

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, DECEMBER 4TH, 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 M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice, Youth Councillor Greg Bailey

ABSENT: Nil

ADOPTION OF AGENDA:

021 Blight-Fitzpatrick
That the Agenda for the Regular Meeting of City Council to be held on Monday, December 4th, 2006 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

022 Rice-Harwood
That the Minutes of the Regular Meeting of City Council held on Monday, November 20th, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) GLEN PARKER – PROPOSED NAME CHANGE FOR WESTBRAN STADIUM

Glen Parker appeared before City Council to review written material provided with respect to renaming the Westbran Stadium “Andrews Field” in honour of Neil Andrews and his continued dedication and commitment to amateur athletics, recreational facilities and the community at large. He further stated that the Steering Committee would conduct all the fund raising efforts necessary to provide approximately \$250,000 in upgrades to the facility.

023 Paterson-Blight
That the presentation by Glen Parker with respect to a proposed name change for Westbran Stadium be referred to the Administration for consideration and subsequent report at its earliest convenience. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) BOARD OF REVISION NOVEMBER 27TH, 2006

Mayor and Councillors
City of Brandon

In accordance with the provisions of The Municipal Assessment Act, I wish to provide the following report on the proceedings of the 2006 sittings of the Board of Revision.

This Board is appointed annually by City Council and sits for the purpose of revising the valuations contained in the City's Real and Personal Property Assessment Roll and the Business Assessment Roll. These documents are prepared each year for the City of Brandon by the Municipal Assessment Branch of Manitoba. The Board of Revision was comprised of myself, Don Cornell as Chairman, and Members Keith Timmons, Wes Shewchuk, and Don Partrick.

The hearings to revise the 2007 Real and Personal Property and Business Assessment Rolls were held in October, 2006.

2007 REAL & PERSONAL PROPERTY ASSESSMENT ROLL

With respect to the 2007 Real and Personal Property Assessment Roll, a total of thirty-six (36) applications were submitted for revision in accordance with the provisions of The Municipal Assessment Act (compared to 67 in 2005, 8 in 2004, 37 in 2003, and 59 in 2002). Fifteen applications were subsequently withdrawn. The results of the Board's decisions are as follows:

<u>Confirmed</u>	<u>Dismissed</u>	<u>Withdrawn</u>	<u>Assmt. Decreased</u>	<u>Assmt. Increased</u>	<u>Classification Change</u>	<u>Status Code Change</u>
11	0	15	9	0	2	0

Of the nine assessments decreased, four applications were filed by the Assessment Branch to correct errors on the assessment roll and were approved. These corrections resulted in a reduction in assessment of \$69,900 and a change in classification for one property. Seventeen applications were submitted by property owners or their agents and were deliberated by the Board. Of the applications considered, 1 was a multiple family residence, 7 were commercial properties, 8 were industrial properties and 1 was farmland.

The assessed value of properties for eleven (11) of the applications were confirmed (no change), while five (5) applications were awarded reductions in assessed value by the Board. I would also note that prior to the appeals being heard by the Board of Revision, the Assessment Office was able to reach an agreement with four (4) of the property owners on a revised assessment which the parties agreed was fair and equitable. These agreements were then confirmed by the Board of Revision members.

The total impact of the above decisions was a reduction in the 2007 Real Property Assessment of \$297,800 (0.01 % decrease in total taxable assessment).

2006 SUPPLEMENTARY TAX STATEMENTS

The 2006 Supplementary Tax Statements were dealt with in conjunction with the above assessment rolls and five (5) applications were submitted for revision (compared to 8 in 2005, 3 in 2004, 9 in 2003, and 2 in 2002). Four applications were subsequently withdrawn. The following decisions were made:

Confirmed	Withdrawn	Assmt. Decreased	Assmt. Increased	Classification Change	Liability to Taxation
0	4	1	0	0	0

The decisions made by the Board of Revision resulted in a total reduction in assessment of \$5,000. The reduced assessment was due to a decrease in the building assessment for a residential property based on a recommendation from the Municipal Assessment Branch.

The following is a breakdown of the effect of the decisions of the Board of Revision on the preliminary assessment roll for the year 2007 and the 2006 supplementary tax statements.

