

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, AUGUST 18, 2008 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 Member Stephen Montague

**ABSENT:** Nil

**ADOPTION OF AGENDA:**

745 **Blight-Rice**  
That the Agenda for the Regular Meeting of City Council to be held on Monday, August 18, 2008 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

746 **Harwood-Fitzpatrick**  
That the Minutes of the Regular Meeting of City Council held July 21, 2008 be taken as read and so adopted, all statutory requirements having been filled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) **KIM HOOKER - SKATE PLAZA FUNDRAISER 2008**

---

Kim Hooker appeared before City Council to outline the details pertaining to a downtown skate plaza fundraiser to be held on September 27, 2008. She noted that the fundraiser would be held on Rosser Avenue between 9th and 10th Streets and would include a concert and a skateboard competition. The skateboard competition was to start at 6:00 p.m. with an outdoor concert to follow.

She noted that this family event was expected to raise approximately \$6,000 and all proceeds were to go to the skate plaza.

747 **Paterson-Harwood**  
That the presentation by Kim Hooker with respect to the 2008 Skate Park Fundraiser be received. CARRIED.

**PUBLIC HEARINGS:**

Nil

**COMMUNICATION & PETITIONS:**

Nil

**COMMITTEE REPORTS:**

Nil

ENQUIRIES:

(413) LETTER FROM PREMIER DOER LONG TERM PLAN FOR KEYSTONE CENTRE

---

Councillor McCrae referred to a letter dated August 13, 2008 from The Honourable Gary Doer, Premier of Manitoba, whereby Premier Doer confirmed that the Province of Manitoba was committed to working with the City of Brandon in the establishment of a long term plan for the Keystone Centre. He noted that he had been pleased to see this commitment and enquired if any further information was available.

His Worship the Mayor advised he had recently received a verbal commitment from Premier Doer on this issue, however, he too had been pleased to see it in writing. He added that a long term solution for the future of the Keystone Centre was to be a top priority over the coming months.

(414) BOAT LAUNCH

---

Councillor Paterson enquired as to the status of the present boat launch and what was planned for a new boat launch in the future.

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

(415) SALVAGE ITEMS FROM THE DEMOLITION OF THE BEAUBIER HOTEL

---

Councillor Barletta referred to the recent demolition of the Beaubier Hotel and enquired as to what was planned for any salvageable items.

At the request of the Chair, the City Manager advised that any salvageable items other than the bricks and/or cement were to be taken by the demolition contractor. The bricks and/or cement were to be gathered by the City to be used in future projects. He added that the re-use of as much of the old building as possible was required to obtain elite silver certification for the new building.

(416) KEYSTONE CENTRE REVIEW

---

Councillor Fitzpatrick referred to a previous request for a review of the capital requirements for the Keystone Centre by the City and the Province. He requested an update on same.

At the request of the Chair, the City Manager advised that the City had been working with the Province on the possibility of a joint review and further, that if that was not possible by late August or early September 2008, the review would be undertaken by the City with a report back to the Keystone Centre Board and the Leadership Group.

(417) SEPTEMBER 2008 FREE TRANSIT FOR POST SECONDARY STUDENTS

---

Councillor Fitzpatrick referred to the recent decision by City Council to provide free Brandon Transit ridership for post secondary students in the month of September 2008. He enquired as to how this project would be promoted and advertised.

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

(418) PROVINCIAL EXHIBITION INVOLVEMENT - KEYSTONE CENTRE FUNDING

---

Councillor Black enquired whether or not the Provincial Exhibition was to be involved with the City and the Province in the review of the Keystone Centre capital projects funding.

His Worship the Mayor advised that at this point in time the only financial contributions came from the Province and the City, as well as, occasionally from the Federal Government. He noted that the issue had been discussed with the Province and would be discussed again, however, it was unlikely the Provincial Exhibition would be involved in the review.

(419) UPDATE ON THE CRIME PREVENTION COMMITTEE

---

Councillor Black requested an update on the Crime Prevention Committee.

His Worship the Mayor agreed to contact Mr. Darryl Darling, Chair of the Committee, and request that an update be provided to City Council.

(420) SEWER REPAIRS - 1500 BLOCK OF 2ND STREET

---

Councillor Jessiman advised that he had received calls from residents in the 1500 Block of 2nd Street regarding the recent completion of sewer repairs. He enquired when the clean-up from the repairs was expected to be completed.

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

(421) INDUSTRIAL DRIVE DITCH MOWING

---

Councillor Jessiman advised that he had received calls from concerned area residents regarding the high weeds in the ditches in the vicinity of Industrial Drive. He enquired when these ditches were expected to be mowed.

