

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, APRIL 20, 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, Councillor G. Rice

ABSENT: Nil

ADOPTION OF AGENDA:

Rice-Blight
1088 That the Agenda for the Regular Meeting of City Council to be held Monday, April 20, 2009 be adopted as presented. CARRIED.

PRESENTATIONS AND RECOGNITION OF GUESTS:

(A) DESK CLOCK FROM ORIGINAL CITY HALL - MAE MCLENNAN

His Worship Mayor Burgess presented City Council with a desk clock graciously donated by Mae McClennan. He noted that the clock's origin dated back to the original City Hall located on Princess Avenue between 6th and 7th Streets from 1882 - 1911 and had been made in New York. His Worship the Mayor extended his appreciated to Mrs. McClennan for the gift and noted that the clock would be on display at City Hall.

CONFIRMATION OF MINUTES:

Harwood-Fitzpatrick
1089 That the Minutes of the Regular Meeting of City Council held Monday, April 8, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) ROBERT BERRY - 2012 NORTH AMERICAN BELGIAN CONGRESS

Robert Berry, President of the North American Belgian Championship VII Executive Committee appeared before City Council with respect to the 2012 North American Belgian Congress to be held in the City of Brandon from July 17 - 21, 2012. Mr. Berry explained that this international event was held every four years to showcase North American Belgian breeding and hitch horses and had previously been held in Brandon in 1996. He estimated that the event would attract an audience of over 15,000 people, and would have a significant economic impact on the City of Brandon and the surrounding Westman area. Mr. Berry concluded by requesting City Council's consideration of financial support from the Major Events Hosting Reserve Fund in the amount of \$25,000.

Paterson-Jessiman
1090 That the presentation by Robert Berry with respect to the 2012 North American Belgian Congress and an application to the City of Brandon's Major Events Hosting Reserve Fund be received and referred to the Administration for consideration and subsequent report. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE APRIL 15, 2009

April 15, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held this 15th day of April, 2009, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present:

Committee Members: Mayor Dave Burgess, Chairman, Councillor Don Jessiman, Councillor Doug Paterson

Resource Personnel: Mr. Brian MacRae, City Manager, Mrs. Vicki Fifi, Director of Human Resources, Inspector Shane Corley, Brandon Police Service

Absent:

Councillor Jim McCrae, Committee Member

Contract Settlement - Brandon Police Association

The purpose of the meeting was to discuss the recent negotiations with the Brandon Police Association.

Councillor Paterson

That the Committee resolve into closed session. Carried.

Mrs. Fifi presented a summary of the negotiations and advised that these were ratified by the membership on April 8, 2009 as per the Memorandum of Settlement. The Committee members requested clarity on some issues related to the proposed settlement.

Highlights of the negotiated settlement include:

- Salary increases for sworn members, based on First Class Constable rate, of:
 - 3.75% on March 1, 2008
 - 4.00% on March 1, 2009
 - 1.75% on September 1, 2009
- Salary increases for By-law Enforcement Officers of:
 - 3.25% on March 1, 2008
 - 3.25% on March 1, 2009
- Salary increases for all remaining non-sworn members of:
 - 3.00% on March 1, 2008
 - 3.00% on March 1, 2009
 - Reclassification of Property Clerk over the two years to equate to Senior Clerical Support Assistant

- Language to establish advancement of Police Recruits through the ranks from Probationary Constable through to First Class Constable
- Enhance vacation by one (1) day for each completed year from 30 to 34
- Clarity of language regarding process for reduction of staff
- General clean-up of clauses and letters of understanding
- Two year contract set to expire February 28, 2010

Councillor Paterson

That the proposed settlement as presented be recommended to City Council as follows:

“That the City of Brandon enter into a two (2) year agreement with the Brandon Police Association for the period March 1, 2008 to February 28, 2010 as per the Memorandum of Settlement whereby wages shall be increased as follows:

- For sworn members (based on First Class Constable salary):
 - 3.75% on March 1, 2008
 - 4.00% on March 1, 2009
 - 1.75% on September 1, 2009
- For By-law Enforcement Officers:
 - 3.25% on March 1, 2008
 - 3.25% on March 1, 2009
- For all remaining non-sworn members:
 - 3.00% on March 1, 2008
 - 3.00% on March 1, 2009”. Carried Unanimously

Councillor Jessiman

That the Committee resolve into open session. Carried.

