

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
DECEMBER 17, 2007 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC  
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**PRESENT:** Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black (retired 8:20 p.m.), Councillor M. Blight, Councillor M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice

**ABSENT:** Councillor D. Jessiman, Youth Councillor

**ADOPTION OF AGENDA:**

473 Harwood-Blight  
That the Agenda for the Regular Meeting of City Council to be held on Monday, December 17, 2007 be adopted as presented. CARRIED AS AMENDED.

474 Harwood-Blight  
That the Agenda for the Regular Meeting of City Council to be held on Monday, December 17, 2007 be amended by adding under the Order of By-laws, By-law No. 6855, and that the Agenda, as amended, be adopted. CARRIED.

**PRESENTATIONS AND RECOGNITION OF GUESTS:**

(A) WEIMING ZHAO - PRESENTATION OF ORIGINAL FRAMED 125TH CELEBRATION  
WATER PAINTING

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Artist Weiming Zhao presented the original framed painting he had prepared for the 125th Celebration, which was graciously received by His Worship the Mayor.

**CONFIRMATION OF MINUTES:**

475 Fitzpatrick-Rice  
That the Minutes of the Regular Meeting of City Council held on Monday, December 3, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) UPDATE ON KEYSTONE CENTRE

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Dan Robertson, General Manager, provided a power point presentation to update City Council on the Keystone Centre. He reported on the naming partnership with Westman Communication Group for the facility and soon, a naming partner for the arena itself. He also reported on the associations and events that make up the Keystone Centre and the financial information for the year.

476 Harwood-Paterson  
That the presentation by Dan Robertson with respect to an update on the Keystone Centre, be received. CARRIED.

**PUBLIC HEARINGS:**

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) BOARD OF REVISION

NOVEMBER 28, 2007

November 28, 2007

Mayor and Council  
City of Brandon

Dear Madam/Sirs:

RE: Board of Revision Annual Report

In accordance with the provisions of The Municipal Assessment Act, I wish to provide the following report on the proceedings of the 2007 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 Don Partrick, Wes Shewchuk, and Gary Walker.

The hearings to revise the 2008 Real and Personal Property and Business Assessment Rolls were held in October and November, 2007.

**2008 REAL AND PERSONAL PROPERTY ASSESSMENT ROLL**

With respect to the 2008 Real and Personal Property Assessment Roll, a total of ten (10) applications were submitted for revision in accordance with the provisions of The Municipal Assessment Act (compared to 36 in 2006, 67 in 2005, 8 in 2004, and 37 in 2003). Three (3) of these applications were subsequently withdrawn.

Of the remaining applications, three (3) applications were filed by the Municipal Assessment Branch to correct the assessment roll and were approved. These corrections resulted in two changes in liability to taxation, and one reduction in the building value for a total reduction in assessment of \$927,300. Four (4) applications were submitted by property owners or their agents and were considered by the Board. Of the applications considered, 2 were single family residences, 1 was commercial property and 1 was classified as institutional. Prior to the applications being heard by the Board of Revision, the Assessment Office was able to reach an agreement with three (3) 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. A reduction in the assessed value of remaining property was awarded based on a recommendation by the Assessment Office. The total impact of the above decisions was a reduction in the 2008 Real Property Assessment of \$1,624,000.

## 2007 SUPPLEMENTARY TAX STATEMENTS

The 2007 Supplementary Tax Statements were dealt with in conjunction with the above assessment rolls and three (3) applications were submitted for revision (compared to 5 in 2006, 8 in 2005, 3 in 2004, and 9 in 2003). One application was subsequently withdrawn. A certificate of agreement was filed resulting in a change in classification for another property, and one application was awarded a reduction in the assessed value by the Board. The decisions made by the Board of Revision resulted in a total reduction in assessment of \$63,500.

