

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JUNE 11, 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 J. Harwood, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Youth Councillor J. Munroe

ABSENT: Councillor K. Fitzpatrick, Councillor J. McCrae

PRESENTATIONS AND RECOGNITION OF GUESTS:

Nil

ADOPTION OF AGENDA:

Black-Barletta
250 That the Agenda for the Regular Meeting of City Council to be held on Monday, June 11, 2007 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Harwood-Blight
251 That the Minutes of the Regular Meeting of City Council held on Monday, May 28, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) REQUEST FOR COMMUNITY EVENT STATUS - X-FEST

Considered was a request from Dean Stewart of Howling the Night Away Productions Inc. with respect to deeming the X-Fest being held August 10 and 11, 2007 a Community Event.

Harwood-Blight
252 That the presentation by Dean Stewart, Daryl Wolski and Dean Esler, with respect to having the X-Fest deemed a Community Event in the City of Brandon be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) GENERAL MUSEUM ADVISORY COMMITTEE VERBAL REPORT JUNE 11, 2007

Brandon, Manitoba
June 11, 2007

Mayor and Council
City of Brandon

Councillor Paterson provided a verbal report from the inaugural meeting of General Museum Advisory Committee held Wednesday, June 6, 2007. He reported that 15 members had been in attendance and the mandate of the committee had been discussed and subcommittees established, whereby the subcommittees will now meet on their own and provide reports to the 10 person Organizational Committee.

(B) BRANDON MUNICIPAL HERITAGE COMMITTEE JUNE 11, 2007

Brandon, Manitoba
June 11, 2007

Mayor and Council
City of Brandon

Councillor Harwood provided a verbal report on the Brandon Municipal Heritage Committee meeting held June 7, 2007. He advised that the purpose of the meeting was to clear up some outstanding issues and review events such as the Historica Fair, Walking Tours and the Doors Open Tour. He also reported on the "Heritage Happens" newsletter, events for the Homecoming Weekend and use of a Canadian National Railway caboose for an office or museum.

Black-Paterson

253 That the verbal reports by Councillors Paterson and Harwood with respect to the General Museum Advisory Committee and the Brandon Municipal Heritage Committee be received. CARRIED.

ENQUIRIES:

(172) CONDITION OF MANITOBA HOUSING AND RENEWAL CORPORATION HOUSING UNITS

Councillor Paterson made note of the deteriorated condition of some of the housing units owned by the Manitoba Housing and Renewal Corporation (Corporation). He enquired if a letter could be sent to the Corporation requesting that its housing stock be maintained to the same level as what was expected from privately owned property.

In conjunction with the above, Councillor Black indicated a similar concern had been raised as a province-wide issue at a recent Association of Manitoba Municipalities meeting.

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

(173) TIPPING FEES AT BRANDON LANDFILL

Councillor Black noted that area residents were currently utilizing a variety of methods to dispose of tree cuttings, from placing them in disposal bins, recycling bins or transporting them to the Landfill Site. He indicated that in the best interest of the City, disposal at the Landfill Site would be the best choice however same resulted in a tipping fee being charged. He enquired if the matter could be reviewed by Administration.

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

(174) CANADIAN COALITION OF MUNICIPALITIES AGAINST RACISM

Councillor Black referred to a previous enquiry with respect to the City of Brandon participating in the Canadian Coalition of Municipalities against Racism (Coalition) whereby it was felt at that time, many of the initiatives being established by the Coalition were already underway in the City of Brandon and therefore formal participation in the Coalition was not required. Councillor Black reported that the Coalition was growing in its membership and mandate and enquired if this matter could be reinvestigated.

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

(175) PROPOSED DOWNTOWN SKATEBOARD PARK

Councillor Rice enquired if an update could be provided on the proposed downtown skateboard park inclusive of funding initiatives.

His Worship the Mayor advised that a report would be provided to City Council before the end of June.

(176) CITY PARADE FLOAT

Councillor Blight referred to the recent Travelers' Day Parade and advised that he had received several calls of concern with respect to the City's not having a float in the parade, especially in this 125th celebration year. He enquired if information could be provided on the matter.

His Worship the Mayor advised that several years previous, the dedication of funds for maintenance of the City float had been discontinued, as it had become ominous for staff to maintain the float and participate in parades in the surrounding area.

