

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, APRIL 2, 2007 AT 7:30 PM 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 Jamie Munroe

ABSENT: Nil

PRESENTATIONS AND RECOGNITION OF GUESTS:

Nil

ADOPTION OF AGENDA:

170 Fitzpatrick-Harwood
That the Agenda for the Regular Meeting of City Council to be held on Monday, April 2, 2007 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

171 Blight-Fitzpatrick
That the Minutes of the Regular Meeting of City Council held on Monday, March 19, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) 1ST REGIMENT ROYAL CANADIAN HORSE ARTILLERY - FREEDOM OF THE CITY PARADE - APRIL 14, 2007

Considered was a power point presentation by Lt. Col. P.J. Williams with respect to the above.

172 Black-Harwood
WHEREAS the Freedom of the City of Brandon was conferred upon all Soldiers of The First Regiment Royal Canadian Horse Artillery by the Council of the City of Brandon on May 25, 1996;

AND WHEREAS such freedom was conferred in recognition of the high esteem in which all Gunners are held by the Citizens of Brandon and of their many years of loyal and devoted service to our beloved Queen and Country;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Brandon, by these presents, confer upon all Soldiers of The First Regiment Royal Canadian Horse Artillery the right, honour and distinction of exercising all customary regimental privileges when parading or marching through the streets of this City on ceremonial occasions and in particular, The Freedom of the City of Brandon Parade to be held on Saturday, April 14, 2007. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE BOARD OF DIRECTORS MEETING
VERBAL REPORT

APRIL 2, 2007

Brandon, Manitoba
April 2, 2007

Mayor and Council
City of Brandon

Councillor Fitzpatrick provided a verbal summary of the written material distributed to City Council with respect to the Keystone Centre's operational income/loss, annual funding contributions by leadership group, interest costs and analysis of artificial ice revenue and expenses. He advised that a delegation from the Keystone Centre would appear before City Council in May to provide an update and answer questions.

Paterson-Harwood

173 That the verbal report by Councillor Fitzpatrick with respect to the Keystone Centre Board of Directors be received. CARRIED.

ENQUIRIES:

(105) SPRING CLEAN-UP

Councillor Paterson enquired whether or not any City sponsored Spring clean-up initiatives were planned.

His Worship the Mayor responded that in the past the City had assisted with many neighborhood clean-ups initiated by the residents and planned to do so again this Spring but that he would take this matter under advisement.

(106) 18TH STREET NORTH - TIMELINES FOR UPGRADES

Councillor Blight referred to previous enquiries and subsequent responses regarding improvements to 18th Street North and 1st Street North. He noted that upgrades were planned to reduce congestion and improve traffic flow and enquired as to the timelines for completion of same.

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

(107) FOTHERINGHAM DEVELOPMENT - WATER ISSUES

Councillor Blight advised that he had received an enquiry from an area resident in regards to water issues in the Fotheringham Development and requested an update on same.

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

(108) 34TH STREET AND DARRACH BAY - SEWER BACK-UP DAMAGE

Councillor Blight referred to a recent incident whereby a sewer back-up caused damage to some residences in the area of 34th Street and Darrach Bay and enquired as to the status of compensation claims for the affected property owners.

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

(109) DOWNTOWN SUMMIT - APRIL 4TH, 2007

Councillor Harwood referred to the Downtown Summit scheduled for April 4, 2007 at the Town Centre and requested confirmation on the format, time and location.

His Worship the Mayor advised that the Summit was to be held in the northwest atrium of the Town Centre at 7:00 p.m., on Wednesday, April 4, 2007. He further advised that a professional facilitator would conduct the Summit, with many topics to be discussed. He noted that this was not just for downtown merchants but rather for anyone interested in downtown Brandon and encouraged everyone to attend.

(110) LEAF RAPIDS BY-LAW TO BAN PLASTIC BAGS

Councillor Harwood referred to recent news reports in regards to a new by-law in the Town of Leaf Rapids whereby the use of plastic bags by town merchants was banned. He noted that a by-law would not be the answer for the City of Brandon but enquired whether or not any environmental initiatives such as this were planned.

