

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, APRIL 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 M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson (entered at 8:02 p.m.), Councillor G. Rice

ABSENT: Youth Member

ADOPTION OF AGENDA:

Harwood-Blight  
578 That the Agenda for the Regular Meeting of City Council to be held on Monday, April 7, 2008 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Blight-McCrae  
579 That the Minutes of the Regular Meeting of City Council held on Monday, March 17, 2008 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) LEANNE TRAYNOR - BRANDON SPORT ALLIANCE

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Leanne Traynor, Regional Manager of Sport Manitoba - Westman Region, appeared before City Council regarding plans to create a Brandon Sport Alliance, which would be a partnership with local sports organizations, the Brandon School Division and the City of Brandon. Ms. Traynor requested Council's support of the initiative and to appoint a representative to the Alliance Board.

Black-McCrae  
580 That the presentation by Leanne Traynor with respect to support to and representation on the Brandon Sport Alliance Board be received and referred to the Administration for consideration and subsequent report. CARRIED.

PUBLIC HEARINGS:

(A) TO PROVIDE FOR THE BORROWING OF FUNDS TO EXPAND THE WASTEWATER LAGOON

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Mr. Pat Pulak of the Wastewater Treatment Plant appeared before City Council to provide information on the proposed expansion of the sludge storage at the wastewater lagoon and the requirement to borrow funds for such expansion.

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

Harwood-Blight  
581 That the Public Hearing with respect to borrowing funds in the amount of \$5,500,000 to expand the wastewater lagoon be concluded. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) GRANTS REVIEW COMMITTEE REPORT MARCH 4, 2008

Considered was a report from the Grants Review Committee dated March 4, 2008.

Campbell-Fitzpatrick

582 That the report of the Grants Review Committee dated March 4, 2008 be received. CARRIED.

Campbell-Fitzpatrick

583 That the amount of One Hundred Ninety Two Thousand, Five Hundred Thirty Three Dollars (\$192,533) be distributed as grants for the year 2008 to those organizations and groups included in the List of Recommended Grant Recipients - 2008 attached to and forming part of the Grants Review Committee Report dated March 4, 2008. CARRIED.

(B) WESTERN MANITOBA CENTENNIAL AUDITORIUM  
VERBAL REPORT APRIL 7, 2008

April 7, 2008  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Blight provided a verbal report on the Western Manitoba Centennial Auditorium facility operational review whereby he advised that interviews and consultations with the various user groups were underway and that a working session with the Board of Governors would be held in early May, with the final report to be presented on June 5, 2008.

(C) KEYSTONE CENTRE  
VERBAL REPORT APRIL 7, 2008

April 7, 2008  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Fitzpatrick provided a verbal report with respect to the Keystone Centre's Board of Directors mid-year report. He noted that the Centre's financial situation was improving and that the March edition of the newsletter "Connection" had been distributed, highlighting Round Up, a new event at the Keystone to be held April 18-20, 2008. Councillor Fitzpatrick advised that the selling of naming rights for the two north arenas was being pursued and extended his congratulations to the Royal Manitoba Winter Fair on another great year.

Black-Jessiman

584 That the verbal reports by Councillors Blight and Fitzpatrick with respect to the Western Manitoba Centennial Auditorium and the Keystone Centre be received. CARRIED.

ENQUIRIES:

(339) UPDATE REGARDING CONSTRUCTION OF 18TH STREET

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Councillor McCrae referred to the timeframes for construction on 18th Street by the Province of Manitoba and enquired if an update could be provided on same.

His Worship the Mayor advised that the City of Brandon Engineering Department had worked very closely with Manitoba Infrastructure and Transportation on this project. He added that he had been in contact with the Premier in this regard as well and that he anticipated more information would be made available following the Provincial Budget on Wednesday, April 9, 2008, and further that Council, as well as area residents, would be kept apprised of any new developments on this issue.

