

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JULY 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:

1080 Harwood-Blight
That the Agenda for the Regular Meeting of City Council to be held on Monday, July 20, 2009 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1081 Rice-Jessiman
That the Minutes of the Regular Meeting of City Council held on Monday, June 29, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

1082 Paterson-Blight
That the Minutes of the Special Meeting of City Council held on Wednesday, July 8, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) KIM HOOKER, SCOTT GWYER AND ASHLEY JANZ - SKATEBOARD PARK FUNDRAISER 2009

The above delegates appeared before City Council with respect to the 2009 Skateboard Park Fundraiser to be held on September 12, 2009. Kim Hooker noted that the event would take place on Rosser Avenue between 9th and 10th Streets and was open to the entire community. Ms. Hooker stated that the purpose of the fundraiser was to increase funding and public awareness of the skateboard park proposed to be built in Downtown Brandon and would include a concert and skateboard competition.

1083 Barletta-Rice
That the presentation by Kim Hooker with respect to the request for provisions from the City of Brandon for the 2009 Skateboard Park Fundraiser to be held on September 12, 2009 be received and referred to the Administration for consideration and subsequent report at the August 17, 2009 meeting of City Council. CARRIED.

(B) DAN ROBERTSON AND CHAS LAMBERT - AGRICULTURAL EVENTS AT THE KEYSTONE CENTRE

Chas Lambert, Agricultural Sales and Events Manager of the Keystone Centre appeared before City Council to provide an update on recent and upcoming agricultural events at the Westoba Agricultural Centre of Excellence. He noted that an equine educational event called the H3 - Head, Heart, and Hooves had recently been held in April of 2009 and provided horse enthusiasts the opportunity to learn more about communicating with their horse. He further advised that the Canadian National Appaloosa Show will also be hosted at the Keystone Centre July 27 - August 1, 2009.

Mr. Lambert stated that there were several new events that would be held at the Keystone Centre this fall as well as the return of some familiar favourites such as the Manitoba 4-H Stock Fest, the Wheat City Stampede and the Manitoba Livestock Expo to name a few.

It was noted that Mr. Dan Robertson, General Manager of the Keystone Centre, was also in attendance.

Jessiman-Harwood

1084 That the presentation by Chas Lambert with respect to agricultural events at the Keystone Centre be received. CARRIED.

(C) ALLAN BERTOIA - PROPOSED OPENING AND CONSTRUCTION OF WHISTLER DRIVE

Allan Bertoia, resident of Monterey Estates, appeared before City Council to express his concerns with the proposed opening of Whistler Drive north of Braecrest Drive and south of Mockingbird Drive. He noted that the streets in the Monterey Estates development were only 24 feet wide and there were no sidewalks or walking paths for pedestrians. Mr. Bertoia expressed concerns with outside traffic going through Monterey Estates to Clare Avenue to avoid any bottlenecks on the service road.

Paterson-Harwood

1085 That the presentation by Allan Bertoia with respect to his objection to the construction and opening of Whistler Drive north of Braecrest Drive and south of Mockingbird Drive be received. CARRIED.

(D) BEN WARD - OPENING OF WHISTLER DRIVE

Ben Ward, resident of Monterey Estates, appeared before City Council on behalf of the residents of Monterey Estates in opposition to the proposed opening of Whistler Drive. He explained that with the narrow streets, lack of sidewalks and the 30 km/hour speed limit within Monterey Estates, it would be disastrous if random motorists started using Mockingbird Drive as a shortcut. He suggested a better option was to have traffic flow south out onto Braecrest Drive instead of Mockingbird Drive.

Blight-Paterson

1086 That the presentation by Ben Ward with respect to the proposed opening of Whistler Drive north of Braecrest Drive and south of Mockingbird Drive be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE REPORT JULY 7, 2009

July 7, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held this 7th day of July, 2009, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present:

Committee Members: Mayor Dave Burgess, Chairman, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson

Resource Personnel: Mr. Brian MacRae, City Manager, Mrs. Vicki Fifi, Director of Human Resources, Fire Chief Brent Dane

Contract Settlement - Brandon Professional Firefighters'/ Paramedics' Association

The purpose of the meeting was to discuss the recent negotiations with the Brandon Professional Firefighters'/ Paramedics' Association.

Councillor Jessiman

That the agenda be accepted as presented.

Councillor McCrae

That the Committee resolve itself into a closed session. Carried unanimously.

Mrs. Fifi presented a summary of the negotiations and advised that these were presented and ratified by the membership on June 18, 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:

- Contract term - 36 months: January 1, 2009 - December 31, 2011
- Salary increases of:
 - 3.5% on January 1, 2009
 - 4.0% on January 1, 2010; and
 - 4.0% on January 1, 2011
- Vacation adjustment to 6 weeks after 24 years
- Introduction of "Peak Car Shifts"
- Introduction of maternity leave and parental leave clauses
- Refining of promotion and selection clauses
- Additional 1% salary for Advanced Cardiac Life Support (ACLS) providers
- Language changes in existing clauses that afford cost savings to the department over the term of the contract.