With respect to the 125th celebrations, His Worship the Mayor advised that the 125th Committee had considered the idea of a parade float, however given budget constraints and the many of other activities being planned, the float had not been a priority.

(177) CONSISTANT LANE MARKINGS AT INTERSECTIONS

Councillor Blight advised that he had received a complaint from a driving instructor who had noted that lane markings at various intersections were not in compliance with The Highway Traffic Act with respect to solid and dotted lines, which made teaching new drivers very difficult. Councillor Blight provided a copy of the email he had received and enquired if this matter could be referred to the Administration for review.

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

ANNOUNCEMENTS:

ROTARY CLUB REGIONAL CONVENTION

Councillor Paterson announced that he had brought greetings on behalf of the City of Brandon to the Rotary Club Regional Convention. He noted that there had been approximately 400 visitors at the convention.

CANCER SOCIETY RELAY FOR LIFE MARATHON

Councillor Paterson announced that he had attended the Cancer Society's Relay for Life Marathon which had recently taken place at the Brandon Discovery Centre.

SOUTHWEST TRAILS ASSOCIATION FOR REGIONAL TOURISM

Councillor Paterson announced that on Friday evening, he had attended the Southwest Trails Association for Regional Tourism (START) Conference and had brought greetings on behalf of the City of Brandon.

MANITOBA SUMMER FAIR

Councillor Paterson announced that he had attended the Manitoba Summer Fair and thoroughly enjoyed the evening. He noted that attendance was up even though the weather had not entirely cooperated.

NEIGHBOURHOOD SWEEP - JUNE 12, 2007

Councillor Campbell announced that a Neighbourhood Sweep would be held in the Richmond and Green Acres Wards on Tuesday, June 12, 2007 from 8:00 a.m. until 4:00 p.m. She advised that 11 volunteers had already signed up and more were needed.

In conjunction with the above, Councillor Jessiman noted the area of the sweep was from 1st to 18th Streets and Richmond to Maryland Avenues. The meeting place was at the Kinsmen Park on 3rd Street and Aberdeen Avenue at 8:00 a.m. and lunch would be provided. He also noted that Councillor Rice would be in attendance with some heavy equipment along with 35 City staff members to assist in the sweep.

DRAINAGE CONSTRUCTION AT 9TH STREET AND MARYLAND AVENUE

Councillor Campbell announced that the tender for the construction work at 9th Street and Maryland Avenue had been awarded and work should begin in the very near future.

INSURANCE FOR SEWER BACKUP

Councillor Campbell noted that many residents in her ward were having difficulty obtaining insurance for sewer backups but announced that there were companies out there that would provide same, so residents should shop around.

UPDATE FROM MEADOWS WARD MEETING HELD MAY 29, 2007

On behalf of Councillor McCrae, Councillor Harwood announced that a Meadows Ward Meeting had been held on May 29, 2007 to discuss the park located on 27th Street and Park Avenue. He noted there had been a tremendous turnout for the meeting with the end result being that residents did not want to see any change in the zoning of the said park and had established a neighbourhood committee to review issues related to the playground and park itself.

CITY OF BRANDON 125TH BIRTHDAY CELEBRATION

Councillor Harwood announced that the 125th Birthday Celebration held on May 30, 2007 had been a great success with 850 people in attendance, despite the inclement weather. He extended his thanks to staff and volunteers for their efforts, particularly to Tyler Glen for the work he did in bringing General Rosser's great grandson to Brandon for the event. He reminded everyone to stay tuned for news on the Homecoming Weekend being held on the July long weekend.

CHILD AND FAMILY SERVICES ANNUAL GENERAL MEETING

Councillor Blight announced that he had attended the Child and Family Services Annual General Meeting on June 5, 2007 to bring greetings on behalf of His Worship the Mayor.

CITIZENS ON PATROL PROGRAM ANNUAL GENERAL MEETING

Councillor Blight announced that the Citizens on Patrol Program would hold its first Annual General Meeting on Wednesday, June 20, 2007 at 7:00 p.m. in the foyer of City Hall.