Councillor Paterson

That the meeting now adjourn. Carried.

Respectfully submitted,

“D. Burgess”

Mayor Dave Burgess
CHAIRMAN

Harwood-Paterson

1091 That the report of the Personnel Committee of its meeting held April 15, 2009 regarding the recent negotiations with the Brandon Police Association be received. CARRIED.

Harwood-Paterson

1092 That the City of Brandon enter into a two (2) year agreement with the Brandon Police Association for the period March 1, 2008 to February 28, 2010 as per the Memorandum of Settlement whereby wages shall be increased as follows:

- For sworn members (based on First Class Constable salary):
 - 3.75% on March 1, 2008
 - 4.00% on March 1, 2009
 - 1.75% on September 1, 2009
- For By-law Enforcement Officers:
 - 3.25% on March 1, 2008
 - 3.25% on March 1, 2009
- For all remaining non-sworn members:
 - 3.00% on March 1, 2008
 - 3.00% on March 1, 2009. CARRIED.

ENQUIRIES:

(579) PROMOTION OF CITY OF BRANDON AS A "NO HOTEL TAX" CITY

Councillor Paterson referred to a previous motion considered by City Council whereby the proposal for a hotel tax for the City of Brandon had been rejected. He enquired as to what efforts had been undertaken to promote the City of Brandon as a "No Hotel Tax" City.

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

(580) ACCESS TO RECYCLING BINS AT OLD BOAT LAUNCH

Councillor Paterson noted that the recycling bins located at the old boat launch were not easily accessible during the spring season, and further, that debris from same was blowing into the Assiniboine River. He enquired if another location for the bins could be investigated.

Further to this issue, Councillor Black noted that he had also received complaints regarding difficulty accessing these bins.

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

(581) STABILITY OF REFUSE CONTAINERS

Councillor Campbell noted that a ward resident had contacted her to complain that the new refuse containers were not heavy enough, and were easily blown over scattering refuse. She noted that this was not the first complaint on this issue and enquired as to how this problem could be rectified.

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

(582) RECOMMENCEMENT OF SEWER AND WATER WORK ON 9TH STREET

Councillor Campbell enquired when the sewer and water work on 9th Street started in the Fall of 2008 was expected to recommence.

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

(583) REPLACEMENT OF BURNED OUT STREET LIGHTS

Councillor Campbell noted that a street light in the vicinity of 26th Street and Maryland Avenue had been burned out for several months, with several reports having been made to Manitoba Hydro to no avail. She noted that as the problem still existed, she enquired if Manitoba Hydro could be contacted again.

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

(584) EFFECT OF FLOODING ON ELEANOR KIDD PARK

Councillor Black advised that he had received complaints regarding firewood storage boxes floating in the flood waters in Eleanor Kidd Park. He enquired as to the possibility of the water levels being monitored to allow for the removal of such items prior to spring flooding.

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

(585) CONTROL OF THE USE OF PLASTIC BAGS

Councillor Black noted that the Province of Manitoba had a plan in place which was expected to reduce plastic bag use by 50% over the next 5 years. He enquired if the City of Brandon planned to accelerate that process within the City.

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

(586) TRAFFIC CONCERNS - MCDIARMID DRIVE AND VICTORIA AVENUE

Councillor Harwood referred to a previous enquiry regarding the increased volume of traffic at the intersection of McDiarmid Drive and Victoria Avenue. He requested an update on the status of the traffic count which was to be conducted at this intersection and the results of same.

