

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JUNE 25, 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 Scott Desormeau

ABSENT: Nil

PRESENTATIONS AND RECOGNITION OF GUESTS:

Nil

ADOPTION OF AGENDA:

264 Blight-Harwood
That the Agenda for the Regular Meeting of City Council to be held on Monday, June 25, 2007 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

265 Fitzpatrick-Rice
That the Minutes of the Regular Meeting of City Council held on Monday, June 11, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) BEQUIE LAKE - CANADA WORLD YOUTH PROGRAM

Considered was a verbal and power point presentation by Bequie Lake on behalf of the Canada World Youth Program. She provided information on the participants in the Program, which this year was partnered with Honduras.

266 Harwood-Paterson
That the presentation by Bequie Lake with respect to Brandon being selected to host a pilot Canada World Youth Program be received. CARRIED.

PUBLIC HEARINGS:

(A) VARIATION FOR 332 - 12TH STREET (DORNN)

City Council considered a report from the General Manager of Development Services dated June 12, 2007 with respect to the above.

City Council also considered a letter of opposition from Lisa Scott and Chris Carthew of 362 - 12th Street dated June 23, 2007.

Brian Dornn appeared before City Council in support of his application and to answer any questions. He provided written petitions in support of the application, representing 90% of the area residents.

Carolyn English, 314 – 12th Street, appeared before City Council in support of the application.

Cameron Davie, 314 – 12th Street, appeared before City Council in support of the application.

Barletta-Black

267 That the appeal hearing for the variation application of Brian Dornn on behalf of the owners Brian and Rhonda Dornn for 332 - 12th Street be concluded. CARRIED.

Barletta-Black

268 That the variation application of Brian Dornn on behalf of the owners Brian and Rhonda Dornn, to increase the maximum required number of dwelling units from two (2) to four (4) to accommodate the future construction of a four-plex at 332-12th Street (Lots 6/7 and S 1/2 of Lot 8, Block 23, Plan 2 BLTO) be approved, whereby such approval is hereby granted in accordance with the intent of the application dated April 17th , 2007, the attached letter of intent and the attached drawing and subject to:

- 1) the applicant incorporating Urban Design Standards and Guidelines 4.3.3.2, 4.3.3.3, 4.3.3.4, and 4.3.3.5 to the design of the building that meets the approval of the Director of Development Services;
- 2) all parking stalls being hard surfaced;
- 3) the applicant paying the Brandon School Division \$303.75 for cash-in-lieu of land dedication for increasing the density of dwelling units on the property from 2 units to 4 units; and
- 4) the applicant providing a final elevation drawing to residents within a 100m radius of the subject property. CARRIED AS AMENDED.

AMENDMENT

Burgess-McCrae

269 That the above motion be amended by deleting clause 4) in its entirety. CARRIED.

COMMUNICATION & PETITIONS:

(A) PETITION IN OPPOSITION TO THE CLOSURE OF THE SPORTSPLEX PADDLE POOL

Councillor Paterson advised that a petition had been presented to the City Manager with respect to the closure of the Sportsplex Paddle Pool for further consideration by the Administration.

COMMITTEE REPORTS:

(A) JOINT TASK FORCE - BRANDON SCHOOL DIVISION AND CITY OF BRANDON
VERBAL REPORT JUNE 25, 2007

Brandon, Manitoba
June 25, 2007

Mayor and Council
City of Brandon

Councillor Blight provided a verbal report on the June 19, 2007 Joint Task Force Meeting whereby he noted minutes of the meeting had been electronically distributed to members of Council. He stated the minutes had included the joint transportation issue with 8,000 transit passes having been utilized at a cost to the City of approximately 6,800 and a savings to taxpayers and the School Division of almost \$60,000, and the ongoing commitment to research additional efficiencies.

(B) KEYSTONE CENTRE BOARD OF DIRECTORS MEETING
VERBAL REPORT JUNE 25, 2007

Brandon, Manitoba
June 25, 2007

Mayor and Council
City of Brandon

Councillor Fitzpatrick provided a verbal summary of the material provided to City Council from the recent Keystone Centre Board of Directors Meeting. He reported on recent and upcoming events at the Centre, maintenance projects being conducted, naming rights issues and the search for a new General Manager.