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

(422) SIDEWALK REPAIRS 1200 BLOCK OF 5TH STREET

---

Councillor Jessiman enquired as to when the sidewalk repairs in the 1200 Block of 5th Street were expected to be completed.

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

(423) ABERDEEN AVENUE AND 1ST STREET HUB AREA

---

Councillor Jessiman enquired if the hub area at Aberdeen Avenue and 1st Street was expected to be open this year.

His Worship the Mayor advised that weather conditions had delayed the completion of this project, however, it was expected to be completed by Spring 2009.

(424) WALKING PATH - MARYLAND AVENUE 18TH STREET TO 20TH STREET

---

Councillor Campbell noted that the walking path along Maryland Avenue between 18th Street and 20th Street had not been extended. She enquired if an update could be provided as to why the path was not extended.

At the request of the Chair, the General Manager of Development Services advised that the Jewish Cemetery had not allowed the City to secure any additional land for the walk path which left the only accessible land being the ditch area, which was too close to the street right-of-way. He added that the completion of the curb and widening of 18th Street was also required at that same intersection further making it unsafe to extend the walk path in that area at this time.

(425) RESIDENTIAL COMPLEX 1ST STREET NORTH

---

Councillor Paterson referred to the recent change from an apartment complex to condominiums for the Castle Ridge Estates development on 1st Street North. He advised that he had received numerous telephone calls from area residents who had expressed their concern that City Council had approved this application for apartment complexes, not condominiums and whether or not the developer was allowed to make this change without City Council approval.

Councillor Paterson indicated that he had spoken with City Administration and been advised that the developer was within his right to make the change. He enquired if information could be provided on whether or not this was a problem in other cities. He further enquired if any recommendations could be made by City Administration which may restrict such changes by developers in the future.

His Worship the Mayor advised that the developers were within their legal right to make the change; however, he agreed to take the matter under advisement.

ANNOUNCEMENTS:

2008 WESTERN CANADIAN SENIOR B FASTPITCH CHAMPIONSHIPS

---

Councillor Blight thanked City Council and the citizens of Westman for their support of the 2008 Western Canadian Senior B Fastpitch Championships held August 7 to 10, 2008 at Simplot Millennium Park. He noted that the event had been enjoyed by all who had attended.

MARYLAND AVENUE REMAINING DEBRIS

---

Councillor Campbell announced that she had spoken with the responsible developer and been assured that the hill of debris left after construction on Maryland Avenue was to be flattened and cleaned up in the very near future.

MANITOBA HERITAGE TATTOO

---

Councillor Fitzpatrick announced that the Manitoba Heritage Tattoo was to be held at the Keystone Centre, August 18 and 19, 2008. He noted that at this point in the meeting, it was too late for this evening's performance but encouraged everyone to attend the next day's 2:00 p.m. performance.

ACCOLADES TO THE GRASS CUTTERS

---

Councillor Paterson issued accolades to the City's grass cutting crews for a job well done in all areas of the City.

CONSTRUCTION AT 9TH STREET AND MARYLAND AVENUE

---

Councillor Campbell requested that the General Manager of Development Services provide an update on the construction in the area of 9th Street and Maryland Avenue.

At the request of the Chair, the General Manager of Development Services announced that the intersection of 9th Street and Maryland Avenue was currently closed to allow for the installation of a gravity sewer across the traffic circle intersection. He advised that work should be completed in the near future after which the work would begin in the park behind 9th Street up to McLeod Drive. He added that following completion in the park, work was to commence on 9th Street from Aberdeen Avenue to McLeod Drive, at which time 9th Street was to be closed to allow for the installation of the gravity sewer to the former Aberdeen Avenue Lift Station. He noted that this temporary closure was expected to take place in approximately three weeks, notices were to go out to residents a week ahead

of time and further, that every attempt was to be made for parking arrangements and to meet other needs of affected residents during the construction period.

ROSSER AVENUE WEST - UTILITIES TO BE MOVED

---

Councillor Blight referred to the changes to the location of utilities on Rosser Avenue West, whereby all utilities were to be moved. He requested an update from the General Manager of Development Services.

At the request of the Chair, the General Manager of Development Services advised that in the original development of Rosser Avenue West utilities had been located in the rear yard of personal property on the north side of Rosser Avenue. He explained however, that the utility companies had found accessibility a problem as the development progressed, and had notified area residents that a move of all utilities to the front yard had become necessary. He further advised that all area residents' initial concerns had been addressed by either the utility companies or the Development Services Department.

GENERAL BUSINESS:

(A) SKATE PLAZA FUNDRAISER STREET PARTY

---

Considered was a report from Community Services dated July 31, 2008 with respect to the above.

