

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
OCTOBER 22, 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

ABSENT: Youth Council Member

ADOPTION OF AGENDA:

Blight-Harwood
392 That the Agenda for the Regular Meeting of City Council to be held on Tuesday, October 22, 2007 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Harwood-Rice
393 That the Minutes of the Regular Meeting of City Council held on Monday, October 9, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) PERRY STONEHOUSE - BRANDON RIVERBANK INC.

Perry Stonehouse, President of Brandon Riverbank Inc. appeared before City Council and with the assistance of a power point presentation, provided an update on the activities of Brandon Riverbank Inc. He discussed various aspects of Brandon Riverbank Inc. including capital development, commemorative trails, the Manitoba Hydro Power Smart Waterfall of Lights, interpretive programs and general operations.

Paterson-McCrae
394 That the presentation by Perry Stonehouse on behalf of Brandon Riverbank Inc. with respect to an update of its activities, be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(255) CONDOMINIUM TAXES AND SERVICES

Councillor Fitzpatrick referred to previous enquiries with respect to condominium (condo) taxes as they relate to other residential taxes and the services provided for same. He enquired if the City could review, on a condo by condo basis, the possible provision of said services to the condo owners.

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

(256) UPDATE ON 1ST STREET AND ROSSER AVENUE SITE

Councillor Black enquired if an update could be provided on the required Human Health Risk Assessment for the 1st Street and Rosser Avenue site.

At the request of the Chair, the City Manager advised that a draft assessment had been received, with the final expected in mid-November. He further advised that once the final assessment was received, minor clean-up of the site could occur in 2007 with the major work being completed in the spring and summer of 2008.

(257) AUTHORITY TO HOLD REFERENDUM ON BY-LAWS FOR MAJOR EXPENDITURES

Councillor Black referred to previous elections in which referendum questions had been asked with respect to by-laws for the expenditure of funds on major items. He advised that such ballot questions led to healthy debate and an increased voter turn out. He enquired if the City Clerk could provide information on whether or not municipalities could still initiate such referendum questions under current legislation.

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

ANNOUNCEMENTS:

SOUTH CENTRE WARD MEETING

Councillor Rice announced that he would hold a ward meeting on November 7, 2007 at 7:30 p.m. at Central Community Centre. He noted the items to be discussed would include the Transportation Study, taxes, protective services, proposed fire hall and any other ward issues. He encouraged interested individuals to attend.

RIVERVIEW WARD MEETING

Councillor Black announced that he would hold a ward meeting at the East End Community Centre on November 6, 2007 at 7:00 p.m. He reported the items to be discussed would include the casino issue, Transportation Study, heavy trucks on 1st Street and Victoria Avenue and the upcoming budget. He invited interested individuals to attend.

MANITOBA'S GREEN FUTURE – A DIALOGUE ON CLIMATE CHANGE – ACTION AND GREENING OUR ECONOMY CONFERENCE

His Worship the Mayor announced that he had been asked to speak at the Manitoba's Green Future - A Dialogue on Climate Change - Action and Greening our Economy Conference being held October 23, 2007 at the Fort Garry Hotel in Winnipeg, Mb. He noted the conference was being put on by the Province of Manitoba and provided information on the other national and international speakers who would be in attendance. He reported his being asked to speak at the conference was a positive indication of the steps taken by the City of Brandon on environment controls and green initiatives.

GENERAL BUSINESS:

(A) LAND ACQUISITION - FIRE HALL

Prior to discussion on this item, Councillor MacCrae advised he had sought a legal opinion with respect to a conflict of interest given that he is employed in the real estate business whereby he advised that he had no personal interest in the matter and would therefore not be in conflict by debating and voting on the issue.

In accordance with its decision at the September 24, 2007 meeting of City Council, considered was a report from the Property Section dated September 14, 2007 in conjunction with information from the public meeting held October 16, 2007 with respect to the above.

Burgess-Paterson

395 That the City of Brandon purchase 1710 Princess Avenue, (Lots 17/20, block 51, Plan 2, BLTO) for the sum of \$210,000, 1718 Princess Avenue, (Lots 17/20, Block 51, Plan 2, BLTO) for the sum of \$195,000, 215-18th Street (Lots 15/17, Block 51, Plan 2, BLTO) for the sum of \$170,000, and 223-18th Street (Lots 13/15, Block 51, Plan 2, BLTO) for the sum of \$175,000, for the future location of a Brandon Fire Hall Facility, whereby \$375,000 shall be expended from the Land Acquisition Reserve and \$375,000 shall be expended from the Protective Services Building Reserve as well as applicable Land Transfer Taxes being shared equally amongst the Land Acquisition Reserve and Protective Services Building Reserve. LOST.

Following the Committee of the Whole Meeting, the above motion was voted on.

At the request of the Chair, a recorded vote was taken on the motion.

FOR

His Worship Mayor Burgess
Councillor Fitzpatrick
Councillor McCrae

AGAINST

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

Paterson-Barletta

396 That City Council resolve itself into a Committee of the Whole Meeting to discuss the proposed land acquisition at 18th Street and Princess Avenue for construction of a fire hall. CARRIED.

COMMITTEE OF THE WHOLE MEETING

LAND ACQUISITION - FIRE HALL

Considered were presentations by the Fire Chief and Manager of Property and Traffic with respect to the acquisition of property for the construction of a fire hall followed by an in-depth question and answer session.

01 - Councillor McCrae

That the Committee rise and report. CARRIED.