(340) CELL PHONE USE BY TAXICAB INDUSTRY

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Councillor McCrae referred to the upcoming amendments to the City of Brandon Taxi By-law, whereby it was intended as part of that by-law, to ban the use of cell phones by the taxicab industry. He enquired if more information could be provided as to incident statistics from other smaller communities where cell phone usage by taxicab drivers/dispatchers was permitted.

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

(341) DISPOSAL OF HAZARDOUS WASTE

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Councillor Black advised that Manitoba held the worst record across Canada in regard to the disposal of hazardous waste products such as old batteries, prescription drugs etc. He added that the reason for the poor rating was a lack of information provided to the public regarding the proper disposal of these products. He requested an update on how information was provided to City of Brandon residents on the safe disposal of hazardous waste.

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

(342) PROGRESS OF SHAPE FOODS PLANT

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Councillor Black requested an update on the progress of the Shape Foods Plant in Brandon as well as the progress made in the marketing of their products.

His Worship the Mayor advised that the information request could be forwarded to Shape Foods, however, given that they are a private company they were under no obligation to provide same. He added that any reports he had received showed extreme success and all indications were that if the success continued, they would be on track for expansion of the Brandon plant.

(343) RECREATIONAL ACTIVITIES

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Councillor Black referred to a complaint received from an area resident who had injured himself while rollerblading on the walking paths around the Riverbank Discovery Centre. He noted that the incident occurred after patchwork had been completed on the path and enquired whether or not it was possible to replace worn areas on the walking paths rather than continuous patching. In conjunction with the above, he noted that this individual had also stated that mats should be provided between the shacks and the ice surface at the skating oval in order to avoid people falling. He enquired whether or not an update on both of the above could be provided.

His Worship the Mayor agreed to take these matters under advisement.

(344) LOCATION OF NEW FIRE HALL - CONVERGYS

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Councillor Black referred to a recent newspaper article whereby it was noted that 10 years ago, City Council had concluded that 7th Street and Princess Avenue would be an ideal location for a new firehall/public safety building. He noted the potential that the property may be vacated by Convergys and enquired if the location of the new firehall at 19th Street and Maple Avenue could be reconsidered should the Princess Avenue property become available and requested a report on same.

His Worship the Mayor advised that the Economic Development Office was in constant contact with Convergys and would keep Council apprised of their intentions. He responded that the decision on the location of the firehall had been made by City Council and no report or reconsideration would be requested as same would not be appropriate.

(345) IMPACT OF INFLUX OF PEOPLE

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Councillor Black referred to the recent influx of people to Brandon and enquired if same had caused any strains on social services, housing etc.

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

(346) MAINTENANCE OF 'QUOT;DISCOVER DOWNTOWN BRANDON'QUOT; SIGNAGE

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Councillor Barletta advised that the condition of the 'quot;Discover Downtown Brandon'quot; signs and surrounding fences located at the entrances to downtown on Rosser and Princess Avenues had deteriorated. He enquired whether or not repairs and/or maintenance of same were planned in the near future.

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

(347) RENAISSANCE BRANDON UPDATE

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Councillor Campbell referred to recent news reports in regard to the Renaissance Brandon Committee and requested an update on same.

His Worship the Mayor advised that a meeting of the committee was to be held Wednesday, April 9, 2008 where an update/report to City Council was to be discussed and arrangements were to be made for a report to City Council as soon as possible after that time. He noted that the two vacancies on the committee were to be advertised and encouraged all members of Council to have interested parties submit their applications. Further to this issue, he advised that while the applications were to be reviewed by the committee, the final decision on appointments was to come from City Council.

(348) DEVELOPMENT OF FORMER BRANDON MENTAL HEALTH CENTRE SITE

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Councillor Paterson referred to recent correspondence received from Premier Doer in response to a previous enquiry on the development of the former Brandon Mental Health Centre site. He suggested that City Administration work with the Provincial Government in the establishment of goals and timelines and provide insight into the development of this site.

