

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
JANUARY 7, 2008 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, Councillor M. Blight, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice, Youth Councillor Stephen Montague

ABSENT: Councillor M. Campbell

ADOPTION OF AGENDA:

Blight-Harwood

That the Agenda for the Regular Meeting of City Council to be held on Monday, January 7, 2008 be adopted as presented. NOT VOTED ON.

Blight-Harwood

499 That the Agenda for the Regular Meeting of City Council to be held on Monday, January 7, 2008 be amended by adding under the Order of Public Hearings, the appeal for the variation application on 139 - 4th Street, and that the Agenda, as amended, be adopted. CARRIED.

CONFIRMATION OF MINUTES:

Jessiman-Harwood

500 That the Minutes of the Special Meeting of City Council held on Wednesday, December 12, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Rice-Paterson

501 That the Minutes of the Regular Meeting of City Council held on Monday, December 17, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Prior to voting on the above, Councillor Paterson noted on Page 260, under the Order of Announcements, his correction of information with respect to the location of the fire hall at 18th Street and Maple Avenue should indicate the information had been provided by a very experienced firefighter, not a former firefighter.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) APPEAL HEARING - VARIATION APPLICATION FOR 139 - 4TH STREET (NEUFELD)

Mr. Andrew Mok of the Planning Department appeared before City Council to provide information on the application and the discussion that had taken place at the Planning Commission Public Hearing.

Mr. Daniel Neufeld, son of the applicant, also appeared before City Council in support of the application and to answer any questions. He stated the purpose of the appeal was with respect to the condition imposed for 50% brick work on the facade of the building, which would be cost inhibitive and not consistent with the surrounding buildings.

No further representation was put forward either in support of or in opposition to the application.

Barletta-Paterson

502 That the Public Hearing on the above noted application be concluded. CARRIED.

Barletta-Paterson

503 That the variation application of Gerald and Nancy Neufeld to increase the minimum required number of dwelling units from two (2) to four (4) to accommodate the future construction of a four-plex and reduce the minimum required parking spaces from six to five in the RLD Residential Low Density Multiple Family Zone be approved at 139 - 4th Street (Lots 32/33, Block 66, Plan 2 BLTO), whereby such approval is hereby granted in accordance with the intent of the application dated October 11, 2007, the attached letter of intent and the attached drawing, subject to the applicants designing and constructing a more architecturally enhanced front facade to better complement the existing residential buildings along 3rd and 4th Streets between Rosser and Princess Avenues, subject to the Planning Department's approval. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(286) CONSULTATION WITH FIRE COMMISSIONER REGARDING FIRE HALL LOCATION

Councillor Black enquired whether or not the Fire Commissioner had been consulted with respect to the location of a new fire hall.

At the request of the Chair, the City Manager advised that the Fire Commission had not been involved in the search for a new site for the proposed fire hall. He further reported that if requested, the Fire Commissioners Office could become involved, however with the extensive research and modelling done, the Commissioner indicated his office would have nothing additional to add.

(287) UPDATE ON COMMUNITY CENTRES

Councillor Black enquired if an update could be provided on the status of ice surface availability at the various community centres and hours of operation, as well as information on what steps, if any, the City was taking to help increase volunteer involvement in community centres.

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

(288) INVOLVEMENT WITH LEGISLATIVE COMMITTEE FOR CONSTRUCTION OF NEW DAMS AND TRANSMISSION LINES

Councillor Black referred to a Legislative Committee established to review construction of new dams and transmission lines and the converter units that would then be required in this part of the Province. He enquired if the City of Brandon had been involved in any discussions with the Committee in that regard.

His Worship the Mayor advised that the City of Brandon had not been involved with the subject Committee.

Further to the above, Councillor Black enquired if a committee should be set up to discuss the issue with Manitoba Hydro from an economic initiative perspective.

At the request of the Chair, the City Manager advised that the Economic Development Officer could consider the possible opportunities in conjunction with Team Brandon.

(289) LONG TERM VIEW OF ECONOMIC/SOCIAL DEVELOPMENTS IN SOUTHWESTERN MANITOBA

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Councillor Black advised that several people had raised an issue regarding the need for a long term view of economic social development in Southwestern Manitoba. He enquired if an organization such as the Association of Manitoba Municipalities (AMM) or the Southwest Regional Development Corporation could be approached to assist in the organization of a workshop in Brandon over the next six to nine months to consider the issue.

At the request of the Chair, the City Manager advised that the Economic Development Officer was currently reviewing the opportunities for funding with respect to the economic development component of the Community Strategic Plan.

In conjunction with the above, Councillor Black indicated that the vision had to include the entire southwestern region of the Province and suggested AMM might be the most experienced resource to involve.

ANNOUNCEMENTS:

Nil

GENERAL BUSINESS:

(A) DISPOSAL OF 2400 SOUTHERN AVENUE

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Considered was a report from the Property Department dated December 6, 2007 with respect to the above.