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

(587) ANNOUNCEMENT REGARDING CANADA BUILDING INFRASTRUCTURE FUND

Councillor Harwood enquired as to when a response to the applications for funding under the Canada Building Infrastructure Fund was expected.

His Worship the Mayor advised that no confirmation of response dates had been received, however, given that some funding announcements had already been made, he expected a response in the near future.

(588) FREE PARKING TO VETERANS AT METERS AT BRANDON REGIONAL HEALTH CENTRE (BRHC) AND BRANDON UNIVERSITY (BU)

Councillor Fitzpatrick referred to vehicles with veteran's license plates being permitted to park free at meters within the City of Brandon. He advised that he had received a complaint from a veteran who had received a ticket while parked at the Brandon Regional Health Centre (BRHC) and enquired as to why the free parking was not permitted at the BRHC and Brandon University (BU).

At the request of His Worship the Mayor, the City Manager advised that Russell Street from Victoria Avenue to the hospital had been closed and conveyed to the Brandon Regional Health Authority, and was no longer a public street. He noted that due to the heavy volume of parking requirements, the City of Brandon Traffic By-law allowed for increased enforcement on private property such as the BRHC and BU. He advised that a meeting was to take place between himself, the City Engineer, and representatives from the Brandon Regional Health Authority and Brandon University where the issue was to be discussed. He agreed to report back to City Council with the results of that meeting.

(589) BARRICADES AT FRONT ENTRANCE TO WESTERN MANITOBA CENTENNIAL AUDITORIUM (WMCA)

Councillor Blight noted that the barricades remained in place on the stairs at the Western Manitoba Centennial Auditorium and enquired when the repairs to the stairway were expected to be completed.

At the request of His Worship the Mayor, the City Manager responded that as full replacement of the podium was not expected for quite some time, he had requested that a cost estimate be provided by City Staff for emergency repairs which was to be discussed with WMCA management. He advised that City Council would be informed of the results of those discussions.

(590) POLICE COMMISSION - MANITOBA POLICE ACT

Councillor Blight requested an update on the Manitoba Police Act and the proposed Police Commission.

His Worship the Mayor referred to the recent announcement by the Province of Manitoba that legislation, inclusive of the requirement for Municipal Police Forces to be governed by a Police Commission, had been brought forward. He advised that immediately following the announcement, he had stated the City of Brandon's opposition to the mandatory requirement for a Municipal Police Commission in a letter to Premier Doer, The Honourable Dave Chomiak, Minister of Justice, and all Municipal Police Forces in the Province. He added that in that letter, he had encouraged other municipalities to voice their opinion as well.

Further to this issue Councillor Black noted that City Council had supported the segment of this proposed legislation which called for independent investigations and reviews of Police Forces. He enquired if that issue had been stated in His Worship's above noted correspondence.

His Worship the Mayor responded that the only subject discussed in the letter had been the mandatory requirement for a Municipal Police Commission.

Councillor McCrae requested that information be sought on the mandate of the proposed Municipal Police Commissions as well as what input municipal councils may have in that mandate.

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

(591) KINSMEN STADIUM

Councillor Blight enquired if any discussions had taken place regarding Brandon University being permitted to use the field at Kinsmen Stadium for extra parking until such time as the new field was operational in 2010.

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

(592) HOURS OF PARKING METERS IN HOSPITAL AREA

Councillor Jessiman enquired if the parking meters in the hospital area were monitored the same hours as others throughout the City.

His Worship the Mayor advised that any meters located on hospital property, such as those on Russell Street, were monitored 24 hours a day and vehicles parked at expired meters would be ticketed.

(593) ANNOUNCEMENT BY PROVINCIAL GOVERNMENT REGARDING FLOOD ASSISTANCE

Councillor Jessiman referred to a recent announcement made by the Province of Manitoba regarding flood assistance and enquired if any further information on same was available.