CANADIAN CENTRE FOR POLICY ALTERNATIVES MANITOBA ANNUAL GENERAL MEETING

Councillor Black announced that on June 20, 2007 at 7 p.m. in Room 212, Clark Hall, Brandon University, the Canadian Centre for Policy Alternatives Manitoba would hold its annual general meeting. He noted the general public may be interested in attending this meeting as the guest speaker would be Adrian Measner, former Chief Executive Officer of the Canadian Wheat Board.

GENERAL BUSINESS:

(A) REQUEST FOR COMMUNITY EVENT STATUS - X-FEST

Considered was a report from the City Clerk dated June 9, 2007 with respect to the above.

Paterson-Black

254 That the X-Fest to be held Friday, August 10 from 6:00 p.m. to 1:00 a.m. and Saturday, August 11, 2007 from 12:00 p.m. to 1:00 a.m. at Curran Park, be deemed a Community Event in the City of Brandon. CARRIED.

(B) TRANSPORTATION OF HOME ECONOMIC AND SHOP STUDENTS

City Council considered a report from the Manager of Transportation dated May 7, 2007 with respect to the above.

Blight-Harwood

255 That the recommendations of the City of Brandon/Brandon School Division Joint Task Force Committee to support the Shop/Home Economics Transportation Program for the 2007/2008 school year and that the City and the Brandon School Division continue to work together on transportation be approved. CARRIED.

(C) WATER TOWER - CONVERSION FOR ALTERNATE USE

Submitted for consideration was a report from the General Manager of Operational Services dated June 18, 2007 with respect to the above.

Black-Barletta

256 That \$50,000 be included in the 2008 City of Brandon Water and Wastewater Utility Budget to demolish the water tower located in Rideau Park. LOST.

(D) PROPOSAL TO SUBDIVIDE PROPERTY SOUTH OF VAN HORNE AVENUE WEST OF 39TH STREET (WAVERLY DEVELOPMENT)

His Worship the Mayor declared an interest in this matter as he is related to the applicant and left the Council Chamber without any further discussion to avoid a conflict.

Considered was a report from the Planning Department of Development Services dated May 31, 2007 with respect to the above.

Blight-Rice

257 That the application of Waverly Developments Ltd., applicant on behalf of owners, Waverly Developments Ltd., City of Brandon and Muriel Nicholson (Executrix) to subdivide property located south of Van Horne Avenue and west of 39th Street [Pt. NE 1/4 16-10-19 WPM (Lots 21/35 Block 10, Lots 5/35 Block 11, Lots 1/20 Block 12, Lots 1/3 Block 13, Lots 1/12, 14 and 16, 26/40, Block 14, Lots 36/40 Block 15, Plan 269 BLTO)] to create thirty four (34) residential lots and a public road in the DR

Development Reserve Zone and RSF Residential Single Family Zone to accommodate future single family residential development, be approved subject to the following conditions:

1. the City of Brandon Planning Department receiving a true copy of a zoning amendment by-law rezoning the said property from DR Development Reserve Zone to RSF Residential Single Family Zone;
2. the owner or successor entering into a development agreement with the City of Brandon as attached to the report to the Planning Commission;
3. confirmation from the Senior Building Inspector of the City of Brandon Building Department that the issues pertaining to site access with respect to applicable building and fire codes have been resolved to the Senior Building Inspector's satisfaction;
4. confirmation that arrangements have been made for a Joint Use Easement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Allstream Inc. and Westman Communications Group;
5. the applicant submitting a drainage plan, prepared by a qualified expert, to Manitoba Infrastructure and Transportation indicating how this land will be drained, the impact the additional runoff will have on the highway facility (if any) and what revisions will have to be made to the existing system to accommodate any additional runoff; and
6. the applicant providing written confirmation to the City of Brandon Planning Department that ownership of Lots 9/10, Block 11, Plan 269 BLTO have been transferred from the Estate of Bert Pollard to Waverly Developments Ltd. CARRIED.

Following the above motion being voted on, His Worship the Mayor re-entered the Chamber.

(E) PROPOSAL TO SUBDIVIDE PROPERTY LOCATED SOUTH OF MARYLAND AVENUE BETWEEN 9TH AND 13TH STREETS (VBJ DEVELOPMENTS LTD. O/B/O DRIEDGER)

Considered was a report from the Planning Department of Development Services dated May 31, 2007 with respect to the above.