(C) CITIZENS ON PATROL PROGRAM - VERBAL REPORT JUNE 25, 2007

Brandon, Manitoba
June 25, 2007

Mayor and Council
City of Brandon

Councillor Blight provided a verbal report on the first annual Citizens on Patrol Program meeting whereby he noted the meeting had been a success and members had been on patrol.

(D) DOWNTOWN TASK FORCE - RENAISSANCE BRANDON
VERBAL REPORT JUNE 25, 2007

Brandon, Manitoba
June 25, 2007

Mayor and Council
City of Brandon

Councillor Barletta provided a verbal report from the inaugural meeting of the Downtown Task Force, now know as "Renaissance Brandon". He advised the committee was excited to move forward with ideas put forward at the public forum and was investigating the Centre Venture model for a development corporation along with other possibilities.

Black-Paterson

270 That the verbal reports by Councillors Blight, Fitzpatrick and Barletta with respect to the Brandon School Division and City of Brandon Joint Task Force, the Keystone Centre Board of Directors, the Citizens on Patrol Program and Renaissance Brandon be received. CARRIED.

ENQUIRIES:

(178) RECENT VIOLENT CRIME SPREE WITHIN THE CITY

Councillor Black referred to the recent violent crime spree within the City and the warnings/safety tips issued by Police to residents who walk alone. He enquired how this issue was being addressed by Brandon Police Service in terms of extra patrols, re-deployment of resources etc.

His Worship the Mayor advised that he had been pleased to see that the Brandon Police Service had taken the initiative to warn the public to be cautious and provide some safety tips for those walking alone however any advertised patrols would be detrimental. He further added that as much as possible was being done to have all crime reduced within the City and Council would be kept apprised on any new developments in this regard.

Further to this issue Councillor McCrae advised that he had recently received a call from an area resident who enquired about the bicycle and foot patrols by the Brandon Police Service. He enquired whether or not a report on same could be brought forward.

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

(179) REGULATION OF TRUCK TRAFFIC WITHIN CITY LIMITS

Councillor Black referred to the issue of heavy truck traffic within the City. He advised that Gardewine had recently pulled all their heavy trucks off the City streets which had reduced the amount of heavy truck traffic however, recently concerns had been raised regarding trucks hauling hogs through the City. He enquired whether or not a by-law to address this issue could be looked into.

His Worship the Mayor advised that while enforcement of a ban on all heavy trucks within City limits was not possible, a by-law which regulated trucks hauling livestock should be investigated. He agreed to take this matter under advisement.

(180) FIRST NATIONS DAY OF ACTION - JUNE 29TH, 2007

Councillor Black referred to the upcoming Day of Action on June 29th, 2007 whereby First Nations people planned to hold various protests across the country to bring attention to their issues. He noted that they had requested that local governments express their support by writing to their Member of Parliament and the Federal Minister of Indian Affairs and enquired whether or not a letter of support from City Council could be drafted.

His Worship the Mayor advised that same could only be drafted by resolution of City Council and suggested that Councillor Black bring forward a notice of motion on the issue.

(181) ARTS AND CULTURE POLICY

Councillor Paterson advised that he had recently received an enquiry regarding an Arts and Culture Policy for the City of Brandon and noted there was currently no such policy. He enquired whether or not same could be investigated with other similar-size cities and considered for the City of Brandon.

At the request of the Chair, the City Manager advised that a Culture and Arts Policy was currently being investigated for the City of Brandon and was expected to be brought to City Council by the end of 2007.

(182) CORRAL CENTRE FENCE

Councillor Paterson referred to the long, high fence that runs along the east side of the Corral Centre, behind Home Depot and Wal-Mart. He noted that the fact there was no break in this fence to allow for pedestrians to cut through was a safety concern and enquired whether or not the issue could be discussed with the owners of the Corral Centre.

His Worship the Mayor advised that City Administration had worked on this issue when the fence was installed and had suggested that a solid fence which prevented pedestrians from darting out into the lane used by delivery trucks was the safest alternative. He agreed to take this matter under advisement.

(183) SIDEWALK ISSUE ON RUSSELL STREET

Councillor Jessiman advised that he had spoken to Administration regarding a problem with the sidewalk on Russell Street and been advised it would be repaired.

(184) PARK AVENUE EAST STORAGE FACILITY

Councillor Jessiman advised that he had spoken to Administration regarding an issue with a storage facility on Park Avenue East and been advised the situation would be looked at.

