an issue for the past 3 years and enquired whether or not a solution could be expected any time soon.

At the request of Chair the City Manager advised that the piping required to complete the work was expected very soon, the engineering drawings were almost complete and that the work was to be completed as soon as possible.

(10) PUBLIC SAFETY BUILDING UPDATE

Councillor Black enquired if an update was expected soon on the public safety building/firehall issue.

At the request of the Chair, the City Manager responded that the goal was to have this matter to Council at one of the December 2006 meetings, prior to which, there would be consultations with both the Fire and Police union executives.

(11) WASTEWATER TREATMENT PLANT - MAPLE LEAF FOODS

Councillor Black referred to the proposed Maple Leaf Foods/Wyeth/City of Brandon wastewater treatment plant and enquired if there had been any response from the senior levels of Government as far as funding. He further noted that he had heard a rumor that Maple Leaf Foods had a tender out already for some of the improvements and enquired if His Worship had any further information on that.

His Worship the Mayor advised that talks were on-going with both the Provincial and Federal Government on funding for the project. He further advised that the Province was in favour of the 3-way funding split between the Municipal, Provincial and Federal Governments but word had not yet been received from the Federal Government.

At the request of the Chair, the City Manager advised that Maple Leaf did have a tender out for improvements to the plant that would allow them to increase production, whereby he further noted that Maple Leaf would be responsible for 100% of the cost for those improvements.

ANNOUNCEMENTS:

CITY OF BRANDON RECREATION PLAN – PUBLIC CONSULTATIONS

Councillor Paterson announced that there would be two public meetings November 22nd and November 27th, 2006, beginning at 7:00 p.m. at the Riverbank Discovery Centre and encouraged the public to attend and give their input on the new City of Brandon Recreation Master Plan.

SHAPE FOODS SOD TURNING

Councillor Paterson announced that he had been happy to represent City Council at the sod turning ceremony for the new Shape Foods Plant. He noted that Brandon was home to a large hog processing plant, a rare estrogen production facility and soon would be home to a state-of-the-art flax processing facility.

SOUTH CENTRE WARD MEETING

Councillor Rice announced that a South Centre Ward Meeting would be held on Wednesday, December 6th, 2006, 7:00 p.m. at Central Community Centre.

RIVERVIEW WARD MEETING

Councillor Black announced that a Riverview Ward Meeting would be held, Tuesday, November 21st, 2006, 7:00 p.m. at the East End Community Centre with agenda items to include heavy trucks on 1st Street and Victoria Avenue. He further stated that he hoped the Property and Traffic Co-ordinator would be in attendance to answer questions.

MEMORIAL SERVICE BRANDON UNIVERSITY

Councillor Black announced that there would be a memorial service held on Wednesday, December 6th, 2006 at the Brandon University Student Union Building. This memorial was in honour of the 14 women murdered at the Poly Technique University in Montreal 17 years ago. He encouraged everyone to attend as there would also be discussion on the requirement of a plan of action to reduce violence against women.

BRANDON AND AREA COMMUNITY FOUNDATION GALA

Councillor Fitzpatrick announced that he had been privileged to represent City Council at the Brandon and Area Community Foundation Grants Gala on November 15th, 2006. He noted that the foundation distributed approximately \$75,000 in grants to various individuals and charities from the Westman area.

UNITED COMMERCIAL TRAVELLERS DONATIONS TO COMMUNITY CLUBS

Councillor Jessiman announced that the United Commercial Travellers had been pleased to present cheques in the amount of \$500 to nine different community clubs in Brandon to assist the clubs with youth programs.

MANITOBA LIVESTOCK EXPO – TASTE OF BEEF EVENT

Councillor Blight announced that he had been pleased to represent City Council at the Taste of Beef event held on November 2nd, 2006 in conjunction with the 32nd Annual Manitoba Livestock Expo.

GENERAL BUSINESS:

- (A) PROPOSAL TO SUBDIVIDE 1445, 1455 AND 1545 – 18TH STREET NORTH (MARBUCK ENTERPRISES LTD.)
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Considered was a report from the Planning Division of Development Services dated November 6th, 2006 with respect to the above.

Paterson-Harwood

011 That the application of Marbuck Enterprises Ltd. to subdivide 1445, 1455 & 1545 -18th Street North (Lots 2/4, Plan 45247 BLTO) be approved subject to:

- (i) the land being subdivided being consolidated with 1500 Clare Avenue and 1 Mockingbird Drive (Lots 2/6, Plan 45247 BLTO) as indicated on the site plan attached to the report of the Planning Division of Development Services dated November 6th, 2006; and
 - (ii) confirmation being received by the Planning Division of Development Services that arrangements have been made for a Joint Use Easement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Communications Inc. and Westman Communications Group.
- (B) PROPOSAL TO SUBDIVIDE 1140 RICHMOND AVENUE (4244771 MANITOBA LTD.)

