

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
MARCH 16, 2009 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

ABSENT: Councillor G. Rice, Youth Member

ADOPTION OF AGENDA:

Blight-Jessiman
1047 That the Agenda for the Regular Meeting of City Council to be held on Monday, March 16, 2009 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Blight-Fitzpatrick
1048 That the Minutes of the Regular Meeting of City Council held on Monday, March 2, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) JOINT TASK FORCE - BRANDON SCHOOL DIVISION AND CITY OF BRANDON
VERBAL REPORT MARCH 16, 2009

March 16, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor MacCrae provided a verbal report on the recent meeting held on March 4, 2009 between members of City Council and the Brandon School Division Board of Trustees. He noted that several topics had been discussed including services to new immigrants and aboriginals, taxes, housing, football scoreboards at the three high schools, the Information Technology fibre ring, transportation of students, the school safety program, the multi-agency prevention program, the upcoming public hearings for French Milieu program, and the plastic bag recycling program.

Further to Councillor McCrae's report, Councillor Fitzpatrick advised that public hearings with respect to the proposed French Milieu Program would be held on April 14, 2009 at École New Era School, April 16 at Neelin High School, April 22 at Betty Gibson School and April 23 at Harrison Middle School.

(B) KEYSTONE CENTRE BOARD
VERBAL REPORT

MARCH 16, 2009

March 16, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fitzpatrick provided a verbal report on the mid-year report of the Keystone Centre that had recently been released. He noted that operating expenses had grown by 7%, however gross revenue had exceeded budget expectations by 4.5% and total expenses had decreased by 4.6%. Councillor Fitzpatrick reported that the budgeted loss of \$412,000 for the fiscal year ending July 31, 2009 was now projected to be \$299,000, which was attributable to maintenance programs and a number of vacant staff positions that had not yet been filled. He concluded by noting that work continued on the budget for the renovations required for the Memorial Cup to ensure that the costs would be under \$5 million.

Harwood-Paterson

1049 That the verbal reports by Councillors McCrae and Fitzpatrick with regard to the Joint Task Force and the Keystone Centre respectively be received. CARRIED.

ENQUIRIES:

(559) NAMING OF TRAFFIC CIRCLES

Councillor Paterson enquired as to the possibility of naming the traffic circles in the City according to the City's Naming Policy.

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

(560) LIEUTENANT GOVERNOR'S WINTER FESTIVAL

Councillor Paterson referred to the Lieutenant Governor's Winter Festival held annually in February and enquired as to the possibility of the festival becoming an institution, with a permanent office location run by an executive director and cultural education programs taught year-round.

His Worship the Mayor advised that discussions were ongoing between the City of Brandon and the Brandon Race Relations Committee in an effort to have the festival become a joint venture and a report to City Council on the issue was expected in the coming months.

(561) LACK OF JET AIR SERVICE FOR CITY OF BRANDON

Councillor Paterson referred to the lack of a Federal Government policy in relation to jet air service for smaller markets such as Brandon. He enquired if the local Member of Parliament, Mr. Merv Tweed could be contacted to discuss this issue, and further, if a special committee of City Council could be established to work with similar size cities across Canada to lobby the Federal Government for jet air service.

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

(562) TURNING LIGHTS AT 26TH STREET AND VICTORIA AVENUE

Councillor Fitzpatrick requested a status update regarding the potential for the installation of turning signals on the traffic lights at the intersection of 26th Street and Victoria Avenue.

At the request of the Chair, the General Manager of Development Services advised that past reviews of this intersection had shown that turning signals were not warranted, however, another review was expected to be conducted in the near future and City Council would be advised of the recommendation from that review.

(563) POTHoles IN THE CITY OF BRANDON

Councillor Fitzpatrick enquired how potholes could be reported, and further, how the current pothole problems were being addressed.

At the request of the Chair, the General Manager of Operational Services advised that potholes could be reported on the Pothole Hotline at 729-2200, by contacting the Public Works Department at 729-2285, or via email on the Operations page at www.brandon.ca. He noted that all of the above options were monitored throughout the day and crews dispatched accordingly.

(564) CONDITION OF CANADIAN NATIONAL RAILWAY (CNR) TRACKS AT MAJOR CROSSINGS

Councillor Blight noted that the CNR tracks at many of the major crossings throughout the City were in need of repair. He enquired if CNR could be requested to inspect and repair same.

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

(565) COMPLETION OF PHASE II - WASTEWATER TREATMENT PLANT

Councillor Black enquired if Phase II of the Wastewater Treatment Plant had been completed.