### SUMMARY

The attached Summary of Board of Revision Decisions (not included in Minutes) outlines the individual decisions made by the Board. The effect of the decisions of the Board of Revision on the preliminary assessment roll for the year 2008 and the 2007 supplementary tax statements is as follows:

#### 2007 Real and Personal Property Assessment

Current Taxable Assessment Value (preliminary assessment)	\$2,491,841,400
Reduction by Board of Revision	\$1,624,000
Revised Value (subject to appeal to Mun. Board)	\$2,490,217,400

#### 2007 Supplementary Assessment

Current Taxable Assessment Value	\$1,003,400
Reduction by Board of Revision	\$63,500
Revised Value	\$939,900

### 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 2008 decisions of the City of Brandon Board of Revision have been appealed to The Municipal Board. Last year, 3 decisions of the Board were appealed to The Municipal Board. One appeal has been subsequently withdrawn, 1 appeal resulted in a further reduction to the assessed value of the property, and 1 appeal is 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 2008 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  
Board of Revision

#### Paterson-Rice

477 That the report of the Board of Revision dated November 28, 2007 on the proceedings of the assessment appeal hearings by the Board be received. CARRIED.

(B) GRANTS REVIEW COMMITTEE REPORT NOVEMBER 29, 2007

Considered was a report from the Grants Review Committee dated November 29, 2007.

Campbell-Black

478 That the Grants Review Committee Report dated November 29, 2007 be received. CARRIED.

Campbell-Black

479 That the request of AugustFest Brandon Inc. to carry over the \$17,500 grant to 2008 be approved. CARRIED.

(C) BRANDON MUNICIPAL HERITAGE COMMITTEE  
VERBAL REPORT DECEMBER 17, 2007

December 17, 2007  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Harwood provided a verbal report on the December 13, 2007 meeting of the Brandon Municipal Heritage Committee. He advised that a report would be provided to Council in the New Year with proposed amendments to the Heritage By-law to accurately reflect the Committee's membership. Councillor Harwood also read aloud a letter from the Committee voicing dismay with the decisions made by City Council during the recent budget deliberations with respect to funding for the General Museum Advisory Committee's feasibility study and cedar shingles for the Daly House Museum.

Harwood-Paterson

480 That the verbal report by Councillor Harwood on the Brandon Municipal Heritage Committee be received. CARRIED.

Harwood-Barletta

481 That the terms of office for Brandon Municipal Heritage Committee members be extended to February 29, 2008 to allow for review and amendments to the Heritage By-law. CARRIED.

Prior to the above motions being voted on, clarification was made with respect to Council's unanimous support for a general museum and the next steps to be taken by the General Museum Advisory Committee.

(D) WESTERN MANITOBA CENTENNIAL AUDITORIUM  
VERBAL REPORT DECEMBER 17, 2007

December 17, 2007  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Blight provided a verbal report on the December 11, 2007 meeting of the Western Manitoba Centennial Auditorium Board of Director's Meetings. He advised that the items discussed included facility operations and budget deliberations.

(E) RENAISSANCE BRANDON INC.  
VERBAL REPORT

DECEMBER 17, 2007

December 17, 2007  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Barletta provided a verbal report on Brandon Renaissance Inc. whereby he noted that discussions were ongoing with respect to the partnership proposal for the YMCA. He also advised that the incorporation and committee by-law documentation was available for review, however same had yet to be finalized.

Black-Paterson

482 That the verbal reports by Councillors Blight and Barletta with respect to the Western Manitoba Centennial Auditorium and Brandon Renaissance Inc. be received. CARRIED.

ENQUIRIES:

(282) REQUEST FOR SITE SEARCH PROTOCOLS

Councillor Paterson noted that he had received several enquiries with respect to the location of a fire hall on Maple Avenue and enquired if advice could be sought from the Federation of Canadian Municipalities and the Association of Manitoba Municipalities with respect to obtaining site search protocols from other cities.

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

(283) PERFORMANCE OF PLANNING COMMISSION

Councillor Paterson noted the Planning Commission was now a year old and he enquired if information could be provided on the performance of the Commission as it relates to the service provided to the user.