Barletta-McCrae

748 That in support of the Skate Plaza Fundraiser (SPF 2008) being held September 27, 2008 in Downtown Brandon:

- (1) Rosser Avenue between 9<sup>th</sup> and 10<sup>th</sup> Streets and Rosser Avenue's intersection with 10<sup>th</sup> Street be closed to vehicle traffic from 1:00 p.m. September 27, 2008 until 3:00 a.m. September 28, 2008;
- (2) the noise restriction set out in Nuisance By-law No. 5806 with respect to the sound emanating from any musical instrument or loud speaker be hereby waived during the event; and
- (3) gift in kind contributions be provided by the City of Brandon in the form of no parking signs, barricade, bleachers and garbage containers/pickup for the event. CARRIED.

(B) CULTURAL DEVELOPMENT AND DIVERSITY STRATEGY

---

City Council considered a report from Community Services dated July 24, 2008 with respect to the above.

Paterson-Barletta

749 That Brandon's Cultural Development and Diversity Plan dated July 2008 attached to the report of the Community Services Department dated July 24, 2008 be adopted and the recommendations contained therein be implemented. CARRIED.

(C) CEMETERY PLAN

---

Submitted for consideration was a report from Operational Services dated July 24, 2008 with respect to the above.

Campbell-Harwood

750 That the Cemetery Plan dated July 2008 attached to the report of Operational Services dated July 24, 2008 be received as information and that the plan be debated at the regular meeting of City Council to be held September 8, 2008. CARRIED.

(D) 2008 CITIZEN APPOINTMENT TO THE PLANNING COMMISSION

---

Considered was a report from the City Clerk dated July 31, 2008 with respect to the above.

Jessiman-Black

751 That Colleen Anderson be hereby appointed to the City of Brandon Planning Commission, with term of office to expire March 31, 2010. CARRIED.

(E) LAND TRANSFER TAX - ACQUISITION OF LAND AT 1ST STREET NORTH AND VETERANS WAY

---

City Council considered a report from the General Manager of Development Services dated July 30, 2008 with respect to the above.

Paterson-Fitzpatrick

752 That \$45,439.00 plus applicable registration costs be expended from the Land Acquisition Reserve for the payment of the land transfer tax associated with the City's acquisition of land at the southeast corner of 1st Street North and Veterans Way (Pt. of SW 1/4 25-10-19 WPM) from the Province of Manitoba. CARRIED.

(F) CITY OF BRANDON'S SUPPORT OF THE MASSEY HARRIS INTEGRATED HOUSING COMPLEX PROJECT AT 638 PACIFIC AVENUE

---

Considered was a report from Economic Development dated August 5, 2008 with respect to the above.

Councillor McCrae declared a conflict due to a relative being involved with this property and retired from the Council Chamber without further discussions on the matter.

Barletta-Paterson

753 That \$210,000 be expended in 2008 and \$210,000 in 2009 from the Affordable Housing Initiatives Reserve Fund as the City of Brandon's contribution to the Massey Harris Integrated Housing Complex at 638 Pacific Avenue.

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

(G) PROPOSAL TO SUBDIVIDE LAND SOUTH OF SYCAMORE DRIVE, EAST OF TRACEY STREET AND WEST OF 9TH STREET (PT. SW 1/4 11-10-19 WPM)

---

Submitted for consideration was a report from the Planning Department dated August 7, 2008 with respect to the above.

Campbell-Rice

754 That the application to subdivide land south of Sycamore Drive, east of Tracey Street and west of 9th Street (Pt. SW 1/4 11-10-19 WPM) to create eighty-seven (87) residential lots and public roads in the DR Development Reserve 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 said property from DR Development Reserve Zone to PR Parks and Recreation Zone and an appropriate residential zone;
- (2) the owner or successor entering into a development agreement with the City of Brandon as a condition of both subdivision and re-zoning approval under Sections 81 and 135 respectively of The Planning Act;

- (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;
  - (4) confirmation from the Senior Building Inspector of the City of Brandon Building Department that the issues pertaining to site access with respect to applicable building and fire codes have been resolved to the Senior Building Inspector's satisfaction; and
  - (5) the owner or successor paying to the Brandon School Division financial consideration in lieu of land dedication in the amount of \$24,664.50. CARRIED.
- (H) TRANSFER OF FUNDS
- 

City Council considered a report from the General Manager of Development Services dated August 7, 2008 with respect to the above.

Rice-Jessiman

755 That \$20,000 be transferred from the Parks Reserve to the Engineering Operating Account for the purchase and installation of trees in the Waverly, Brookwood and Woodlands Subdivisions. CARRIED.

- (I) WASTEWATER MAIN OVERSIZING COSTS FROM CAPITAL DEVELOPMENT RESERVE
- 

Considered was a report from Development Services dated August 7, 2008 with respect to the above.