It was unanimously agreed that the proposed settlement as presented be recommended to City Council as follows:

"That the City of Brandon enter into a new agreement with the Brandon Professional Firefighters'/Paramedics' Association as per the Memorandum of Settlement for the period January 1, 2009 to December 31, 2011 whereby wages shall be increased 3.5% on January 1, 2009, 4.0% on January 1, 2010, and 4.0% on January 1, 2011."

Councillor Jessiman

That the meeting now adjourn. Carried.

Respectfully submitted,

"Dave Burgess"

CHAIRMAN

1087 McCrae-Paterson
That the report of the Personnel Committee of its meeting held July 7, 2009 regarding the recent negotiations with the Brandon Professional Firefighters'/Paramedics' Association be received. CARRIED.

1088 McCrae-Jessiman
That the City of Brandon enter into a new agreement with the Brandon Professional Firefighters'/Paramedics' Association as per the Memorandum of Settlement for the period January 1, 2009 to December 31, 2011 whereby wages shall be increased 3.5% on January 1, 2009, 4.0% on January 1, 2010, and 4.0% on January 1, 2011. CARRIED.

(B) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE
VERBAL REPORT

JULY 20, 2009

July 20, 2009
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Harwood provided a verbal report on the 2009 Doors Open Brandon Heritage Tours event sponsored by the Brandon Municipal Heritage Advisory Committee held July 18 and 19. He noted that there were 15 sites of heritage significance available for viewing and that the event had been very well attended. Councillor Harwood extended accolades to Michael Luptak, the Heritage Assistant for organizing such a successful event this year.

1089 Paterson-Fitzpatrick
That the verbal report by Councillor Harwood on behalf of the Brandon Municipal Heritage Advisory Committee regarding the Doors Open Brandon Heritage Tours held July 18 and 19, 2009 be received. CARRIED.

ENQUIRIES:

(638) MAINTENANCE OF FLOWER DISPLAYS THROUGHOUT THE CITY OF BRANDON

Councillor Paterson referred to the flower beds and pots located throughout the City, whereby he noted that many had become overgrown with weeds and enquired as to the maintenance schedule for same.

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

(639) NOISE AND ODOURS EMITTING FROM KOCH PLANT

Councillor Jessiman advised that he had recently received calls from area residents regarding an increased noise level as well as an increase in odors being emitted from the Koch Fertilizer Plant located on 17th Street East. He enquired if this matter could be investigated by the Health and Safety Committee.

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

(640) CONDITION OF 3900 BLOCK OF VAN HORNE AVENUE

Councillor Blight advised that he had brought to the attention of the Administration that a general clean-up and mowing of the 3900 Block of Van Horne Avenue was needed and had been assured that same would be taken care of as soon as possible.

(641) ROSSER AVENUE WEST SIDEWALK CONSTRUCTION

Councillor Blight advised that the tender for the sidewalk construction on Rosser Avenue West had been issued and construction was expected to commence immediately following the awarding of that tender.

(642) SPRING AND FALL CLEAN-UP

Councillor Blight noted that in the past, volunteers gathered in the Spring and Fall for a city-wide clean-up, however, in recent years same had been arranged for only one ward per season. He enquired if a city-wide spring and fall clean-up could be considered.

His Worship the Mayor advised that the 2009 Spring Clean-up of the University Ward had been a huge success with many volunteers and city staff participating. He agreed to take the matter of city-wide clean-ups under advisement.

(643) LOSS OF TREES DURING RECONSTRUCTION OF 500 BLOCK OF 14TH STREET

Councillor Rice noted that several trees were to be removed during the reconstruction of the 500 Block of 14th Street and requested information as to the reasons for their removal.

At the request of His Worship the Mayor, the General Manager of Development Services advised that extensive excavation work was required in this area and therefore, the trees had to be removed for the safety of the workers.

(644) CONDITION OF 26TH STREET SOUTH OF RICHMOND AVENUE

Councillor Campbell advised that while the potholes had been filled, 26th Street south of Richmond Avenue remained in poor condition. She enquired if more upgrades were planned for same.

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

(645) ESCORT SERVICE IN THE CITY OF BRANDON

Councillor Campbell advised that rumours were circulating regarding an escort service operating within the City. She noted that same would be in violation of a City by-law which prohibited the operation of such and enquired if the Police Service had investigated this issue.

His Worship the Mayor advised that the issue was currently under investigation, and if the rumours were true, action would be taken by the Police Service to close down the operation.

(646) BLACK AND WHITE POLICE VEHICLES

Councillor McCrae advised that he was pleased to see the return of the black and white police vehicles to the City of Brandon and enquired as to who was responsible for the change, and further, how many cars were left to be switched over.

His Worship the Mayor responded that the switch over had been initiated by the Chief of Police, Keith Atkinson. He agreed to take the rest of the matter under advisement.

(647) UPDATE ON PROJECTS UNDER THE BUILDING CANADA INFRASTRUCTURE FUND

Councillor Black referred to a previous enquiry whereby he had requested an update regarding the status of projects endorsed by City Council to be considered under the Building Canada Infrastructure Program and enquired as to when a response to same might be expected.

