

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, MAY 19TH, 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 M. Blight, Councillor M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice

ABSENT: Councillor E. Black

ADOPTION OF AGENDA:

1019 Harwood-Jessiman
That the Agenda for the Regular Meeting of City Council to be held on Tuesday, May 19, 2009 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1020 Rice-Blight
That the Minutes of the Regular Meeting of City Council held on Monday, May 4, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) BARRY WOWK - LOAN TO MANITOBA SENIOR BASEBALL LEAGUE

Mr. Barry Wowk, President of the Manitoba Senior Baseball League appeared before City Council with respect to the repayable loan from Brandon City Council to help the Senior Baseball League regain its financial footing. He presented City Council with a cheque in the amount of \$10,000 as repayment of the loan and thanked City Council for its support.

1021 Blight-Jessiman
That the presentation by Barry Wowk of the Manitoba Senior Baseball League with respect to the repayable loan granted by Brandon City Council be received. CARRIED.

PUBLIC HEARINGS:

(A) BY-LAW NO. 6942 - TO CLOSE A PORTION OF PARK STREET LOCATED SOUTH OF VAN HORNE AVENUE IN PLAN 9

City Council sat to hear representation on the above noted matter.

No representation was put forward either in support of or in opposition to this by-law.

1022 Rice-Jessiman
That the Public Hearing with respect to By-law No. 6942 to close a portion of Park Street located south of Van Horne Avenue in Plan 9. CARRIED.

(B) BY-LAW NO. 6943 - TO CLOSE THE NORTH/SOUTH LANE IN BLOCK 7, PLAN 223 LOCATED BETWEEN PARKER BOULEVARD AND MAPLE AVENUE AND 16TH STREET NORTH AND 17TH STREET NORTH

City Council sat to hear representation on the above noted matter.

No representation was put forward either in support of or in opposition to this by-law.

1023 Paterson-McCrae
That the Public Hearing with respect to By-law No. 6943 to close the north/south lane in Block 7, Plan 223, located between Parker Boulevard and Maple Avenue and 16th Street North and 17th Street North be concluded. CARRIED.

(C) CONDITIONAL USE APPLICATION - 354 - 11TH STREET (SIGURDSON/WILKS)

City Council sat to receive representation on the appeal of the Planning Commission's decision to approve the conditional use application of Candace Sigurdson on behalf of Kelly Wilks for 354 - 11th Street.

Candace Sigurdson appeared on behalf of the applicant in support of the application. She noted that the original application had been modified to reduce the number of boarders from 7 to 6.

Jenni Kroeker, a resident of the area, appeared before City Council in opposition to the conditional use application. She noted that the intended use was really a rooming house and not a boarding house as stated in the application as the owners of the property did not live in the home. Ms. Kroeker stated that the area was already over populated and parking and noise were an issue.

At the request of His Worship the Mayor, Steve McMillan of Planning Services appeared before City Council to provide clarification and background information on the conditional use application.

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

1024 Barletta-Rice
That the Public Hearing on the conditional use application for 354 - 11th Street be concluded. CARRIED.

1025 Barletta-Rice
That the conditional use application of Candace Sigurdson, on behalf of Kelly Wilks, to allow for 7 boarders at 354 - 11th Street (Nly 45 feet of Lot 2, Block 24, Plan 2 BLTO) be rejected. CARRIED.

(D) VARIATION APPLICATION - 354 - 11TH STREET (SIGURDSON/WILKS)

City Council sat to receive representation on the appeal of the Planning Commission's decision to approve the variation application of Candace Sigurdson on behalf of Kelly Wilks for 354 - 11th Street.

It was noted that Jenni Kroeker, a resident of the area, had submitted a letter of appeal on the subject decision.

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

1026 Barletta-Fitzpatrick
That the Public Hearing on the variation application for 354 - 11th Street be concluded. CARRIED.

1027 Barletta-Fitzpatrick
That the variation application of Candace Sigurdson, on behalf of Kelly Wilks to reduce the number of required parking spaces from 8 spaces to 5 spaces and reduce the number of required accessible parking spaces from 1 to 0 at 354 - 11th Street (Nly 45 feet of Lot 2, Block 24, Plan 2 BLTO), be rejected. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) AUDIT AND FINANCE COMMITTEE REPORT MAY 6, 2009

Brandon, Manitoba
May 6, 2009

Mayor and Councillors
City of Brandon

Your AUDIT and FINANCE COMMITTEE at its meeting held this 6th day of May, 2009, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present:

Mayor D. Burgess, Chairman
Councillor D. Paterson
Councillor M. Blight

Absent:

Councillor K. Fitzpatrick

Resource Personnel:

Mr. G. McMillan, General Manager of Corporate Services
Mrs. D. Hitchins, Director of Finance

Guests:

Ms. J. Millis, BDO Dunwoody, LLP

CHAIRMAN: Mayor Dave Burgess brought the meeting to order at 3:05 pm.