Councillor Rice declared a conflict due to his employer having carried out the work on this project and retired from the Council Chamber without further discussions on the matter.

Paterson-Fitzpatrick

756 That Von Ast Management be paid \$10,633.92 GST inclusive for the oversizing costs associated with the installation of the wastewater main on Village Drive, and said costs to be derived from the Capital Development Reserve. CARRIED.

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

BY-LAWS:

- NO. 6893 - TO CREATE A FINANCIAL ASSISTANCE PROGRAM FOR THE REDEVELOPMENT OF THE FORMER NURSES' RESIDENCE AT THE BRANDON MENTAL HEALTH CENTRE PROPERTY  
1ST READING
- 

Considered was a report from the General Manager of Corporate Services dated August 8, 2008 with respect to the above.

Paterson-Black

757 That By-law No. 6893, to create a financial assistance program for the redevelopment of the former Nurses' Residence at the Brandon Mental Health Centre Property be read a first time. CARRIED.

- NO. 6899 - TO CHANGE ELECTORAL WARD BOUNDARIES IN THE CITY OF BRANDON  
1ST READING
- 

City Council considered a report from the City Clerk dated July 29, 2008 with respect to the above.

Harwood-Blight

758 That By-law No. 6899, to change the electoral ward boundaries in the City of Brandon, be read a first time. CARRIED.

NO. 6907 - TO REZONE 1925 PATRICIA AVENUE FROM RRL RESIDENTIAL LARGE LOT ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (JACOBSON AND GREINER LTD.)  
2ND READING AND HOLDING 3RD READING IN ABEYANCE.

It was noted that this by-law had received first reading at the June 16, 2008 meeting of City Council.

Campbell-Paterson

759 That By-Law 6907 to rezone 1925 Patricia Avenue (Lot 3, Plan 2041 BLTO) from RLL Residential Large Lot Zone to RMD Residential Moderate Density Multiple Family Zone be read a second time. CARRIED.

Campbell-Paterson

760 That third reading of By-Law 6907 be held in abeyance pending:

- (a) the due process for a possible second objection to this application pursuant to subsection 77(3) of The Planning Act; and
- (b) the developer entering into the development agreement attached to the report of the General Manager of Development Services dated August 6, 2008. CARRIED.

NO. 6909 - TO IMPOSE A TAX ON ACCOMMODATION OF SHORT DURATION

It was noted that this by-law had received first reading at the June 3, 2008 meeting of City Council.

Burgess-Paterson

761 That By-law No. 6909 be given no further readings. CARRIED.

At the request of Councillor Don Jessiman a recorded vote was taken on the above motion.

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

NO. 6911 - TO AMEND BY-LAW NO. 6799 TO CLOSE AND CONVEY 12TH STREET SOUTH OF RICHMOND AVENUE TO OTTAWA AVENUE, OTTAWA AVENUE LOCATED BETWEEN 12TH AND 13TH STREETS, AND NORTH/SOUTH LANE IN BLOCK 9, PLAN 276  
1ST READING

Considered was a report from the General Manager of Development Services dated July 25, 2008.

Campbell-Black

762 That By-law No. 6911, to amend By-law No. 6799 to convey Parcel D of the public lane located east of 13th Street and south of Ottawa Avenue to the registered land owners of Lot 3, Block 9, Plan 276 BLTO and to convey Parcel E of the public lane located east of 13th Street and south of Ottawa Avenue to the registered owners of Lots 4/6, Block 9, Plan 276 BLTO, be read a first time. CARRIED.



NO. 6915 - TO AMEND ANIMAL CONTROL BY-LAW NO. 5900 TO REGULATE RABIES VACCINATIONS FOR DOGS AND CATS  
2ND AND 3RD READINGS

---

It was noted that this by-law had received first reading at the July 21, 2008 meeting of City Council.

Burgess-Blight

763 That By-law No. 6915, to amend Animal Control By-law No. 5900 to regulate rabies vaccinations for dogs and cats within the City of Brandon, be read a second time. CARRIED.

Burgess-Blight

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

FOR

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

AGAINST

Nil

NO. 6917 - TO ESTABLISH A MULTI-FAMILY AFFORDABLE HOUSING FINANCIAL ASSISTANCE PROGRAM  
1ST READING

---

City Council considered a report from the Economic Development Officer dated July 29, 2008 with respect to the above.

Rice-Paterson

765 That By-law No. 6917, to create a Multi-Family Affordable Housing Financial Assistance Program to encourage the construction of affordable multi-family housing units in the City of Brandon and to repeal By-law Nos. 6870 and 6879, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Black-Blight

That the meeting now adjourn. (9:40 p.m.) CARRIED.

---

MAYOR

---

CITY CLERK