His Worship the Mayor agreed to request clarification on the information from The Honourable Steve Ashton, Minister of Intergovernmental Affairs.

ANNOUNCEMENTS:

CITIZENS ON PATROL WEEK - APRIL 19 - 25, 2009

Councillor Blight announced that he had recently attended the annual Citizens On Patrol Conference in Winnipeg whereby he advised that The Honourable Dave Chomiak, Minister of Justice, had proclaimed April 19 to 25, 2009 as Citizens On Patrol Week.

SOUTH CENTRE WARD MEETING - MAY 27, 2009

Councillor Rice announced that a South Centre Ward Meeting was to be held May 27, 2009 at 7:00 p.m. at the Central Community Centre. He added that members of City Administration would be in attendance and invited everyone to attend.

POTHOLE HOTLINE AND PUBLIC WORKS TELEPHONE NUMBERS

Councillor Rice announced that potholes could be reported by leaving a message on the Pothole Hotline at 729-2200 and any other issues could be reported to the Public Works Department at 729-2285.

ADMINISTRATIVE PROFESSIONAL'S DAY - APRIL 22, 2009

His Worship the Mayor read the following proclamation:

WHEREAS administrative professionals comprise the largest segment of the office workforce and serve as vital contributors in the modern office; and

WHEREAS Administrative Professional's Day highlights the major contributions of administrative professionals to business and government; and

WHEREAS the mission of the International Association of Administrative Professionals (IAAP) is to enhance the success of career-minded administrative professionals by providing opportunities for growth through education, community building, and leadership; and

WHEREAS the Brandon Chapter of IAAP endeavors to uphold the mission and goals of the International Association;

NOW THEREFORE I, Dave Burgess, Mayor of the City of Brandon, in the Province of Manitoba, DO HEREBY proclaim April 22, 2009, to be "Administrative Professional's Day" in the City of Brandon.

GENERAL BUSINESS:

(A) GREEN HOUSE GAS INVENTORY

Considered was a report from the General Manager of Operational Services dated March 30, 2009 with respect to the above.

1093 Campbell-Barletta
That the report of the Operational Services Division dated March 30, 2009 with respect to the Greenhouse Gas Inventory be received and the Community Green House Gas Inventory document attached thereto prepared by William Bates and dated October 6, 2008 be approved. CARRIED.

Prior to voting on the above motion, several enquiries were made by members of City Council with respect to the Greenhouse Gas Inventory which were responded to by Mr. Tom Keep, Community Development Coordinator - Environment.

(B) TENDER - CONTRACT A ROAD BUILDING WORKS

Councillor Rice declared a conflict of interest in this and the following item of business due to his employment in the industry and left the Council Chamber without any further discussion.

City Council considered a report from the General Manager of Development Services dated April 7, 2009 with respect to the above.

1094 Black-Fitzpatrick
That the low bid of Zenith Paving Ltd. for Contract A Road Building Works as per tender and specifications at a cost of \$827,618.35 (including GST) be accepted. CARRIED.

(C) TENDER - CONTRACT C PAVING WORKS

Submitted for consideration was a report from the General Manager of Development Services dated April 7, 2009 with respect to the above.

1095 Harwood-Blight
That the low bid from Maple Leaf Construction Ltd. for Contract C Paving Works as per tender and specifications at a cost of \$1,085,976.15 (including GST) be accepted. CARRIED.

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

(D) TENDER - LANDFILL COMPACTOR

Considered was a report from the General Manager of Operational Services dated April 6, 2009 with respect to the above.

1096 McCrae-Paterson
That the bid from Toromont Cat to supply one New Landfill Compactor as per tender and specifications, including the Total Maintenance and Repair package (TMR) (\$508,205 plus \$23,750 GST) for a net cost of \$532,000 be accepted. CARRIED.