His Worship the Mayor advised that an announcement by the Provincial Government and Assiniboine Community College was expected shortly. He agreed to contact the Province to discuss the other development proposals, goals and timelines.

(349) STATUS OF DISASTER RELIEF PROGRAMS

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Councillor Paterson referred to the delayed responses from the Federal Government regarding Disaster Relief Programs. He noted that the City of Brandon was still waiting for a final decision three years after the flooding in July of 2005. He enquired if direction could be sought from City Administration as to how best to approach this issue with both senior levels of Government to ensure that these delays were prevented in the future. He further enquired if this issue could/should be raised with the Federation of Canadian Municipalities at their annual convention.

His Worship the Mayor advised that lobby efforts continued, however, the hold-up was with the Federal Government only. He agreed to take this matter under advisement.

ANNOUNCEMENTS:

WESTRIDGE COMMUNITY CENTRE MEETING

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Councillor Fitzpatrick announced that Westridge Community Centre would hold a meeting on April 20, 2008 beginning at 7:00 p.m. at the Centre. He noted that at the meeting, volunteers would be sought to help out with the Community Centre. He advised that the Centre was used by residents of Linden Lanes, Meadows and Victoria Wards and encouraged all area residents to attend and volunteer some time to ensure that the Centre stayed operational well into the future.

Further to this issue Councillor Blight encouraged residents of the Victoria Ward to attend the meeting and volunteer their services if at all possible.

GENERAL BUSINESS:

(A) APPLICATION FOR HOME RENOVATION AND RESIDENTIAL TAX ABATEMENT PROGRAM

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Considered was a report from the General Manager of Corporate Services dated March 20, 2008 with respect to the above.

585 Paterson-McCrae  
That the application for a Residential Tax Abatement Program credit for the property at 60 - 6th Street North be denied. CARRIED.

586 Paterson-McCrae  
That the application for a Home Renovation Tax Assistance Program credit for the property at 60 - 6th Street North be approved. CARRIED.

(B) ADOPTION OF AMENDED 2008 FINANCIAL PLAN

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City Council considered a report from the General Manager of Corporate Services dated March 14, 2008 with respect to the above.

587 Campbell-Paterson  
That the 2008 Financial Plan as adopted February 4, 2008 be amended on pages 1, 8, and 9 to reflect changes to the education assessments and expenditures. CARRIED.

(C) DISPOSAL OF 10 - 15TH STREET NORTH

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Submitted for consideration was a joint report from the General Manger of Operational Services and the Economic Development Officer dated March 18, 2008 with respect to the above.

Paterson-Barletta

588 That 10 - 15th Street North (Block 117, Plan 349) be disposed of for the sum of \$1.00 to enable the construction of social housing units in the City of Brandon commencing in 2008. CARRIED.

(D) PROPOSAL TO SUBDIVIDE PROPERTY LOCATED WEST OF 39TH STREET NORTH OF WINDSOR DRIVE

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His Worship the Mayor declared an interest in this and the following item of business as he is related to one of the persons involved and left the Council Chamber without any further discussion to avoid a conflict.

Considered was a report from the Planning Department dated March 26, 2008 with respect to the above.

Blight-Fitzpatrick

589 That the application of Waverly Developments Inc. to subdivide Pt. NE 1/4 16-10-19 WPM located west of 39th Street north of Windsor Drive (Lots 4/12, Lots 14/15, Lots 26/37, Block 14, and Pt. of Lots 26/37, Block 15, Plan 269 BLTO, Pt. Parcel B, Plan 37262 BLTO, and Pt. Lane of Block 14, BLTO) to create eleven (11) residential lots and public roads in the DR Development Reserve Zone and RSF residential Single Family Zone to accommodate future residential development be approved subject to:

1. the City of Brandon Planning Department receiving a true copy of a zoning amendment by-law rezoning Lots 4/10, Pt. Lot 11, Pt. Lots 26/30, Lots 31/37, Block 14, Plan 269 BLTO, Pt. Parcel B, Plan 37262 BLTO, and Pt. Lane of Block 14, Plan 269 BLTO 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 of the General Manager of Development Services dated March 26, 2008; and
3. confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of MTS Allstream Inc., Westman Communications Group and Manitoba Hydro. CARRIED.