COMMITTEE OF THE WHOLE VERBAL REPORT

Brandon, Manitoba
January 24th, 2007

City Council
City of Brandon

Councillor Paterson provided a verbal report on the discussions that had taken place with respect to the purchase of property at 18th Street and Princess Avenue for the construction of a fire hall. He noted the concerns expressed regarding traffic and safety issues, response times and future requirements.

Black-Harwood

397 That the verbal report of the Committee of the Whole Meeting held October 22, 2007 be received. CARRIED.

(B) APPOINTMENT TO PLANNING COMMISSION

City Council considered a report from the City Clerk's Department dated October 4, 2007 with respect to the above.

Rice-McCrae

398 That Leo Boivin be hereby appointed to the City of Brandon Planning Commission, with a term of office to expire March 31, 2010. CARRIED.

(C) PROPOSAL NO. 91/07 - SUPPLY OF 30' LOW FLOOR TRANSIT BUS

Submitted for consideration was a report from the General Manager of Operational Services dated October 22, 2007 with respect to the above.

Paterson-Black

399 That the proposal by Crestline Coach Ltd. for the supply of four (4) New El Dorado National EZ Rider buses at a total cost of \$1,347,453.74 as per proposal and specification be accepted whereby all funds will be expended from the Transit Equipment Reserve in 2008. CARRIED.

(D) LANDSCAPE AND DESIGN IMPROVEMENTS - 400 BLOCK ON 9TH STREET

Considered was a report from the General Manager of Development Services dated October 12, 2007 with respect to the above.

Barletta-Blight

400 That through the normal budget process, funds be appropriated for the development of a surface infrastructure enhancement program for 9th Street from Victoria Avenue to Princess Avenue, inclusive of cost estimates and a construction phasing schedule;

and further, that consideration of authorization of funds to complete improvements in the 400 block of 9th Street compete with street improvement requests from other areas of the City for annual funding unless the concept plan for improvements to 9th Street secures a source of outside funds, which at a minimum, matches the City's investment in said improvements. CARRIED.

(E) APPROVAL OF SOLID WASTE MANAGEMENT PLAN

Paterson-Fitzpatrick

401 That consideration of the Solid Waste Management Plan be referred to the November 5, 2007 meeting of City Council to allow an appropriate amount of time for discussion and debate. CARRIED.

(F) MINOR DEVELOPMENT PLAN AMENDMENT - CNR PROPERTY (6TH STREET AND VAN HORNE AVENUE)

Considered was a report from the Planning Department dated October 10, 2007 with respect to the above.

Rice-Black

402 That the Board of the Brandon and Area Planning District be requested to apply to the Minister of Intergovernmental Affairs, as per subsection 58(1) of The Planning Act, for a minor amendment to the District's Development Plan to re-designate property located east of 6th Street and north of Van Horne Avenue (Pt. NE 1/4 14-10-19 WPM) from Residential to Commercial as indicated on Map 1 of the Development Plan. CARRIED.

(G) 2008/2009 DRAFT BUDGET

City Council considered a report from the General Manager of Corporate Services dated October 17, 2007 with respect to the above.

Paterson-Harwood

403 That the proposed 2008 and 2009 budgets be received and referred to a public consultation session to be held on the evening of Wednesday, November 14th, 2007 in the foyer of City Hall and City Council's budget deliberations on Wednesday, December 12th, 2007. CARRIED.

BY-LAWS:

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)
NO FURTHER READINGS

City Council considered a report from the Planning Department dated October 5, 2007 with respect to the above.

McCrae-Harwood

404 That By-law No. 6871 to rezone 861-20th Street (Lots 19/20, Block 31 SS Plan 720 BLTO) from RLD Residential Low Density Multiple Family Zone to CG Commercial General Zone be given no further readings. CARRIED.

NO. 6887 - TO CLOSE AND CONVEY A PORTION OF COLLEGE AVENUE LOCATED WEST OF 41ST STREET BETWEEN BLOCKS 12 AND 13, PLAN 269 TO WAVERLY DEVELOPMENTS LTD.

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.

Submitted for consideration was a report from the Property Department dated October 10, 2007 with respect to the above.

Blight-Fitzpatrick

405 That By-law No. 6887, to close and convey a portion of College Avenue located West of 41st Street between Blocks 12 and 13, Plan 269 to Waverly Developments Ltd. be read a first time. CARRIED.

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

GIVING OF NOTICE:

(A) CANCELLATION OF ADDITIONAL FEES FOR BUILDING PERMITS IN RAILWAY OVERLAY ZONE

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Paterson gave notice of his intent to introduce at the November 5, 2007 meeting of City Council, the following motion:

“That Administration draft the necessary motion or by-law to cancel the need for citizens in the railway overlay zone to pay \$350 extra for building permits, to add to their dwellings.”

(B) FIRE HALL LOCATIONS

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Barletta gave notice of his intent to introduce at the November 5, 2007 meeting of City Council, the following motion:

“That Council provide direction to Administration on the matter of new fire hall locations whereby a report be prepared that would see one fire station located on or near Victoria Avenue west of 18th Street and another station at or near a site at 1st Street and Kirkcaldy Drive.”

(C) SPECIAL MEETING REGARDING FIRE HALL LOCATIONS

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Black gave notice of his intent to introduce at the November 5, 2007 meeting of City Council, the following motion:

“That a special meeting be called to discuss the fire hall situation, determine process and provide direction to the Administration.”

ADJOURN:

Rice-Barletta

That the meeting do now adjourn. (10:41p.m.) CARRIED.

MAYOR

CITY CLERK