At the request of the Chair, the City Manager advised that same was expected to be commissioned in late May or early June of 2009.

(566) CITY OF BRANDON PESTICIDE BY-LAW

Councillor Black referred to the City of Brandon Pesticide By-law and enquired if amendments to the by-law to further restrict pesticide use in the City were expected.

At the request of the Chair, the Director of Community Services advised that the Pesticide Committee was expected to meet in the near future. He noted however, that the current by-law was in-line with those of other cities and no changes were expected.

(567) FLOODING OF CATCHBASINS DURING SPRING MELT

Councillor Black referred to the freezing of catchbasins over the winter resulting in floods during the spring melting season and enquired as to how these situations could be avoided in the future.

At the request of the Chair, the General Manager of Operational Services advised that because storm sewers were close to the surface they were subject to winter freeze-ups. He noted that crews were working as fast as possible in all areas of the city using steam to thaw the catchbasins and allow the water to flow freely through them. He added that severe temperature fluctuations continued to cause problems with catchbasin freeze-ups and any problems could be reported to Public Works at 729-2285 or through the City of Brandon website.

ANNOUNCEMENTS:

ENVIRONMENTAL SUBCOMMITTEE - BRANDON STRATEGIC PLAN

Councillor Paterson announced that the Environmental Subcommittee of the Brandon Strategic Plan was currently seeking new members and interested persons were to contact himself or Mr. Tom Keep.

ANNUAL WENDY'S RESTAURANT/KIDNEY FOUNDATION FUNDRAISER; SHAMROCK SMOKER; AND 5-PIN BOWLING EVENTS

Councillor Blight announced that he had attended several events recently on behalf of His Worship the Mayor including the kick-off the annual Wendy's Restaurant/Kidney Foundation Fundraiser; the Travelers' Day Parade Association Shamrock Smoker; and the Manitoba 5-Pin Bowlers' Association tournament.

GENERAL BUSINESS:

(A) 2009 CITIZEN APPOINTMENT TO THE PLANNING COMMISSION

City Council considered a report from the City Clerk's Office dated March 2, 2009 with respect to the above.

Black-Jessiman

1050 That Don Pryke be hereby appointed to the Planning Commission with term of office to commence April 1, 2009 and expire March 31, 2012. CARRIED.

(B) APPLICATION TO SUBDIVIDE THE AREA WEST OF WAVERLY DRIVE AND NORTH OF WINDSOR DRIVE (PT. NE 1/4 16-10-19 WPM - LOTS 4/16, LOTS 26/36, BLOCK 14 AND PT. OF LOTS 27/37, BLOCK 15, PLAN 269 BLTO) - WAVERLY DEVELOPMENTS LTD.

His Worship the Mayor declared a conflict of interest in the matter due to his relationship with the applicant and left the Council Chamber without further discussion.

Considered was a report from Planning Services dated March 2, 2009 with respect to the above.

Blight-McCrae

1051 That the application to subdivide the area west of Waverly Drive and north of Windsor Drive (Pt. NE 1/4 16-10-19 WPM - Lots 4/16, Lots 26/36, Block 14 and Pt. of Lots 27/37, Block 15, Plan 269 BLTO) to create fifteen (15) single family residential lots in the DR Development Reserve Zone and RSF Residential Single Family Zone to accommodate future residential development, be approved subject to:

- (a) the above described land being rezoned from DR Development Reserve Zone to RSF Residential Single Family Zone;
- (b) the applicant and/or successor entering into a development agreement with the City of Brandon pursuant to subsection 135 (3) of The Planning Act including provisions of subsection 135(6) of the Act concerning dedication of land and subsection 136 (1) of the Act concerning payment of money in place of land dedication;
- (c) 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

- (d) written verification from Manitoba Infrastructure and Transportation, Highway Planning and Design that it has received all necessary information to determine if drainage from this proposed subdivision would have any adverse effect on the nearby provincial highway drainage system, as well as, if necessary, to detail revisions necessary to the existing system to accommodate any additional runoff. CARRIED.

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

(C) BRANDON EMERGENCY PLAN

Submitted for consideration was a report from the General Manager of Corporate Services dated February 25, 2009 with respect to the above.

Harwood-McCrae

- 1052 That the Brandon Emergency Plan dated February 2009 attached to the report of the General Manager of Corporate Services dated February 25, 2009 be adopted. CARRIED.

(D) SANITATION REFUSE COLLECTION SYSTEM

City Council considered a report from the Director of Community Services dated March 3, 2009 with respect to the above.