1097 McCrae-Harwood
That the bid of \$127,666 from Marcel Equipment for the outright purchase of the existing 2004 Caterpillar Landfill Compactor from the City of Brandon be accepted. CARRIED.

(E) METHANE GAS UTILIZATION AT THE EASTVIEW LANDFILL

City Council considered a report from the General Manager of Operational Services dated April 7, 2009 with respect to the above.

1098 Paterson-Barletta
That the proposal of Integrated Gas Recovery Services for the utilization of methane gas at the Eastview Landfill Site be accepted in principle, and that Administration begin negotiations with Integrated Gas Recovery Services for an agreement between both parties for approval by City Council. CARRIED.

(F) INDUSTRIAL ARTS/HOME ECONOMICS TRANSPORTATION - BRANDON TRANSIT REPORT

Submitted for consideration was a report from the General Manager of Operational Services dated April 2, 2009 with respect to the above.

1099 McCrae-Blight
That Brandon Transit and The Brandon School Division continue to work together on transportation needs for Division students and that the request of the Joint Task Force Committee for the continuation of free transportation on Brandon Transit for Grade 7 and 8 students to attend Industrial Arts / Home Economics classes throughout the Division for the 2009/2010 school year be approved. CARRIED.

BY-LAWS:

NO. 6940 - TO OPEN A CORNER CUT-OFF AT 523 - 2ND STREET (PART OF LOT 20, BLOCK 80, PLAN 8)
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the April 6, 2009 meeting of City Council.

1100 Rice-Jessiman
That By-law No. 6940 to acquire and open as a corner cut-off a portion of 523 - 2nd Street (Pt. Lot 20, Block 80, Plan 8) for improved cornering in the adjacent north/south lane be read a second time. CARRIED.

1101 Rice-Jessiman
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. 6940 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	
Councillor Paterson	
Councillor Rice	

NO. 6941 - 2009 TAX LEVY BY-LAW
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the April 6, 2009 meeting of City Council.

1102 Blight-Harwood
That By-law No. 6941, being the 2009 Tax Levy By-law, be read a second time. CARRIED.

1103 Blight-Harwood
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. 6941 third reading.

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

NO. 6945 - TO NAME THE STREETS WITHIN THE PROPOSED SOUTH GROVE ESTATES
SUBDIVISION LOCATED EAST OF TRACEY STREET AND NORTH OF PATRICIA
AVENUE (SW 1/4 11-10-19 WPM)
1ST READING

City Council considered a report from the General Manager of Development Services dated March 31, 2009 with respect to the above.

1104 Campbell-Fitzpatrick
That By-law No. 6945 to name streets in the proposed South Grove Estates Subdivision located east of Tracey Street and north of Patricia Avenue (SW 1/4 11-10-19 WPM) be read a first time. CARRIED.

NO. 6946 - TO REZONE PROPERTY LOCATED SOUTH OF RICHMOND AVENUE AND WEST OF
34TH STREET (PT. NE 1/4 9-10-19 WPM) FROM DR DEVELOPMENT RESERVE ZONE
TO RSF RESIDENTIAL SINGLE FAMILY ZONE AND OS OPEN SPACE ZONE
(WAVERLY DEVELOPMENTS 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 any further discussion.

Considered was a report from the General Manager of Development Services dated April 8, 2009 with respect to the above.

1105 Fitzpatrick-Jessiman
That By-law No. 6946 to rezone property located South of Richmond Avenue and West of 34th Street (Pt. NE 1/4 9-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone and OS Open Space 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:

(A) REGIONAL JET SERVICE INCENTIVES

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Paterson gave notice of his intent to introduce at the May 4, 2009 meeting of City Council, the following motion:

“That a committee of City Council be established to join forces with other interested municipalities to lobby the Federal Government to come forward with incentive packages to entice air carriers to provide jet service to their communities.”

ADJOURN:

Black-Blight

That the meeting do now adjourn. (8:57 p.m.) CARRIED.

MAYOR

CITY CLERK