(185) STREET REPAIRS

Councillor Blight referred to recent instances whereby vehicles were damaged when pylons around street repairs were removed by vandals leaving the driver unaware of hazardous conditions. He enquired whether or not a solution could be found with local contractors and the general public advised of the dangers of such acts.

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

ANNOUNCEMENTS:

CANADA GAMES SPORTSPLEX PADDLE POOL

Councillor Paterson announced that he had been advised that the paddle pool located at the Canada Games Sportsplex would not be open this summer. He advised that he had notified the staff at Kirkcaldy Heights School and requested that they notify the parent council. Further to this issue he stated that he had since received a petition from area residents protesting this pool closure. Following receipt of same City Administration met with some area residents to discuss the issue and a report on the results of that meeting was expected very soon.

PROVINCIAL GOVERNMENT ADVERTISEMENT - NAVIGABLE WATERS

Councillor Paterson announced that he had read an article in the June 17, 2007 edition of the Brandon Sun whereby the Provincial Government announced that plans were underway for a new bridge across the "Red River" in Brandon and the draft plan of same could be previewed. He further advised that a copy of the article was to be forwarded to the City Clerk for his follow up with the Province.

NATIONAL ABORIGINAL DAY - JUNE 21, 2007

Councillor Black announced that he had been pleased to represent His Worship the Mayor and City Council at the National Aboriginal Day Celebrations in Stanley Park on June 21, 2007. He advised that this event had been held for approximately 10 or 11 years and had grown each year in attendance and activities.

ASSOCIATION OF MANITOBA MUNICIPALITIES JUNE DISTRICT MEETING

Councillor Black announced that he and Councillor Jessiman had attended the Association of Manitoba Municipalities June District Meeting held in Boissevain, MB on June 13, 2007. He advised that the event had been very well attended with many interesting topics presented, the main one being the move to a more transparent, easily accessible accounting system for municipalities. He added that the City of Brandon had lead the way for this move, and further that representatives from the Treasury Department had conducted some of the training on the new system. Other important items discussed included infrastructure and housing as well as a motion by the Rural Municipality of Brenda whereby it was recommended to support the ides that education be 100 per cent government funded with same being approved almost unanimously.

ASSOCIATION OF MANITOBA MUNICIPALITES LIFETIME MEMBERSHIP

Councillor Jessiman announced that at the Association of Manitoba Municipalities (AMM) June District Meeting, it was announced that former City of Brandon Councillor Rick Chrest was to receive a lifetime membership to AMM.

His Worship the Mayor announced that arrangements were underway to have this award presented to Mr. Chrest at a future City Council Meeting.

GERMAN SOCIETY SOMMERFEST

Councillor Jessiman announced that he had been pleased to represent His Worship the Mayor and City Council at the German Society Sommerfest held on the grounds of the South End Community Centre on July 15 and 16, 2007 where a good time was had by all.

HOMECOMING WEEKEND CELEBRATIONS

Councillor Harwood announced that the 125 Birthday Homecoming Weekend was to be held June 29, 30 and July 1, 2007 and encouraged everyone to attend the various celebrations throughout the City over the weekend. He further announced that there were a variety of events planned for people of all ages, from the "Gossip in the Graveyard", old time dance and museum tours, to an open air movie and children's games and activities.

UNVEILING OF ANDREWS FIELD

His Worship the Mayor announced that he and several Councillors had attended the unveiling ceremony at Andrews Field held on Friday, June 22, 2007. He noted the event was very well organized and very well attended and that accolades had again been expressed to City Council for its endorsement of the renaming of the field, and the speed with which it had occurred.

DEATH OF THE HONOURABLE PETER LIBA, FORMER LIEUTENANT GOVERNOR OF MANITOBA

His Worship the Mayor announced that he would attend the funeral of The Honourable Peter Liba, former Lieutenant Governor of Manitoba, in Winnipeg on Tuesday, June 26, 2007 along with Police Chief Keith Atkinson, and the City Representative for the Lieutenant Governor's Winter Festival, Mr. Tom Keep. He added that it had been a real pleasure to work with the former Lieutenant Governor on the annual Lieutenant Governor's Winter Festival celebrations and wished to extend condolences to the Liba family on behalf of himself and City Council.

MEETING WITH THE PREMIER OF MANITOBA

His Worship the Mayor announced that he had met with the Premier of Manitoba, The Honourable Gary Doer, in Winnipeg on Monday, June 25, 2007 where positive discussions regarding the shortage of affordable housing had taken place and Council and the general public would be updated further in the near future.