Black-Jessiman

- 1053 That the Sanitation Refuse Collection System report dated March 3, 2009 be received. CARRIED.

Prior to voting on the above motion, several enquiries were made by members of City Council with respect to the new recycling system which were responded to by the Director of Community Services.

(E) 2008 PUBLIC WATER SUPPLY ANNUAL REPORT

Considered was a report from the Director of Engineering Services and Water Resources dated March 5, 2009 with respect to the above.

McCrae-Black

- 1054 That the report from the Director of Engineering Services and Water Resources dated March 5, 2009 and entitled 2008 Public Water Supply Annual Report be received. CARRIED.

(F) LAND ACQUISITION TO MAINTAIN LAND DRAINAGE SOUTH OF PATRICIA AVENUE

Submitted for consideration was a report from the General Manager of Development Services dated March 9, 2009 with respect to the above.

Campbell-Jessiman

- 1055 That City Council Motion No. 962 (January 5, 2009) with respect to the City's purchase of property located south of Patricia Avenue and east of 9th Street (Part of NE 1/4 1-10-19 WPM) from Edward McLeod be amended by deleting: "11.86 acres" and substituting therefor: "8 acres" and by deleting: "\$99,000.00" and substituting therefor: "\$66,776.00". CARRIED.

(G) APPOINTMENT OF SENIOR ELECTION OFFICIAL - 2010 BRANDON MUNICIPAL COUNCIL AND SCHOOL BOARD ELECTIONS

City Council considered a report from the City Clerk dated March 9, 2009 with respect to the above.

Harwood-Jessiman

1056 That Heather Ewasiuk be appointed as the Senior Election Official for the City of Brandon to fulfill all obligations outlined in The Municipal Councils and School Boards Elections Act. CARRIED.

(H) FINANCIAL ASSISTANCE TO MANITOBA HERITAGE TATTOO

Considered was a report from the City Clerk dated March 6, 2009 with respect to the above.

Paterson-Black

1057 That a grant in the amount of \$15,000 be made to Augustfest Brandon Inc. for its staging of the 2010 Manitoba Heritage Tattoo whereby such funding shall be expended from the 2009 grant allocation. CARRIED.

Following the vote on the above motion, Councillor Paterson excused himself from the meeting. (8:30 p.m.)

BY-LAWS:

NO. 6894 - TO REZONE PROPERTY LOCATED AT 737 STICKNEY AVENUE (LOTS 19/20, BLOCK 106, PLAN 2 BLTO) FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (LAMONT)
3RD READING

It was noted that this by-law had received second reading at the January 19, 2009 meeting of City Council and that third reading of the by-law had been held in abeyance pending the applicant's signing of a development agreement with the City, which has since taken place.

Blight-Barletta

1058 That By-law No. 6894 to rezone 737 Stickney Avenue (Lots 19/20, Block 106, Plan 2 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone 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. 6894 third reading.

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

NO. 6935 - TO CANCEL THE BORROWING AUTHORITY PROVIDED IN BY-LAW NO. 6916
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the February 2, 2009 meeting of City Council.

McCrae-Blight

1059 That By-law No. 6935 to cancel \$1,250,000 of borrowing authority as granted by By-law No. 6916 be read a second time. CARRIED.

McCrae-Blight

1060 That the 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. 6935 third reading.

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

NO. 6939 - TO REZONE PROPERTY LOCATED WEST OF 39TH STREET/WAVERLY DRIVE
BETWEEN WREN CRESCENT AND WINDSOR DRIVE (LOTS 4/16 AND 26/36, BLOCK
14 AND PART OF LOTS 27/37, BLOCK 15, PLAN 269 BLTO) FROM DR
DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE
(WAVERLY DEVELOPMENTS LTD./JACOBSON AND GREINER LTD.)
1ST READING

His Worship the Mayor declared a conflict of interest in this matter due to his relationship with the applicant and left the Council Chamber without further discussion.

Submitted for consideration was a report from Planning Services dated March 2, 2009 with respect to the above.

Blight-Fitzpatrick

1061 That By-law No. 6939 to rezone land located west of 39th Street/Waverly Drive between Wren Crescent and Windsor Drive (Lots 4/16 and 26/36, Block 14 and Pt. Lots 27/37, Block 15, Plan 269 BLTO) from DR Development Reserve Zone to RSF Residential Single Family Zone 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:

Nil

ADJOURN:

Blight-Barletta

That the meeting do now adjourn (8:42 p.m.) CARRIED.

MAYOR

CITY CLERK