Campbell-Paterson

258 That the application of VBJ Developments Ltd. (c/o Roy, Johnston and Co.), applicant on behalf of the owners, Jacob John and Mary Elizabeth Driedger to subdivide the property located south of Maryland Avenue between 9th and 13th Streets (Pt. SW 1/4 11-10-19 WPM) to create fifty one (51) residential lots and create public roads in the DR Development Reserve Zone to accommodate future residential development be approved, subject to the following conditions:

1. the owner or successor entering into a development agreement with the City of Brandon;
2. confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro, MTS and Westman Communications Group;
3. confirmation from the Senior Building Inspector of the City of Brandon Building Department that the issues pertaining to site access with respect to applicable building and fire codes have been resolved to the Senior Building Inspector's satisfaction;
4. the City of Brandon Planning Department receiving a true copy of a zoning amendment by-law rezoning the said property from DR Development Reserve Zone to RSF Residential Single Family Zone, RMD Residential Moderate Density Multiple Family Zone and RLD Residential Low Density Multiple Family Zone; and

- 5. the developer being required to make a contribution to the Brandon School Division pursuant to The Planning Act. CARRIED.

BY-LAWS:

- NO. 6862 - TO REZONE PROPERTY LOCATED SOUTH OF VAN HORNE AVENUE AND WEST OF 39TH STREET FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (WAVERLY DEVELOPMENTS)
2ND AND 3RD READINGS

His Worship the Mayor declared an interest in this matter as he is related to the applicant and left the Chamber without any further discussion to avoid a conflict.

City Council considered a report from the Planning Department of Development Services dated May 31, 2007 with respect to the above.

Blight-Rice

- 259 That By-law No. 6862 to rezone property south of Van Horne Avenue and west of 39th Street [Pt. NE ¼ 16-10-19 WPM (Lots 5/35 Block 11, Lots 1/20 Block 12, Lots 1/7 Block 13, Plan 269 BLTO)] from DR Development Reserve Zone to RSF Residential Single Family Zone be read a second time.
CARRIED.

Blight-Harwood

- 260 That this by-law be read a third and final time. CARRIED.

FOR

- Councillor Barletta
- Councillor Black
- Councillor Blight
- Councillor Campbell
- Councillor Harwood
- Councillor Jessiman
- Councillor Paterson
- Councillor Rice

AGAINST

Nil

Following the above motions being voted on, His Worship the Mayor re-entered the Council Chamber.

- NO. 6863 - TO REZONE PROPERTY LOCATED SOUTH OF MARYLAND AVENUE BETWEEN 9TH AND 13TH STREETS FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE, RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE AND RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE (VBJ DEVELOPMENT LTD.)
2ND READING

Submitted for consideration was a report from the Planning Department of Development Services dated May 31, 2007 with respect to the above.

Campbell-Paterson

- 261 That By-law No. 6863 to rezone property located south of Maryland Avenue between 9th and 13th Streets (Pt. SW ¼ 11-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone, RLD Residential Low Density Multiple Family Zone and RMD Residential Moderate Density Multiple Family Zone to accommodate future residential development be read a second time.
CARRIED.

Campbell-Black

262 That third reading of this by-law be held in abeyance pending a decision with respect to any further objections made to City Council, and execution of the development agreement to be made between the City of Brandon and VBJ Developments Ltd. imposed as a condition by City Council in its approval of the application to subdivide said land. CARRIED.

NO. 6871 - TO REZONE PROPERTY LOCATED AT 861 - 20TH STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CG COMMERCIAL GENERAL ZONE (BOBIAK O/B/O WESTMAN MEDIA COOPERATIVE LTD.)
1ST READING

Considered was a report from the Planning Department of Development Services dated June 4, 2007 with respect to the above.

Harwood-Black

263 That By-law No. 6871 to rezone 861-20th Street (Lots 19/20, Block 31, Plan 720 BLTO) from RLD Residential Low Density Multiple Family Zone to CG Commercial General Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Paterson-Blight

That this meeting do now adjourn. (9:02 p.m.) CARRIED.

MAYOR

CITY CLERK