2007 Real & Personal Property Assessment

Current Taxable Assessment Value (preliminary assessment)	\$2,473,977,600
Reduction by Board of Revision	\$297,800
Revised Value (subject to appeal to Mun. Board)	\$2,473,679,800

2006 Supplementary Assessment

Current Taxable Assessment Value	\$68,623,000
Reduction by Board of Revision	\$5,000
Revised Value	\$68,618,000

APPEALS TO THE MUNICIPAL BOARD

Under the provisions of The Municipal Assessment Act, the decisions made by the Board of Revision on the amount of an assessed value or a classification of property may be appealed to The Municipal Board of Manitoba. Appeals concerning the liability to taxation can be made to the Court of Queen’s Bench. This must be done not later than 21 days after the day on which a copy of the Board of Revisions= decision was sent to the applicant. To date, no 2007 decisions of the City of Brandon Board of Revision have been appealed to The Municipal Board. Last year, 16 decisions of the Board were appealed to The Municipal Board. Three appeals have been subsequently withdrawn, 7 appeals have resulted in further reductions to the assessed value of properties, and 6 are still pending before The Municipal Board.

CONCLUSION

In accordance with Section 54(6) of The Municipal Assessment Act, I wish to report that the Real and Personal Property Assessment Roll and the Business Assessment Roll for the year 2007 are now considered final and binding on all parties concerned, with the exception of those appeals filed with the Municipal Board of Manitoba.

Respectfully submitted,

“D. Cornell”

Chairman

Black-Harwood

That the report from the Board of Revision dated November 27th, 2006 with respect to the proceedings of the assessment appeal hearings by the Board be received. CARRIED.

(B) WESTERN MANITOBA CENTENNIAL AUDITORIUM
VERBAL REPORT

DECEMBER 4TH, 2006

Brandon, Manitoba
December 4th, 2006

Mayor and Councillors
City of Brandon

Councillor Blight provided a verbal report on the Western Manitoba Centennial Auditorium Board meeting held early that day and advised that there were 17 events upcoming in the month of December. He further advised that the capital budget for the Auditorium was under review due to some unexpected expenses being incurred.

Blight-Paterson

025 That the verbal report by Councillor Blight with respect to the Western Manitoba Centennial Auditorium be received. CARRIED.

ENQUIRIES:

(12) POLICE TICKET QUOTA SYSTEM

Councillor McCrae referred to the announcement that the Brandon Police Service had implemented a quota system. He noted that there was much confusion about the system itself and the reasons for its implementation and requested clarification on the issue.

His Worship the Mayor responded that this was neither a quota system, nor a money grabbing scheme, but rather a performance management system. He clarified that City Council had no influence whatsoever in its implementation. He noted that the way the announcement was made and the fact that some of the information provided was inaccurate caused unnecessary alarm.

At the request of the Chair the City Manager reaffirmed that there were some performance expectations put in place but they were minimal in nature. He noted that the focus was on performance management and did not take away the discretion of officers to deal with matters in a way that they deemed to be effective. He further noted that the increased amount of time officers would be in contact with the public had the potential to reduce crime and traffic offences.

Further to this issue Councillor Barletta requested clarification on the difference between a quota system and a performance management system given that there was still an expectation for officers to write 10 tickets per month. He enquired what the typical standard amount of tickets written per officer had been in the months prior to the implementation of this system.

At the request of the Chair the City Manager responded that number of tickets written had varied from officer to officer and that he did not have an average number. He further emphasized that the system did not take away the officers' abilities to use discretion nor was it a solid black and white number but rather understood that officers would be involved in other types of activities in the community which warrant an expenditure of time that didn't permit them to meet the 10 tickets per month.

Further to this issue Councillor Paterson noted that perhaps the emphasis should be an increased amount of contact with the public rather than an increased amount of tickets written. He noted that the City Manager had stated that the emphasis would be increased public contact rather than increased ticket amounts but enquired whether by stating this fact the public outcry and alarm would lessen.

At the request of the Chair the City Manager responded that it was the way of describing the performance management objective that had caused concern. He agreed with Councillor Paterson that the overall objective was increased contact with the public and creating a strong showing of police presence; thereby reducing traffic violations and general crime. He further noted again that the objective was public safety not increased revenue.

(13) STATUS OF DERELICT BUILDING BY-LAW

Councillor Paterson enquired as to the status of the derelict building by-law, noting that reports from area residents indicated that the process was slow, and requested an update from Administration.