GENERAL BUSINESS:

(A) BRANDON NEIGHBOURHOOD RENEWAL CORPORATION PROPOSAL RE: SURPLUS BIA FUNDS AND COLLECTION OF OUTSTANDING BIA LEVIES

Councillor Paterson declared an interest in this matter as he has a business in the area and left the Council Chamber without any further discussion to avoid a conflict.

Considered was a report from the General Manager of Corporate Services dated June 13, 2007 with respect to the above.

McCrae-Blight

271 That the City of Brandon reject the request by BNRC to use the BIA surplus funds to augment their Storefront Improvement Program. CARRIED.

McCrae-Blight

272 That the City of Brandon refund the surplus BIA monies to the former BIA members who are paid in full on a pro rata basis based the amount of the 2005 BIA levies paid. CARRIED.

McCrae-Harwood

273 That the City of Brandon terminate collection action with respect to the outstanding BIA levies. CARRIED.

Following the above motions being voted on, Councillor Paterson re-entered the Council Chamber.

(B) BRANDON RECREATION CENTRE - PROPOSAL SUMMARY

Submitted for consideration was a report from the General Manager of Operational Services dated June 6, 2007 with respect to the above.

Paterson-McCrae

274 That the proposals for the long term lease and for the purchase of the City of Brandon Recreation Centre both submitted by 3065324 Manitoba Ltd not be accepted;

and further, that the City of Brandon continue to operate the Recreation Centre utilizing partnerships where appropriate for a period of up to five years, at which point City Council will be asked to give further direction on either continuing operations or investigating alternate lease proposals. CARRIED.

AMENDMENT

Jessiman-Black

275 That the above motion be amended by deleting therefrom the words: "up to five years" and substituting therefor the words: "one year". LOST.

(C) ENERGY EFFICIENT STANDARDS FOR NEW LIGHTING

City Council considered a report from the Property and Traffic Coordinator dated June 11, 2007 with respect to the above.

Barletta-Rice

276 That the Development Services Division for the City of Brandon continue to liaise with Manitoba Hydro in regard to street lighting options to ensure new innovations within the lighting industry are explored and to implement them as they are technically proven and financially viable for the City of Brandon's public lighting system. CARRIED.

(D) LEASE AGREEMENT - COMMONWEALTH AIR TRAINING PLAN MUSEUM

Councillor Paterson declared a professional interest in this matter and left the Council Chamber without any further discussion to avoid a conflict.

Considered was a report from the General Manager of Operational Services dated June 13, 2007 with respect to the above.

Harwood-Fitzpatrick

277 That the lease agreement between the City of Brandon and the Commonwealth Air Training Plan Museum signed May 19, 2000 be extended for an additional ten year period, to expire December 31, 2019. CARRIED.

Following the above motion being voted on, Councillor Paterson re-entered the Council Chamber.

(E) PROPOSAL TO SUBDIVIDE 2009 - 9TH STREET (VBJ DEVELOPMENTS LTD.)

City Council considered a report from the Planning Department dated June 13, 2007 with respect to the above.

Campbell-Black

278 That the application of VBJ Developments Ltd., to subdivide 2009 - 9th Street (Lot 1, Block 2, Plan 43125 BLTO) be approved subject to:

1. confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro, MTS Allstream Inc. and Westman Communications Group; and
2. the applicant providing confirmation to the City of Brandon Planning Department that financial consideration in lieu of land dedication in the amount of \$24,948 has been paid to the Brandon School Division. CARRIED.

(F) PROPOSAL TO SUBDIVIDE 734 PERCY STREET (HABITAT FOR HUMANITY)

Submitted for consideration was a report from the Planning Department dated June 13, 2007 with respect to the above.

Black-Jessiman

279 That the application of Habitat For Humanity Brandon Inc., to subdivide 734 Percy Street (Lots 21/23, Block 23, Plan 9 BLTO) be approved subject to:

1. the owner or successor executing a development agreement with the City of Brandon, as attached to the Planning Department Report dated June 13, 2007; and
2. the applicant securing a variation order for the lands to reduce the minimum required site width of the proposed middle lot from 7.6m (24.93') to 6.4m (21') and reduce the required corner side yard of the southern most lot from 3.0m (9.84') to 2.44m (8'). CARRIED.

(G) PROPOSAL TO SUBDIVIDE 25-26TH STREET (AN VAN)

This item was withdrawn to allow Administration sufficient time to review additional information only recently provided.