(E) PROPOSAL TO SUBDIVIDE PROPERTY LOCATED SOUTH OF RICHMOND AVENUE WEST OF BROOKWOOD DRIVE

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City Council considered a report from the Planning Department dated March 25, 2008 with respect to the above.

Fitzpatrick-McCrae

590 That the application by Waverly Developments Ltd. o/b/o Brookwood Farms Manitoba Ltd. to subdivide property located south of Richmond Avenue west of Brookwood Drive (Pt. NE 1/4 9-10-19 WPM) to create twenty two (22) residential lots and public roads in the RSF Residential Single Family Zone to accommodate future residential development be approved subject to:

1. the owner or successor entering into a development agreement with the City of Brandon as attached to the report of the General Manager of Development Services dated March 25, 2008; and

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. CARRIED.

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

(F) PROPOSAL TO SUBDIVIDE PROPERTY LOCATED NORTH OF BRAECREST DRIVE WEST OF LARK STREET

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Submitted for consideration was a report from the Planning Department dated March 26, 2008 with respect to the above.

Paterson-Fitzpatrick

591 That the application of Braecrest Village Inc. to subdivide the property located north of Braecrest Drive west of Lark Street [Pt. Wly 644 feet of Ely 2898 feet of Sly 1353 feet (S 1/2 35-10-19 WPM)] to create four (4) lots and an extension of a public road in the RMD Residential Moderate Density Multiple Family Zone be approved subject to:

1. the owner or successor entering into a development agreement with the City of Brandon as attached to the report of the General Manager of Development Services dated March 26, 2008;
2. the owner or successor supplying a copy of the executed cross-drainage agreement between Braecrest Village Inc. and Taurus Golf which would be acceptable by the City Engineer;
3. 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; and
4. confirmation that financial consideration in the amount of \$29,889 has been paid to the Brandon School Division in lieu of land dedication. CARRIED.

(G) PROPOSAL TO SUBDIVIDE 1910 BELL AVENUE

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Considered was a report from the Planning Department dated March 26, 2008 with respect to the above.

Paterson-Blight

592 That the application of Executive Homes 2000 Ltd., to subdivide 1910 Bell Avenue (Pt. SE 1/4 34-10-19 WPM) be approved subject to:

1. the owner or successor entering into a development agreement with the City of Brandon;
2. the owner providing a storm water management plan, traffic impact study, and development report as outlined in the comments received from the City of Brandon Engineering Department, whereby said traffic report shall be created in consultation with residents of Hamilton Heights;
3. confirmation from the Brandon Fire Prevention Officer that street construction throughout the development of the subdivision along with fire hydrant locations are satisfactory;
4. 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;
5. confirmation of the owner or successor providing the Brandon School Division with financial consideration in lieu of land dedication; and
6. the development of the walkways and bicycle paths having police input. CARRIED.

(H) EVENT OF LOCAL SIGNIFICANCE - WHEAT CITY STAMPEDE

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Submitted for consideration was a report from the City Clerk's Department dated March 4, 2008 with respect to the above.

Rice-Jessiman

593 That City Policy No. 004 designating Events of Local Significance be amended by adding thereto:

“The Wheat City Stampede and Manitoba Horse Expo”. CARRIED.

(I) MOBILE HOME UTILITY BILLING

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City Council considered a report from the General Manager of Corporate Services dated March 26, 2008 with respect to the above.

Campbell-Black

594 That City Administration be authorized to negotiate with mobile home park owners regarding tenant billing for utility services within the guidelines outlined in the General Manager of Corporate Services report dated March 26, 2008. CARRIED.