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

(14) ON-LINE COVERAGE OF CITY COUNCIL MEETINGS

Councillor Paterson noted that televised City Council Meetings were not accessible to all households in Brandon and enquired whether on-line coverage of meetings would be possible and requested a report on same.

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

(15) ECONOMIC DEVELOPMENT OPPORTUNITIES

Councillor Paterson referred to Brandon being a perfect market test size in the past and enquired why that didn't seem so now. He referred to a program in Toronto in which that City worked with Ontario One (Ontario Hydro) to make downtown Toronto an internet hotspot. He enquired whether the City of Brandon could look at the same type of program and work with Manitoba Hydro to create an internet "hot-spot" downtown.

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

(16) SIDEWALK AND ROAD CLEARING AFTER SNOWFALL

Councillor Barletta noted that he had been very satisfied with the speed of snow removal on City streets following the recent snowfall but enquired as to the policy for snow removal on City sidewalks, particularly what where the responsibilities of homeowners versus the City.

His Worship the Mayor responded that there had been a report on the snow removal policy requested and that it would be forthcoming to City Council in the very near future.

(17) ACCIDENT RATE – 6TH STREET & QUEENS AVENUE

Councillor Jessiman enquired to and received a response from the Brandon Police Service as to the accident rate at the corner of 6th Street and Queens Avenue.

(18) DOWNTOWN BRANDON BUSINESS IMPROVEMENT AREA (BIA) LEVIES - PLANS FOR THE EXCESS FUNDS

Councillor Jessiman enquired to and received a response from the General Manager of Development Services as to the plans for the excess funds from the Downtown Brandon Business Improvement Area Levies.

(19) DRIVEWAY CLEARING AFTER PLOUGHING

Councillor Jessiman noted that he had received some very positive calls from area residents who were pleased with the new program whereby driveway clearing was now part of the street clearing process. He requested that this positive feedback be shared with the appropriate City Department.

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

(20) COMMUNITY ARCHIVES COMMITTEE – STATUS REPORT

Councillor Black referred to a previous enquiry regarding the formation of a Community Archives Committee and enquired whether the committee had in fact been formed and requested an update on same.

At the request of the Chair the Heritage Resources Officer confirmed that interested Councillors, including former Councillor Beth Smale, had put their names forward to sit on this committee but with the election of a new Council there could be some changes to the committee. She noted that a request was submitted to the Director of the Association of Manitoba Archives for guidance with the preferred focus of the Committee and that avenue would be pursued further very shortly.

(21) BRANDON GREYS COMMEMORATIVE PLAQUE

Councillor Black noted that City Council and the Brandon Municipal Heritage Committee had agreed to purchase a commemorative plaque for the Brandon Greys and have the plaque mounted at Westbran Stadium and enquired when this could be expected to be complete.

At the request of the Chair the Heritage Resources Officer responded that the plaque had been purchased and would be mounted at Westbran Stadium in the Spring when weather permitted.

(22) KEYSTONE CENTRE GROUNDS – DISPLAY BUILDING NUMBER II

Councillor Black referred to previous discussions regarding the Display Building Number II at the Keystone Centre Grounds and the Canadian Curling Hall of Fame. He noted that in a previous presentation to City Council a gentleman representing the Canadian Curling Hall of Fame Committee had intimated that City Council would be receiving progress reports and noted that none had been forthcoming and enquired if same could be requested. He further noted that Display Building Number II was a designated heritage building and enquired if an update could be sought from the Keystone Centre on their plans for the building given that it was not going to be used for the Hall of Fame.

His Worship the Mayor advised that no progress reports would be forthcoming as the original presentation was strictly a delegation presentation to Council and that while some Councillors had requested progress reports, there was no motion of Council in regards to same and the Hall of Fame Committee was under no obligation to provide them. He further responded that the Keystone Centre owned Display Building Number II and had no obligation to City Council as to the plans for the building. He stated that he hoped Council would be kept informed of the plans, but again, there was no obligation to do so.

(23) CONDITION OF BRANDON BRIDGES

Councillor Black referred to a previous enquiry in regards to the condition of bridges in Brandon and availability of inspection reports for same. He noted that he had not yet received a response to this enquiry and had since received phone calls from area residents with questions/concerns regarding re-bars exposed on the First Street Bridge and concrete falling from the Eighth Street Bridge and enquired as to when a response could be expected.