(H) REQUEST FOR FINANCIAL ASSISTANCE FOR THE INAUGURAL MANITOBA HERITAGE TATTOO

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

Paterson-McCrae

280 That the City of Brandon provide a grant in the amount of \$17,500 to Augustfest Brandon Inc. to support the Inaugural Manitoba Heritage Tattoo 2007 and that future year grant requests shall be duly considered by the Grants Review Committee at the time all other grant requests are considered. CARRIED.

(I) TAX OFFSETTING GRANTS - 1280 ROSSER AVENUE (YOUTH FOR CHRIST U-TURN PROJECT)

Submitted for consideration was a report from His Worship the Mayor dated June 20, 2007 with respect to the above.

Burgess-Rice

281 That City Council Motion No. 1330 as amended by Motion No. 1331 (September 7, 2005) with respect to the tax offsetting grants for 1280 Rosser Avenue be further amended by adding after: "year 1" the year: "(2007)". CARRIED.

BY-LAWS:

NO. 6869 - TO CREATE THE AFFORDABLE HOUSING RESERVE FUND
1ST READING

Considered was a report from the By-law and Policy Coordinator dated June 15, 2007 with respect to the above.

Harwood-Fitzpatrick

282 That By-law No. 6869, to create the Affordable Housing Reserve Fund, be read a first time. CARRIED.

NO. 6870 - TO CREATE AN AFFORDABLE HOUSING FINANCIAL ASSISTANCE PROGRAM
1ST READING

City Council considered a report from the By-law and Policy Coordinator dated June 15, 2007 with respect to the above.

Paterson-Black

283 That By-law No. 6870, to create an Affordable Housing Financial Assistance Program in the City of Brandon, be read a first time. CARRIED.

NO. 6873 - TO CREATE A HOME RENOVATION TAX ASSISTANCE PROGRAM
1ST READING

Submitted for consideration was a report from the By-law and Policy Coordinator dated June 15, 2007 with respect to the above.

Rice-Harwood

284 That By-law No. 6873, to create a Home Renovation Tax Assistance Program for the City of Brandon, be read a first time. CARRIED.

NO. 6874 - TO ESTABLISH RULES AND REGULATIONS PERTAINING TO THE CONTROL OF LIGHTING ON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF BRANDON, AND TO BE KNOWN AS THE "LIGHTING BY-LAW"
1ST READING

Considered was a report from the Planning Department dated June 19, 2007 with respect to the above.

Barletta-Black

285 That By-law No. 6874, to establish rules and regulations pertaining to the control of lighting on private property within the corporate limits of City of Brandon, and to be known as the "Lighting By-law", be read a first time. LOST.

NO. 6875 - TO IMPLEMENT A RESIDENTIAL TAX ABATEMENT PROGRAM FOR ELIGIBLE PROPERTIES IN THE CITY OF BRANDON
1ST READING

City Council considered a report from the By-law and Policy Coordinator dated June 15, 2007 with respect to the above.

McCrae-Fitzpatrick

286 That By-law No. 6875, to implement a Residential Tax Abatement Program for eligible properties in the City of Brandon, be read a first time. CARRIED.

GIVING OF NOTICE:

(A) SUPPORT FOR SOCIAL JUSTICE AND FAIRNESS WITH RESPECT TO FIRST NATIONS ISSUES

In accordance with Rule 60 of City Council Procedure By-law No. 6645, Councillor Black gave notice of his intent to introduce at the July 23, 2007 meeting of City Council, the following motion:

"That a letter be written to the Prime Minister of Canada, the Minister of Indian Affairs and the Member of Parliament for Brandon-Souris advising that the City of Brandon supports the First Nation's wish for social justice and fairness and encouraging the Government of Canada to work in partnership with First Nations to resolve long standing issues and provide the fairness and justice they seek."

(B) ENFORCEABLE DESIGN STANDARDS FOR THE ZONING BY-LAW

In accordance with Rule 60 of City Council Procedure By-law No. 6645, Councillor Barletta gave notice of his intent to introduce at the July 23, 2007 meeting of City Council, the following motion:

"That Administration bring forward an enhanced set of enforceable design standards to be incorporated into the City of Brandon Zoning By-law."

ADJOURN:

Blight-Black

That the meeting do now adjourn (9:45 p.m.). CARRIED.

MAYOR

CITY CLERK