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

(284) EXPROPRIATION PROCEDURE

Councillor Black referred to the negotiations under way with respect to acquiring the property on Maple Avenue for the new fire hall and he enquired if information could be provided to Council and placed on the web page with respect to expropriation. In particular, he requested the report to include information on what expropriate was, under what circumstances it would be used, and what the process would entail.

His Worship the Mayor noted that expropriation was only one option, but agreed to take this matter under advisement.

(285) PROBE RESEARCH SURVEY

Councillor Black referred to the recently completed survey of 400 households by Probe Research on behalf of the City of Brandon to generate information on the services provided by the City. He enquired when the results would be available and if information could also be provided on how the survey was conducted.

At the request of the Chair, the City Manager advised that Council would be made aware of the results in early January, followed by a news release on same. He further advised that information could be provided on how the survey was conducted and same could easily be placed on the City's web page.

ANNOUNCEMENTS:

WESTMAN AND AREA TRADITIONAL CHRISTMAS DINNER

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Councillor Rice announced that volunteers were required for the Westman and Area Traditional Christmas Dinner. Meal and gift preparation would take place on December 23 at 1:00 p.m. and 11:00 a.m. on December 24, with meals being provided on December 25 and 26. Interested individuals could contact 728-7987.

WATERFALL OF LIGHTS

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Councillor Paterson announced that the Waterfall of Lights had officially opened, with the skating rink available for use. He noted how enticing the display was to out-of-town visits and citizens of Brandon alike.

CORRECTION OF INFORMATION REGARDING FIRE HALL AT 18TH STREET AND MAPLE AVENUE

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Councillor Paterson announced that he wished to make a correction regarding information he had provided at the December 3, 2007 meeting of City Council with respect to the fire hall at 18th and Maple Avenue whereby he noted the former firefighter he had spoken with referred to the "former Maples site" as a good location, which was actually on Rosser Avenue. He stated the error was an honest one and apologized for same.

OPENING CEREMONY FOR THE LIEUTENANT GOVERNOR'S WINTER FESTIVAL

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Councillor Black announced that the Manitoba Metis Federation Inc. - South West Region would host the Opening Ceremony for the Lieutenant Governor's Winter Festival on January 31, 2007 at the Western Manitoba Centennial Auditorium. He noted the Lieutenant Governor would be in attendance and would host his Levy following the ceremony.

CASINO ISSUE

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His Worship the Mayor announced that discussions were ongoing with the Province of Manitoba with respect to regulations for the establishment of a casino in Brandon. He stated final information should be received by year end, or very early in January.

GENERAL BUSINESS:

(A) COMMUNITY EVENT - LIEUTENANT GOVERNOR'S WINTER FESTIVAL

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Considered was a report from Community Services dated December 17, 2007 with respect to the above.

McCrae-Fitzpatrick

483 That the Lieutenant Governor's Winter Festival to be held January 31, February 1 and 2, 2008, be hereby designated a Community Event in the City of Brandon whereby said festival shall include the following pavilions at the listed locations:

Belgian Pavilion - West End Community Centre, 23rd St and Lorne Ave.  
English Pavilion - The Loft, 111 Seventh St.  
Metis Pavilion - Western Manitoba Centennial Auditorium, Princess Ave. and 20th St.  
French Canadian Pavilion - Keystone Centre - Manitoba Room, 1125 Eighteenth St.  
German Pavilion - EastPort Hall, 530 Richmond Ave. East  
Global Village Pavilion - MMF Hall, 205 College Ave.  
Icelandic Pavilion - Seniors for Seniors Hall, 311 Park Ave. East.  
Irish Pavilion - Royal Oak Inn, 3130 Victoria Ave.  
First Nations Pavilion - Fleming School, 2320 Louise Ave.  
Philippine Pavilion - ANAF Hall, 31 Fourteenth St.  
Chinese Pavilion - The Town Centre, Rosser Ave.  
Scottish Pavilion - Victoria Inn - Imperial Ballroom, 3550 Victoria Ave.  
Ukrainian Pavilion - Ukrainian Reading Association Hall, 1005 Assiniboine Ave. CARRIED.

Following the above, Councillor Black retired from the Council Chamber. (8:20 p.m.)