Councillor Blight moved to adopt the agenda as presented. Carried.

2008 Audited Financial Statement

Ms. Millis presented the 2008 Audited Financial Statement to the Committee. She briefly outlined the guidelines used to audit the City of Brandon's financial statement which includes the responsibilities of the auditor, the overall auditing strategy, and the amount of materiality determined. BDO performs a series of tests to check the accuracy of the City's financial accounting systems. These tests showed that the current accounting system used by the City of Brandon provides accurate financial information and has satisfactory controls built in. She also stated that the financial statements are fairly stated in accordance with Generally Accepted Accounting Principles. One minor matter with respect to a potential understatement of the accrued vacation liability due to an incorrect wage rate was brought to the Committee's attention. An unqualified audit report has been issued to the City of Brandon for the year ended December 31, 2008.

Councillor Blight moved to accept the 2008 Financial Statement and to present it to City Council. Motion carried.

Ms. Millis retired from the meeting.

Councillor Blight moved to adjourn the meeting at 3:25 pm. Carried.

Respectfully submitted,

"Dave Burgess"

Mayor Burgess
CHAIRMAN

1028 Blight-Fitzpatrick
That the Audit and Finance Committee report of May 6, 2009 be received. CARRIED.

1029 Blight-Fitzpatrick
That the 2008 City of Brandon Financial Report be received as presented. CARRIED.

(B) KEYSTONE CENTRE
VERBAL REPORT MAY 19, 2009

May 19, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fitzpatrick provided a report to City Council on the upgrades to the Keystone Centre in preparation for the 2010 Memorial Cup. He noted that construction had begun on the five luxury suites in the Westman Place arena and would continue for the next 4 to 5 months, and that the video scoreboard had been ordered and was expected to be installed in mid August. He advised that tenders had been received for the renovations to the upper concourse which included replacing the roof, installation of an HVAC system, and electrical upgrades.

Councillor Fitzpatrick further reported that the Keystone Centre was investigating possible integration with the City of Brandon's facility booking system as the number of events held at the Keystone Centre continued to increase throughout the year. He concluded by noting that a \$0 deficit was being budgeted for in 2010, which had not been a realistic expectation in past years.

(C) JOINT TASK FORCE - BRANDON SCHOOL DIVISION AND CITY OF BRANDON
VERBAL REPORT MAY 19, 2009

May 19, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor MacCrae provided a verbal report on the recent meeting held on May 5, 2009 between members of City Council and the Brandon School Division Board of Trustees. He extended a thank you on behalf of the School Division to City Council for the continuation of the bus program for Industrial Arts/Home Economic students. Councillor MacCrae noted that dialogue continued on the proposed French Milieu program.

Councillor Blight added to the report by stating that efforts continued to encourage youth representation on City Council whereby he noted that there was a credit available through the school system for youth that participated in same. He further noted that information would be forthcoming shortly on the opportunity to get involved in a plastic bag recycling program.

(D) JET AIR SERVICE POLICY COMMITTEE
VERBAL REPORT

MAY 19, 2009

Councillor Paterson reported that a formal committee had not yet been established, however he had been in contact with the President of the Brandon Chamber of Commerce to gauge possible interest in establishing a parallel push to lobby the Federal Government to establish an incentive package to entice air carriers to provide jet service to communities. He noted that the enquiry had met with a favourable response from the Executive of the Chamber of Commerce.

Fitzpatrick-Blight

1030 That the verbal reports by Councillor Fitzpatrick on the Keystone Centre, Councillors MacCrae and Blight on the City/School Division Joint Task Force, and Councillor Paterson with regard to the Jet Air Service Policy Committee be received. CARRIED.

ENQUIRIES:

(604) SPRING CLEAN-UP AND RECYCLING

Councillor Jessiman advised that he had received numerous calls from ward residents who raised concerns regarding their having been charged at the landfill site for the disposal of leaves and fallen fruit gathered from city streets and boulevards. He enquired if a more intensive spring and fall clean up could be conducted to alleviate this problem.

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

(605) 33RD STREET EAST BEING USED AS A GARBAGE DUMP

Councillor Jessiman noted that 33rd Street East had become a garbage dump with items such as old appliances having been dropped off there. He enquired if same could be investigated and cleaned up.

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

ANNOUNCEMENTS:

SOUTH CENTRE WARD MEETING - MAY 27, 2009

Councillor Rice announced that a South Centre Ward Meeting would be held May 27, 2009 at 7:00 p.m. at the Central Community Centre. He noted that agenda items included crime in the community; streets, roads and infrastructure; police station and fire hall design; and any other city and ward issues. He added that members of City Administration would be in attendance and invited everyone to attend.