His Worship the Mayor advised that he was not aware of any such initiatives within the City but noted that it was possible that the Environmental Committee of the Community Strategic Plan had looked at the issue of plastic bags and may have a presentation to City Council planned for the future.

(111) SOUTH END WALKING PATH

Councillor Campbell referred to the need for a walking path in the South End of the City in the vicinity of the Brandon Shoppers Mall. She noted that many people were currently forced to walk on the road in this area and enquired whether or not the construction of a walking path was planned in the near future.

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

(112) 18TH STREET AND MARYLAND AVENUE

Councillor Campbell referred to vehicles turning west on Maryland Avenue off 18th Street South and noted that because there was no turning lane, and only one lane of traffic with no signage, this was an extremely confusing corner and potentially dangerous. She enquired whether or not this situation could be reviewed and remedied.

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

(113) ACCOLADES TO PUBLIC WORKS CREWS

Councillor Campbell expressed her thanks to the Public Works Crews who pumped the water out of the Maryland Avenue Playground before any accidents happened. She noted that it was constantly monitored after every rainfall to ensure that it had not pooled to dangerous levels.

His Worship the Mayor advised that he would ensure this message was passed on to the crews.

(114) BASEMENT FLOODING - 1500 BLOCK OF 8TH AND 9TH STREETS

Councillor Jessiman referred to a letter he had received from residents in the 1500 Block of 8th and 9th Streets whereby they expressed concern about their basements consistently flooding. He noted that the residents were frustrated because the sump pumps currently in use couldn't keep up with the water volume coming in. He enquired whether or not the situation could be evaluated by City Administration as soon as possible to determine whether or not any assistance could be provided.

Further to the above, Councillor Campbell reported that she too had received an enquiry from an area resident and subsequently spoken with the City Engineer who advised that the whole issue of where the water was coming from would be looked at in a review of the situation.

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

(115) BUILDING STANDARDS BY-LAW - BACK-FLOW VALVE REQUIREMENTS

Councillor Rice noted that he had perused the City of Brandon Building Standards By-Law to determine whether it contained a requirement for property owners to have back-flow valves installed on main feeder sewage lines which lead out to City streets. He noted that he found no such requirement in the by-law and enquired if same did exist, and if so, if he could be provided with a copy of it.

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

(116) LINE PAINTING ON 1ST STREET AND MCTAVISH AVENUE

Councillor Rice referred to the requirement for line painting in the area of 1st Street and McTavish Avenue and enquired if same was scheduled for this Spring.

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

(117) 1ST STREET AND ROSSER/PACIFIC AVENUE SITE CLEAN-UP

Councillor Black requested an update on the status of the scheduled clean-up for the former Weiss property on 1st Street in the vicinity of Rosser and Pacific Avenues.

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

(118) INCREASE IN CROW POPULATION WITHIN THE CITY

Councillor Black noted that he had received several calls recently regarding the increased population of crows within the City and noted that some cities had implemented programs to deal with pests such as these. He enquired whether or not the Zoology Department of Brandon University could be commissioned to conduct a review of pest control policies across Canada and report back to City Council.

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

(119) BRANDON UNIVERSITY/YMCA WELLNESS CENTRE BUSINESS PLAN

Councillor Black referred to the proposed Brandon University/YMCA Wellness Centre and enquired whether or not a business plan had been prepared.

His Worship the Mayor advised that he was not aware of the existence of a business plan but noted that any information received would be shared with City Council. He further advised that if the City was expected to partner in the project, involvement in such plans would be a requirement.

(120) SNOW PILES AROUND PARKING METERS

Councillor Black referred to the huge piles of snow that existed throughout the winter around parking meters. He noted that same made it difficult for people trying to put money in the meters and advised that he had received a call from a citizen who had been injured when they fell on one of these piles. He enquired whether or not a policy could be looked at whereby people would not be expected to plug the meters when snow piles prohibited them from getting close enough to them.

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

(121) 8TH STREET BRIDGE

Councillor Black noted that he had received complaints from people who operated mobility devices on the 8th Street Bridge regarding the danger of coming off the ends of the bridge onto the street or sidewalk. He enquired whether or not the situation could be reviewed for improvements.