(B) PROPOSAL TO SUBDIVIDE 1501 BRAECREST DRIVE (TINES O/B/O BRADLEY SAND AND GRAVEL)

City Council considered a report from the General Manager of Development Services dated December 6, 2007 with respect to the above.

Paterson-Blight

484 That City Council Motion No. 152 (March 19, 2007) approving with conditions the application of Peter Tines on behalf of the owner, Bradley Sand and Gravel to subdivide 1501 Braecrest Drive (Plan of Survey 863 BLTO Exc.Wly 125 ft. Perp SW1/4 35-10-19 WPM) be amended by:

- (a) deleting conditions 2) and 6) in their entirety; and
- (b) deleting the wording in condition 3) and replacing it with the following wording:
  - 3) “the owner or successor of Phase 1 and Phase 2 of the lands to be developed enter into development agreements with the City of Brandon as attached to the report to City Council from the General Manager of Development Services dated December 6, 2007”;

and further, that conditions #3, 4 and 5 be relabeled #2, 3 and 4 respectively. CARRIED.

(C) TENDER NO. 143/07 - WATER TREATMENT PLANT LOW LIFT UPGRADING

Submitted for consideration was a report from the General Manager of Development Services dated December 5, 2007 with respect to the above.

Paterson-Fitzpatrick

485 That the low bid of ABCO Supply and Service Ltd. for Water Treatment Plant Low Lift Pump Upgrading as per tender and specifications at a cost of \$1,658,582 (including GST) be accepted. CARRIED.

(D) 2008 BORROWING

Considered was a report from the General Manager of Corporate Services dated December 3, 2007 with respect to the above.

Fitzpatrick-Paterson

486 That, pursuant to Section 173(1) of The Municipal Act, the borrowing of funds not exceeding \$5,000,000 for general operating expenses in the 2008 fiscal year be authorized. CARRIED.

(E) 2008 INTERIM BUDGET

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City Council considered a report from the General Manager of Corporate Services dated December 3, 2007 with respect to the above.

Barletta-Campbell

487 That, pursuant to Section 163 of The Municipal Act, the following interim budget to provide for City of Brandon expenditures, revenues and transfers for the year 2008 be hereby adopted:

General Fund Expenditures.....	\$57,865,902
General Fund Revenues and Transfers.....	\$57,865,902
General Fund Reserve Expenditures.....	\$15,616,347
Utility Fund Expenditures.....	\$17,453,256
Utility Fund Revenues and Transfers.....	\$17,453,256
Utility Fund Reserve Expenditures.....	\$ 4,000,000

CARRIED.

BY-LAWS:

NO. 6883 - TO REZONE 1910 BELL AVENUE FROM DR DEVELOPMENT RESERVE ZONE TO CAR COMMERCIAL ARTERIAL ZONE, RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE, RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE, RSF RESIDENTIAL SINGLE FAMILY ZONE AND PR PARKS AND RECREATION ZONE (EXECUTIVE HOMES 2000 LTD. O/B/O TOD ENTERPRISES LTD. AND NORLIT ENTERPRISES LTD.)

2ND READING AND ABEYANCE OF 3RD READING

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Submitted for consideration was a report from the Planning Department dated December 4, 2007 with respect to the above.

It was noted that this by-law had received first reading at the September 10, 2007 meeting of City Council.

Paterson-Blight

488 That By-law No. 6883 to re-zone 1910 Bell Avenue (Pt. SE 1/4 34-10-19 WPM) from DR Development Reserve Zone to CAR Commercial Arterial Zone, RMD Residential Moderate Density Multiple Family Zone, RLD Residential Low Density Multiple Family Zone, RSF Residential Single Family Zone and PR Parks and Recreation Zone based on the concept plan presented by the applicant at the November 21st, 2007 meeting of the Planning Commission, be read a second time. CARRIED.

Paterson-Fitzpatrick

489 That in accordance with Subsection 74(3) of the Planning Act, the alterations to Zoning By-law No. 6883 during the public hearing be deemed minor ones that do not change the intent of the by-law and as a result, a second public hearing to receive representation on said alterations is not required. CARRIED.