(J) SOUTHEAST SECTOR FORCEMAIN AND WASTEWATER SEWER TENDER

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Councillor Rice declared an interest in this and the next two items of business as he is employed in the industry and left the Council Chamber without any further discussion to avoid a conflict.

Considered was a report from the General Manager of Development Services dated March 25, 2008 with respect to the above.

Campbell-McCrae

595 That the low bid of C & C Construction Co. Ltd. for the Southeast Sector Forcemain as per tender and specifications at a cost of \$1,280,207.25 (including GST) be accepted;

and further that the low bid of Allen & Bolack Excavating Ltd. for the Southeast Sector Wastewater Sewer as per tender and specifications at a cost of \$1,195,806.01 (including GST) be accepted;

and further, that the net expenditure in excess of the 2008 financial plan of \$1.61 million be charged to the Wastewater Reserve Fund. CARRIED.

(K) CONTRACT C - PAVING WORKS TENDER

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City Council considered the report of the General Manager of Development Services dated March 27, 2008 with respect to the above.

Barletta-Black

596 That the low bid from Nelson River Construction Inc. for Contract C Paving Works as per tender and specifications at a cost of \$1,396,181.33 (including GST) be accepted. CARRIED.

(L) CONTRACT A - SURFACE AND UNDERGROUND WORKS TENDER

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Submitted for consideration was a report from the General Manager of Development Services dated March 25, 2008 with respect to the above.



Blight-Paterson

597 That the low bid of Zenith Paving Ltd for Contract A Surface and Underground Works as per tender and specifications at a cost of \$1,309,524.91 (including GST) be accepted;

and further, that the net expenditure of \$400,000 for the 34th Street & Richmond Avenue roundabout be charged to the Gas Tax Reserve Fund. CARRIED.

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

(M) ELECTION TO FEDERATION OF CANADIAN MUNICIPALITIES BOARD OF DIRECTORS - COUNCILLOR V. BARLETTA

Considered was a report from Councillor V. Barletta dated March 19, 2008 with respect to the above.

McCrae-Black

598 That the City of Brandon assume the cost of Councillor Vince Barletta attending the Annual Conference of the Federation of Canadian Municipalities (FCM) being held May 30 to June 2, 2008 in Quebec City and his attending meetings of FCM's Board of Directors in the event he is elected to said Board whereby such cost in both cases shall not be deducted from his annual per diem and expense allowance. CARRIED.

BY-LAWS:

NO. 6884 - TO PROVIDE FOR THE LICENSING, CONTROLLING, REGULATING AND SAFETY OF TAXICABS WITHIN THE CITY OF BRANDON  
1ST READING

Considered was a report from the General Manager of Corporate Services dated March 25, 2008 with respect to the above.

Harwood-Paterson

599 That Taxi By-Law No. 6884, to provide for the licensing, controlling, regulating and safety of taxicabs within the City of Brandon, be read a first time. CARRIED.

NO. 6900 - TO PROVIDE FOR THE EXPENDITURE AND BORROWING OF FUNDS FOR THE PURPOSE OF THE EXPANDING THE WASTEWATER LAGOONS  
1ST READING

City Council considered a report from the General Manager of Corporate Services dated March 25, 2008 with respect to the above.

Paterson-Barletta

600 That By-Law No. 6900, to provide for the expenditure and borrowing of funds for the purpose of expanding the wastewater lagoons, be read a first time. CARRIED.

NO. 6901 - 2008 TAX LEVY BY-LAW  
1ST READING

Submitted for consideration was a report from the General Manager of Corporate Services dated March 14, 2008 with respect to the above.

Blight-Jessiman

601 That By-law No. 6901, being the 2008 Tax Levy By-law, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Black-McCrae

That the meeting do now adjourn. (9:16 p.m.). CARRIED.

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MAYOR

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CITY CLERK