His Worship the Mayor advised that he had written a letter to the Bridges and Structures Branch of the Provincial Government but no response had been received. He stated that he hoped that response would arrive soon.

(24) MID-ASSINIBOINE CONSERVATION DISTRICT

Councillor Black referred to a previous application by the City of Brandon to become a member of the Mid-Assiniboine Conservation District and noted that at that time the fees would have been too high for the City but he understood that the District was going to reassess the rates to accommodate the City as a member and requested an update on the progress.

At the request of the Chair the General Manager of Development Services advised that at the time of the application the uncertainty of the future of the Brandon and Area Planning District caused some concerns with the Mid-Assiniboine members. He further advised that since then the Conservation Districts have undertaken some restructuring through amalgamation but he guaranteed the City of Brandon was on the list to become a member and stated that the Conservation District Convention was currently being held in Brandon and he intended to discuss the membership issue with the Secretary of the District during his visit to the convention.

(25) COUNCIL ENQUIRIES ON THE CITY WEBSITE

Councillor Black enquired about the possibility of posting the Council enquiries and responses on the City of Brandon website, noting that this would get the information out to the public much faster and easier.

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

(26) WATERFALL OF LIGHTS – HOURS OF OPERATION

Councillor Fitzpatrick enquired as to the hours of operation and the length of time the Waterfall of Lights was operating for this season.

His Worship the Mayor advised that the hours of operation were from 5:30 p.m. to 11:30 p.m. and weather permitting it was scheduled to be operational until late March. He encouraged everyone to take a drive through this spectacular show and extended his thanks to the City Staff and volunteers who worked so hard to make this possible.

(27) UPDATE ON 2005 FLOOD CLAIMS

Councillor Fitzpatrick enquired as to the status of the response from the Federal Government in regards to financial assistance to the victims of the July 2005 flood.

His Worship the Mayor advised that he had met with officials from the Province of Manitoba while in Winnipeg last week and was advised that they were definitely on board but were also awaiting a response from the Federal Government. He further advised that he had written a letter to the Federal Government requesting a positive resolution to this issue as soon as possible but he had not yet received a response.

Further to this issue Councillor Campbell noted that she understood that both the Federal and Provincial Government seemed to be in agreement that this was indeed overland flooding and the victims were entitled to compensation and enquired whether it was the Provincial or Federal Government that seemed to be holding up the process.

His Worship the Mayor advised that there had been a flat refusal for assistance from the Federal Government when the original request was made but the newly elected Federal Government had agreed to provide compensation. He stated that the issue appeared to be whether or not this was a one time occurrence or whether it was necessary to change legislation to provide for future occurrences. He further stated that he sincerely hoped this issue would be resolved before another Federal Election was called.

(28) CITY OF BRANDON COMMUNICATION PLAN

Councillor Fitzpatrick advised that he was working on a communication plan for his ward and was of the understanding that there was a City of Brandon communication plan being worked on as well. He stated that he would like to see the City's plan before he completed and distributed his own plan to Linden Lanes Ward residents and enquired as to the status of this plan.

At the request of the Chair the City Manager responded that development of a Corporate Communication Strategy was underway and was expected to be brought to City Council in February of 2007. He advised that this strategy would include the potential use of a customer service tracking system, more effective use of the City Page, more effective use of media releases and other communications tools as well as potential increased use of the Access 12 Channel and further improvements to the City of Brandon website. He further advised that this strategy would also include increased staff training and development.

(29) SNOW REMOVAL POLICY – FACT SHEET

Councillor Fitzpatrick advised that he had received numerous calls from area residents after the recent snow fall and realized that he may have given out some inaccurate information regarding the snow removal policy. He enquired whether it would be possible for City Council to be provided with a "cheat sheet" which would include current, at glance information on snow removal from streets, back lanes, sidewalks and walking paths.

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

(30) FLOODING – ASHGROVE BOULEVARD, EVERGREEN BOULEVARD AND PARKDALE DRIVE

Councillor Fitzpatrick referred to recent flooding problems on Ashgrove Boulevard, Evergreen Boulevard, and Parkdale Drive and enquired if any steps had been taken to avoid this problem in the future.