Paterson-Rice

490 That third reading of By-law No. 6883 be held in abeyance pending the execution of a development agreement between the City of Brandon and the applicant. CARRIED.



NO. 6888 - TO AMEND FEE SCHEDULE BY-LAW NO. 6852 TO INCLUDE FEES FOR 2008 TO 2010 AMENDMENT, 2ND AND 3RD READINGS

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

It was noted that this by-law had received first reading at the November 6, 2007 meeting of City Council.

McCrae-Fitzpatrick

491 That By-law No. 6888, be amended by deleting therefrom Page 8 of Schedule "A" in its entirety, and substituting therefor the revised Page 8 which sets out, in part, the off-peak pass transit pass rates. CARRIED.

McCrae-Fitzpatrick

492 That By-law No. 6888, to amend Fee Schedule By-law No. 6852 to include fees for 2008-2010, as amended, be read a second time. CARRIED.

McCrae-Barletta

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

FOR

His Worship Mayor Burgess  
Councillor Barletta  
Councillor Blight  
Councillor Campbell  
Councillor Fitzpatrick  
Councillor Harwood  
Councillor McCrae  
Councillor Paterson

AGAINST

Councillor Rice

NO. 6890 - TO AMEND BY-LAW NO. 6803 TO RENAME SYCAMORE CRESCENT TO SYCAMORE DRIVE 2ND AND 3RD READINGS

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It was noted that this by-law had received first reading at the December 3, 2007 meeting of City Council.

Campbell-Fitzpatrick

494 That By-law No. 6890 to amend By-law No. 6803 to rename Sycamore Crescent to Sycamore Drive be read a second time. CARRIED.

Campbell-Paterson

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

FOR

His Worship Mayor Burgess  
Councillor Barletta  
Councillor Blight  
Councillor Campbell  
Councillor Fitzpatrick  
Councillor Harwood  
Councillor McCrae  
Councillor Paterson  
Councillor Rice

AGAINST

Nil

NO. 6891 - TO RENAME THAT PORTION OF COLLEGE AVENUE IN PLAN 43096 TO WREN CRESCENT  
2ND AND 3RD READINGS

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It was noted that this by-law had received first reading at the December 3, 2007 meeting of City Council.

Blight-Harwood  
496 That By-law No. 6891 to rename that portion of College Avenue in Plan 43096 to Wren Crescent be read a second time. CARRIED.

Blight-Fitzpatrick  
497 That this by-law be read a third and final time. CARRIED.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	Nil
Councillor Barletta	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor McCrae	
Councillor Paterson	
Councillor Rice	

NO. 6855 - TO REZONE PROPERTY LOCATED AT 1501 BRAECREST DRIVE FROM DR DEVELOPMENT RESERVE ZONE TO RHD RESIDENTIAL HIGH DENSITY MULTIPLE FAMILY ZONE (TINES O/B/O BRANDLEY SAND AND GRAVEL)  
3RD READING

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Paterson-Blight  
498 That By-law No. 6855 to rezone 1501 Braecrest Drive (Plan of Survey 863 BLTO Exc Wly 125 Feet Perp SW 1/4 35-10-19 WPM) from DR Development Reserve to RHD Residential High Density Multiple Family Zone be read a third and final time. CARRIED.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	Nil
Councillor Barletta	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor McCrae	
Councillor Paterson	
Councillor Rice	

GIVING OF NOTICE:

(A) RECONSIDERATION OF MOTION REGARDING BY-LAW NO. 6876

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In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Blight gave notice of his intent to introduce at the January 7, 2008 meeting of City Council, the following motion:

“That City Council reconsider Motion No. 451 (City Council Meeting November 19, 2007) with respect to By-law No. 6876 to rezone 1324 and 1330 - 1st Street North.”

ADJOURN:

McCrae-Barletta

That the meeting do now adjourn. (8:55 p.m.) CARRIED.

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MAYOR

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CITY CLERK