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

(122) INSTALLATION OF RUMBLE STRIPS IN SCHOOL ZONES

Councillor Black referred to previous enquiries regarding pedestrian safety in School Zones. He noted that various issues had been discussed with respect to reduced speed limits, installation of pedestrian crosswalks etc. and enquired whether or not the installation of rumble strips to control speed had ever been considered.

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

ANNOUNCEMENTS:

UNITED WAY 70TH ANNIVERSARY CELEBRATION

Councillor Blight announced that he had been pleased to represent His Worship the Mayor and City Council at the United Way 70th Anniversary Celebration held on March 22, 2007 at the Victoria Inn.

KIDSPORT SPORTFEST EVENT

Councillor Blight announced that the 4th Annual Kidsport Sportfest Event would be held in the Manitoba Room of the Keystone Centre on Sunday, April 15, 2007 from Noon to 4:00 p.m. He noted that admission was free and that there were many children's activities planned. He encouraged anyone with a young family to attend.

MANITOBA SPORTS HALL OF FAME AWARDS DINNER

Councillor Blight announced that the Manitoba Sports Hall of Fame Awards Dinner would be held at the UCT Pavilion of the Keystone Centre on Saturday, April 21, 2007. He further announced that this was the first time this event would be held outside of Winnipeg and noted inductees included former Brandon University Basketball Coach Jerry Hemmings, the Mabel Mitchell curling team and others.

POTHOLE HOTLINE

Councillor Rice announced that the pothole hotline was once again in operation and encouraged citizens to call (204) 729-2200 to advise City crews of potholes in need of their attention.

ASSINIBOINE COMMUNITY COLLEGE - MAKE POVERTY HISTORY AWARENESS CAMPAIGN

Youth Councillor Jamie Munro announced that Assiniboine Community College would be hosting a Make Poverty History Awareness Campaign on April 4, 2007 from 11:30 a.m. to 12:30 p.m. at Assiniboine Community College and invited everyone to attend.

MANITOBA BOOK WEEK - BOOK RELEASE

Councillor Black announced that Fernwood Publishing and the Manitoba Research Alliance would be releasing a new book entitled *In Their Own Voices: Building Urban Aboriginal Communities*, written by Jim Silver and others, at a ceremony to be held April 26, 2007 from 7:00 to 9:00 p.m. in Room 212, Clark Hall, Brandon University. He further announced that a video made by Coleen Rajotte based on the book would be shown at this event and encouraged everyone to attend.

ACCOLADES TO MICHAEL BURGESS - NATIONAL COLLEGIATE ATHLETIC ASSOCIATE RAQUETBALL CHAMPION

Councillor Fitzpatrick announced that Michael Burgess had won the National Collegiate Athletic Association Raquetball Championship for Colorado State University and would represent the United States as part of the Intercollegiate Team for the next year. He requested that His Worship the Mayor pass on congratulations to his son from all members of Council.

GENERAL BUSINESS:

(A) WAIVER OF LANDFILL TIPPING FEES IN SUPPORT OF EARTH DAY

City Council considered a report from the General Manager of Operational Services dated March 20, 2007 with respect to the above.

Barletta-Black

174 That the waiving of tipping fees annually for the weekend closest to Earth Day, April 22, be approved. CARRIED.

(B) MOWING GRASS ON PUBLIC PROPERTY ADJACENT TO PRIVATE PROPERTY

Submitted for consideration was a report from the General Manager of Operational Services dated March 20, 2007 with respect to the above.

Black-Rice

That a by-law be prepared to require mowing of grass on public property adjacent to private property. NOT VOTED ON.

McCrae-Campbell

175 That preparation of a by-law to require mowing of grass on public property adjacent to private property be referred to the October 9, 2007 meeting of City Council to allow Administration an opportunity to try alternative compliance methods. CARRIED.

(C) CLEARING SNOW ON PUBLIC SIDEWALKS

Considered was a report from the General Manager of Operational Services dated March 20, 2007 with respect to the above.

Black-Paterson

176 That a by-law be prepared that requires all property owners or tenants to clear the snow off the portion of the public sidewalk that is adjacent to their property. LOST.