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

(31) SNOW PILES – SAFETY CONCERNS

Councillor Blight referred to the various snow piles on parking lots throughout the City and stated he wished to remind businesses of the safety/liability concerns when children play on these piles.

(32) MANITOBA FIRE COLLEGE PRESENTATION TO COUNCIL

Councillor Blight stated that he had been in conversation with representatives of the Manitoba Fire College and that they would be coming to City Council in the future with a presentation on the changes to their program, including the possible expansion in the number of students in the program.

(33) INFORMAL MEETING WITH THE NEW COUNCILS OF THE RURAL MUNICIPALITIES OF CORNWALLIS AND ELTON

Councillor Blight suggested that an informal get together with the City of Brandon Council and the Councils of the Rural Municipalities of Cornwallis and Elton might be beneficial and enquired if same could be set up in the near future.

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

(34) RECREATION CENTRE BOOKINGS

Councillor Blight stated that he had been in discussion with the City Manager and wished to confirm that even though the future of the Recreation Centre had not yet been decided, event bookings for the Centre were still being accepted.

ANNOUNCEMENTS:

SOUTH CENTRE WARD MEETING

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

MANITOBA CONSERVATION DISTRICT CONFERENCE

Councillor Paterson announced that the annual conference was underway at the Keystone Centre and noted that he had spoken with the District President who encouraged all members of Council to attend at some point over the next couple of days

WARD MEETING ADVERTISING

Councillor Paterson announced that during his campaign it was brought to his attention that advertising seemed to be lacking for ward meetings. He advised that he had purchased three white sign boards that he would be willing to lend to other members of Council for advertising purposes.

GENERAL BUSINESS:

(A) DEVELOPMENT OF A BY-LAW TO FREEZE ASSESSMENT ON RESIDENCES 80 YEARS OF AGE OR OLDER

Considered was a report from His Worship the Mayor dated November 21st, 2006 with respect to the above.

Burgess-Barletta

026 That a by-law be prepared to provide an application process for a five year assessment freeze, on the municipal portion only, for residences 80 years of age or older that undergo renovations or enhancements that increase the assessed value. CARRIED.

(B) WITHDRAWN

(C) PAPERLESS CITY COUNCIL AGENDA

City Council considered a report from the City Clerk dated November 10th, 2006.

Rice-Barletta

027 That the agenda packages for open meetings of City Council be produced and made available electronically to members of Council and the public by posting same on the City of Brandon website and that such be implemented following the required training being taken and the necessary equipment being purchased and installed. CARRIED.

(D) WITHDRAWN

(E) CORPORATE AND PURCHASING CARD SERVICE PROVIDER

Submitted for consideration was a report from the General Manager of Corporate Services dated November 24th, 2006 with respect to the above.

Harwood-Jessiman

028 That the "Corporate and Purchasing Card Service Provider" be awarded to the Bank of Montreal at the rate of \$20 annual fee per corporate and purchasing card. CARRIED.

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

It was noted that this by-law had received first reading at the November 20th, 2006 meeting of City Council.

Rice-Jessiman

029 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 second time. CARRIED.

Rice-Jessiman

030 That this 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. 6849 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. 6852 - BY-LAW NO. 6852 – ANNUAL SCHEDULE OF FEES

Considered was a report from the General Manager of Corporate Services dated November 17th, 2006 with respect to the above.

Fitzpatrick-Harwood

031 That By-law No. 6852, being the Annual Schedule of Fees By-law, be read a first time. CARRIED.

GIVING OF NOTICE:

(A) ACCESSIBLE SNOW DUMPING IN THE CITY OF BRANDON

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Blight gave notice of his intent to introduce at the December 18th, 2006 meeting of City Council the following motion:

“That Administration provide a recommendation to City Council with respect to having an area for accessible snow dumping in the City of Brandon.”

(B) MAKING THE EASTERN ACCESS A PRIORITY

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Black gave notice of his intent to introduce at the December 18th, 2006 meeting of City Council the following motion:

“That Manitoba Transportation and Government Services be advised that the Council of the City of Brandon has determined the Eastern Access to be the number one priority for highway construction/upgrading for the City and surrounding area.”

ADJOURN:

Paterson-Barletta

That the meeting do now adjourn. (9:00 p.m.) CARRIED.

MAYOR

CITY CLERK