UNIVERSITY WARD NEIGHBOURHOOD SWEEP

Councillor Harwood announced that a neighbourhood sweep would be conducted in the University Ward on Wednesday, May 20, 2009 from 9:00 a.m. to 4:00 p.m. with the start location being Coronation Park. He encouraged anyone who had some time to come out and lend a hand.

GENERAL BUSINESS:

(A) TENDER - BIOSOLIDS TO FARMLAND PROGRAM

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

1031 McCrae-Harwood
That the bid of Assiniboine Injections Inc. to carry out the Biosolids to Farmland Program in 2009 and 2010 as per tender and specifications at a cost of \$737,257.50, taxes included, be accepted. CARRIED.

(B) TENDER - NEW FIRE HALL AND EMERGENCY COMMUNICATIONS CENTRE

Submitted for consideration was a report from the Fire Chief dated May 12, 2009 with respect to the above.

1032 Paterson-Jessiman
That the low bid of Bird Construction for the construction of a new Fire Hall/Emergency Communications Centre, including actual building construction, parking and site work, general conditions and fees, cost escalation, allowances, and alternate and separate prices as per tender and specifications at a cost of \$8,856,700 be accepted. CARRIED.

At the request of Councillor Paterson, a recorded vote was taken on the above motion.

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

(C) SALE OF PART OF LOT 18, BLOCK 60, PLAN 2 BLTO LOCATED SOUTH OF 904 ROSSER AVENUE, BRANDON

Submitted for consideration was a report from the General Manager of Development Services dated May 11, 2009 with respect to the above.

1033 Barletta-Fitzpatrick
That Part of Lot 18, Block 60, Plan 2 BLTO located south of 904 Rosser Avenue be disposed of to the owner of 904 Rosser Avenue for the sum of \$1.00 plus G.S.T. whereby said owner shall be responsible for the associated transfer fee of approximately \$70.00, consolidating said property with 904 Rosser Avenue, and registering the Transfer of Land within two (2) months of its receipt from the City of Brandon. CARRIED.

BY-LAWS:

NO. 6942 - TO CLOSE AND CONVEY A PORTION OF PARK STREET, SOUTH OF VAN HORNE AVENUE IN PLAN 9 TO THE CITY OF BRANDON
2ND AND 3RD READINGS

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

1034 Jessiman-Paterson
That By-law No. 6942, to close and convey a portion of Park Street located south of Van Horne Avenue in Plan 9 to the City of Brandon be read a second time. CARRIED.

1035 Jessiman-Harwood
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. 6942 third reading.

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

NO. 6943 - TO CLOSE AND CONVEY THE NORTH/SOUTH LANE IN BLOCK 7, PLAN 223 LOCATED BETWEEN PARKER BOULEVARD AND MAPLE AVENUE AND 16TH STREET NORTH AND 17TH STREET NORTH TO ADJACENT PROPERTY OWNERS
2ND AND 3RD READINGS

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

1036 Paterson-Fitzpatrick
That By-law No. 6943, to close and convey the north/south lane in Block 7, Plan 223 located between Parker Boulevard and Maple Avenue and 16th Street North and 17th Street North to adjacent property owners be read a second time. CARRIED.

1037 Paterson-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. 6943 third reading.

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

NO. 6944 - TO NAME THE STREETS WITHIN THE PROPOSED SOUTHRIDGE DEVELOPMENTS SUBDIVISION AND RE-NAME ISLAND PARK DRIVE AS SHOWN ON PLAN 44290 LOCATED EAST OF 9TH STREET (SE 1/4 11-10-19 WPM)
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the May 4, 2009 meeting of City Council.

1038 Campbell-Harwood
That By-law No. 6944 to name streets within the proposed Southridge Developments Subdivision east of 9th Street and north of Patricia Avenue (SE 1/4 11-10-19 WPM) and to rename that portion of Island Park Drive as shown on Plan 44290 be read a second time. CARRIED.

1039 Campbell-Rice
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. 6944 third reading.

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

NO. 6947 - TO REZONE PROPERTY LOCATED AT 10 - 15TH STREET NORTH FROM PR PARKS AND RECREATION ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (FRIESEN TOKAR ARCHITECTS AND LANDSCAPE AND INTERIOR DESIGNERS O/B/O THE MANITOBA HOUSING AND RENEWAL CORPORATION)
1ST READING

City Council considered a report from Planning Services dated May 6, 2009 with respect to the above.

1040 Paterson-Blight
That By-law No. 6947 to rezone property located at 10 - 15th Street North (Block 117 Plan 397 BLTO Exc Plan 47746 BLTO), from PR Parks and Recreation Zone to RMD Residential Moderate Density Multiple Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Blight-Rice
That the meeting do now adjourn (8:41 p.m.) CARRIED.

MAYOR

CITY CLERK