504 McCrae-Fitzpatrick  
That the portion of Southern Avenue (closed) commonly referred to as 2400 Southern Avenue be disposed of to Jacobson and Greiner Ltd., or their designate, for the sum of \$16,000.00, and furthermore, that Jacobson and Greiner Ltd. enter into an agreement with the City of Brandon for the installation of a 200mm waste water piping extension to City of Brandon specifications at the time of future development as it pertains to any portion of 2404 Park Avenue (Lots 1-28 inclusive, Block 39, Plan 17, BLTO), and an easement agreement is provided in order to protect the City's ability to service and maintain the sewer system for the future. CARRIED.

(B) DISPOSAL OF A PORTION OF PUBLIC LANE PARALLEL TO 430 DUFFRIN AVENUE

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City Council considered a report from the Property Section dated December 18, 2007 with respect to the above.

505 Paterson-Rice  
That the most southerly 2.286 meters of the closed public lane as shown on Plan 1752, parallel to 430 Dufferin Avenue (Lots 1 to 5 inclusive, Block 82, Plan 12 BLTO), be disposed of to Mr. Kenneth Holder and Mrs. Jo-Ann Pasklivich-Holder for the sum of \$824.25. CARRIED.

(C) PROPOSAL TO SUBDIVIDE 721 MIDDLETON AVENUE (LENNON TRILOGY O/B/O 1049177 ALBERTA LTD.)

Submitted for consideration was a report from the Planning Department dated December 28, 2007 with respect to the above.

Paterson-Fitzpatrick

506 That the application of Lennon Trilogy (c/o Ken Baley), applicant on behalf of the owner, 1049177 Alberta Ltd., to subdivide 721 Middleton Avenue (Pt. SW 1/4 1-11-19 WPM) to create two (2) lots in the CHW Commercial Highway Zone be approved subject to the Planning Department receiving 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. CARRIED.

(D) REQUEST TO CONDUCT A CASINO PLEBISCITE

Considered was a report from the City Clerk dated December 28, 2007 with respect to the above.

Black-Paterson

507 That the City of Brandon conduct a plebiscite on March 12, 2008 with respect to the casino issue whereby the question to appear on the ballot would be:

Do you support the establishment of a casino in the City of Brandon?

Yes  No

CARRIED.

As requested by Councillor Jessiman, a recorded vote was taken on the above motion.

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

BY-LAWS:

NO. 6876 - TO REZONE 1324 AND 1330 - 1ST STREET NORTH FROM CAR COMMERCIAL ARTERIAL ZONE TO CG COMMERCIAL GENERAL ZONE (JIMARCO DEVELOPMENT INC./SAMSON HOLDINGS LTD./SWANSON/STANGER) RECONSIDERATION OF 2ND READING, ABEYANCE OF 3RD READING

City Council considered a report from Councillor M. Blight dated December 18, 2007 in accordance with his notice of motion filed at the December 17, 2007 meeting of City Council with respect to the above.

Blight-McCrae

508 That pursuant to Subsection 139(1) of The Municipal Act and in accordance with my notice of motion given at the meeting of City Council held December 17, 2007, I hereby move that City Council reconsider the vote on Motion No. 451 of the meeting of City Council held November 19, 2007 to give second reading to By-law No. 6876 to re-zone 1324 and 1330 - 1st Street North (Lots 6/9, Block 1, Plan 848) from CAR Commercial Arterial Zone to CG Commercial General Zone and to hold third reading of the by-law in abeyance pending a decision with respect to any further objections made to City Council. CARRIED.

As requested by Councillor Paterson, a recorded vote was taken on the above motion.

FOR

His Worship Mayor Burgess  
Councillor Black  
Councillor Blight  
Councillor Fitzpatrick  
Councillor Harwood  
Councillor Jessiman  
Councillor McCrae

AGAINST

Councillor Barletta  
Councillor Paterson  
Councillor Rice

Paterson-Black

509 That By-law No. 6876 to rezone 1324 and 1330 - 1st Street North (Lots 6/9, Block 1, Plan 848 BLTO) from CAR Commercial Arterial Zone to CG Commercial General Zone be read a second time;

and further, that third reading of this by-law be held in abeyance pending a decision with respect to any further objections made to City Council. CARRIED.

NO. 6877 - TO ESTABLISH 2008-2010 UTILITY CHARGES  
2ND AND 3RD READINGS

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It was noted this by-law had received first reading at the October 9, 2007 meeting of City Council.

Blight-Jessiman

510 That By-law No. 6877 to repeal Utility Rates By-law No. 6753 and establish 2008-2010 utility per unit charges, bulk and administration rates, while allowing for billing periods other than quarterly, be read a second time. CARRIED.

Blight-Jessiman

511 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. 6877 third reading.

FOR

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

AGAINST

Nil

NO. 6892 - TO AMEND BY-LAW NO. 6791 TO CLOSE AND CONVEY THE PUBLIC WALKWAY  
IN BLOCK 1, PLAN 24636 (OTTER BAY)  
1ST READING

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Considered was a report from the Property Department dated December 18, 2007 with respect to the above.

Blight-McCrae  
512 That By-law No. 6892 to amend By-law No. 6791 to close and convey the public walkway in Block 1, Plan 24636 located between Otter Bay and the Public Reserve, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Blight-McCrae  
That the meeting do now adjourn (8:52 p.m.). CARRIED.

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MAYOR

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CITY CLERK