(D) WATER TOWER CONVERSION FOR ALTERNATE USE

City Council considered a report from the General Manager of Operational Services dated March 23, 2007 with respect to the above.

Paterson-Black

177 That Motion No. 102 (City Council Meeting February 5, 2007) be amended by deleting therefrom the words: "April 1, 2007" and substituting therefor the words: "June 25, 2007". CARRIED.

(E) CANADIAN CURLING HALL OF FAME

City Council considered a report from the General Manager of Operational Services dated March 21, 2007 with respect to the above.

Rice-Paterson

178 That the Canadian Curling Hall of Fame Committee be notified that, due to other capital priorities, the City of Brandon is not able to provide the anticipated financial support required for the Curling Hall of Fame project. CARRIED.

(F) E-WASTE - COUNCILLOR PATERSON

Submitted for consideration was a report from Councillor D. Paterson dated March 20, 2007 with respect to the above in accordance with his notice of motion filed at the March 19, 2007 meeting of City Council.

Paterson-Black

179 WHEREAS given the need to properly handle e-waste in the City of Brandon;

AND WHEREAS given the status of the Provincial plans regarding e-waste;

NOW THEREFORE BE IT RESOLVED that the Province of Manitoba be requested to expedite its plans for e-waste processing for Brandon and district;

AND BE IT FURTHER RESOLVED that an e-waste processing strategy be adopted, inclusive of any by-law amendments and changes to the budget, to assist the Province of Manitoba's plans and to be supportive of it, to encourage such recycling and to provide jobs to the underemployed/unemployed. CARRIED.

BY-LAWS:

NO. 6856 - TO REZONE PROPERTY LOCATED AT 304 - 19TH STREET NORTH FROM OPEN SPACE ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (HOWARTH O/B/O THE OTHER PLACE HOTEL)
2ND READING

Considered was a report from the General Manager of Development Services dated March 19, 2007 with respect to the above.

It was noted that this by-law had received first reading at the February 5, 2007 meeting of City Council.

180 Paterson-Blight
That By-law No. 6856 to rezone 304 - 19th Street North (Lots 1/5, Block 2, Plan 229 BLTO) from OS Open Space Zone to RMD Residential Moderate Density Multiple Family Zone be read a second time. CARRIED.

181 Paterson-Fitzpatrick
That prior to third reading of the by-law, the development agreement between the City of Brandon and the applicant, as attached to the report of the General Manager of Development Services dated March 19, 2007, be executed by both parties;

and further, that the applicant provide verification to the Planning Department of payment to the Brandon School Division in the amount of \$1,620.00. CARRIED.

NO. 6858 - 2007 TAX LEVY BY-LAW
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the March 19, 2007 meeting of City Council.

182 Fitzpatrick-McCrae
That By-law No. 6858 being the 2007 Tax Levy By-law, be read a second time. CARRIED.

183 Fitzpatrick-Paterson
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. 6858 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

AGAINST
Councillor Rice

NO. 6860 - TO CLOSE AND CONVEY A PORTION OF 7TH STREET SOUTH OF PRINCESS AVENUE AND NORTH OF LORNE AVENUE TO THE CITY OF BRANDON AND TO REPEAL BY-LAW NO. 6789
1ST READING

City Council considered a report from the General Manager of Development Services dated March 14, 2007 with respect to the above.

184 Barletta-Jessiman
That By-law No. 6860 to close and convey that portion of 7th Street in Plan 2 BLTO, located south of Princess Avenue and north of Lorne Avenue to the City of Brandon, and to repeal By-law No. 6789, be read a first time. CARRIED.

NO. 6861 - TO FURTHER AMEND TRAFFIC BY-LAW NO. 5463 WITH RESPECT TO FREE PARKING FOR VETERANS
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the March 19, 2007 meeting of City Council.

185 Campbell-Jessiman
That By-law No. 6861 to further amend Traffic By-law No. 5463 with respect to year round free parking for veterans be read a second time. CARRIED.

186 Campbell-McCrae
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. 6861 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

GIVING OF NOTICE:

Nil

ADJOURN:

McCrae-Black
That the meeting do now adjourn. (9:20 p.m.)

MAYOR

CITY CLERK