Withdrawn at the request of the applicant.

(C) TENDER NO. 93/06 – CONTRACT “C” UNDERGROUND WORKS

Councillor Rice indicated his interest in the above noted matter as he worked in the industry and left the Chamber without any further discussion to avoid a conflict.

City Council considered a report from the Engineering Section of Development Services dated October 31st, 2006 with respect to the above.

Black-Paterson

012 That the low bid of Allen & Bolack Excavating Ltd. for Contract “C” Underground Works as per tender and specifications at a cost of \$825,052.27 be accepted. CARRIED.

(D) ADVERTISING CONCEPT OF CITY PAGE FOR A THREE YEAR TERM

Submitted for consideration was a report from the General Manager of Corporate Services dated October 6th, 2006 with respect to the above.

Campbell-Jessiman

013 That the “Advertising Concept of the City Page” be awarded to the Wheat City Journal for a three year term beginning December 1st, 2006 and ending November 30th, 2009. LOST

AMENDMENT

Black-Rice

014 That the above motion be amended by deleting therefrom the words: “three year term” and substituting therefor the words: “two year term”. LOST.

As a point of order, Councillor Paterson noted that e-mail information had been received by Council that day, which had not been available to the City’s review committee, and he requested clarification as to whether or not that information could be considered.

At the request of the Chair, the City Manager advised that a proposal had been called, clarification sought, and a decision on the results had been made by the review committee.

Barletta-Blight

015 That the “Advertising Concept of the City Page” be awarded to the Brandon Sun for a three year term beginning December 1st, 2006 and ending November 30th, 2009. CARRIED.

(E) COUNCIL COMMITTEE TO LIAISE WITH PROVINCIAL GOVERNMENT

Considered was a report from Councillor E. Black dated October 12th, 2006 with respect to the above in accordance with his Notice of Motion filed at the October 10th, 2006 meeting of City Council.

Black-Rice

016 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. LOST.

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

FOR

Councillor Black
Councillor Barletta
Councillor Rice

AGAINST

His Worship the Mayor
Councillor Blight
Councillor Campbell
Councillor Fitzpatrick
Councillor Harwood
Councillor Jessiman
Councillor McCrae
Councillor Paterson

(F) TRANSPORTATION OF DANGEROUS GOODS THROUGH BRANDON

City Council considered a report from Councillor M. Blight dated November 6th, 2006 with respect to the above.

Blight-Barletta

017 That a meeting be held between representatives from Canadian Pacific Railway and the Council of the City of Brandon for the specific purpose of discussing train speeds, the nature and extent of dangerous goods shipped through the City and any other related safety issues to achieve agreement on a mitigation strategy;

and further, that following the above noted meeting, if the Council of the City of Brandon is not satisfied, a formal complaint be lodged with Transport Canada. CARRIED AS AMENDED.

AMENDMENT

Paterson-Barletta

018 That the above motion be amended by adding following the words: "representatives from", the words: "Transport Canada,". CARRIED AS AMENDED.

AMENDMENT TO AMENDMENT

Rice-Black

019 That the amending motion be further amended by adding after the words: "Transport Canada", the words: "Canadian National Railway,". CARRIED.

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

FOR

Councillor Barletta
Councillor Black
Councillor Blight
Councillor Campbell

AGAINST

His Worship the Mayor
Councillor Fitzpatrick
Councillor Jessiman
Councillor McCrae

Councillor Harwood
Councillor Paterson
Councillor Rice

Prior to the above motion being voted on, Councillor Black suggested that data also be presented on the accidents that had taken place over the previous 20 years.

(G) LOBBY FOR “NO WORKING ALONE” REGULATION

It was noted that at the October 23rd, 2006 meeting of City Council, Councillor Jessiman gave notice of his intent to raise this issue at the November 20th, 2006, however, Councillor Jessiman requested that the item be removed from the Agenda as the item was currently being addressed by the Provincial Government.

BY-LAWS:

NO. 6849 - TO REPEAL BY-LAW NO. 6219/68/94 TO ESTABLISH FEES AND REGULATIONS FOR CONDUCTING RAFFLE LOTTERIES WITHIN THE CITY OF BRANDON

Considered was a report from the City Clerk dated November 14th, 2006 with respect to the above.

Black-Jessiman

020 That By-law No. 6849 to repeal By-law No. 6219/68/94 to establish fees and regulations for conducting raffle lotteries within the City of Brandon, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Black-Paterson

That the meeting do now adjourn. (9:49 p.m.) CARRIED.

MAYOR

CITY CLERK