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

(648) PLANS FOR REMEDIATION OF SITE OF FORMER GASIFICATION PLANT

Councillor Black referred to a previous enquiry whereby he had requested information on the plans for the remediation of the site of the former gasification plant located on the east side of Park Street, north of the walking path. He enquired as to when a response to same was expected.

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

(649) STREET REPAIRS - ROSSER AVENUE EAST

Councillor Black referred to repairs to Rosser Avenue East currently being undertaken and enquired if an update could be provided on all street repairs planned for the Riverview Ward in the coming months.

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

ANNOUNCEMENTS:

VOLUME OF EMERGENCY SIRENS

Councillor Black announced that due to an increase in the volume, he had heard the emergency sirens during the recent test. He thanked the Emergency Coordinator, Brian Kayes for his quick response to this issue.

GENERAL BUSINESS:

(A) REVIEW OF STREET NAMES POLICY

Submitted for consideration was a report from Councillor E. Black dated June 19, 2009 with respect to the above and in accordance with his notice of motion given at the June 15, 2009 meeting of City Council.

Black-Paterson

1090 That Administration review the Street Names Policy and prepare an alternative that allows for community participation in the naming of streets in the City of Brandon for subsequent report back to City Council. CARRIED.

(B) APPOINTMENTS TO BRANDON GENERAL MUSEUM AND ARCHIVES INC.

City Council considered a report from the City Manager dated July 15, 2009 with respect to the above.

Black-Paterson

1091 That the following members of City Council be appointed to the founding Board of Directors of Brandon General Museum and Archives Inc. effective immediately and for a term ending December 31, 2009:

Councillor Errol Black
Councillor Jeff Harwood
Councillor Doug Paterson

and further, that the following three (3) citizens be appointed to the founding Board of Directors of Brandon General Museum and Archives Inc. effective immediately and for a term ending December 31, 2009:

Almira Shewchuk
Barbara Andrew
Ken Jackson

and further, that the following six (6) citizens be appointed to the founding Board of Directors of Brandon General Museum and Archive Inc. effective immediately and for a term ending December 31st, 2010:

Bill McGuire
Robert Booth
Doug Grossart
CARRIED.

Roberta Baskier
Murray Graham
Robert Glufka

BY-LAWS:

NO. 6934 - TO OPEN WHISTLER DRIVE NORTH OF BRAECREST DRIVE AND SOUTH OF MOCKINGBIRD DRIVE (PARCELS A AND B, PLAN 48187)
3RD READING

It was noted that this by-law had received second reading at the June 29, 2009 meeting of City Council.

Paterson-Fitzpatrick

1092 That By-law No. 6934, to open Whistler Drive north of Braecrest Drive and south of Mockingbird Drive as a right-of-way be read a third and final time. LOST.

In accordance with Section 137 of the Municipal Act, a recorded vote was taken on the motion to give By-law No. 6934 third reading.

FOR
His Worship Mayor Burgess
Councillor Campbell
Councillor Fitzpatrick
Councillor Paterson

AGAINST
Councillor Barletta
Councillor Black
Councillor Blight
Councillor Harwood
Councillor Jessiman
Councillor McCrae
Councillor Rice

NO. 6951 - TO AMEND BY-LAW NO. 6942 TO CLOSE A PORTION OF PARK STREET, SOUTH OF VAN HORNE AVENUE IN PLAN 9
2ND AND 3RD READINGS

It was noted that this by-law received first reading at the June 29, 2009 meeting of City Council.

Black-Paterson
1093 That By-law No. 6951 to amend By-law No. 6942 to close and convey that portion of Park Street, south of Van Horne Avenue in Plan 9 to the City of Brandon, be read a second time. CARRIED.

Black-Paterson
1094 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. 6951 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. 6952 - TO PROVIDE FINANCIAL ASSISTANCE TO THE MANITOBA PERCHERON BELGIAN CLUB IN ORDER TO HOST THE 2012 NORTH AMERICAN BELGIAN CONGRESS
1ST READING

Considered was a report from the City Treasurer dated July 2, 2009 with respect to the above.

Harwood-Blight
1095 That By-law No. 6952, to provide financial assistance in the form of a loan to the Manitoba Percheron Belgian Club in order to host the 2012 North American Belgian Congress be read a first time. CARRIED.

NO. 6953 - TO AMEND BY-LAW NO. 6757 TO RENAME STREETS WITHIN THE PROPOSED BROOKWOOD PARK SUBDIVISION LOCATED WEST OF 34TH STREET AND SOUTH OF RICHMOND AVENUE (NE 1/4 9-10-19 WPM)
2ND AND 3RD READINGS

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

It was noted that this by-law had received first reading at the June 29, 2009 meeting of City Council.

Fitzpatrick-Jessiman
1096 That By-law No. 6953 to amend By-law No. 6757 to rename streets within the proposed Brookwood Park Subdivision located west of 34th Street and south of Richmond Avenue (NE 1/4 9-10-19 WPM) be read a second time. CARRIED.

Fitzpatrick-Jessiman
1097 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. 6953 third reading.

<u>FOR</u>	<u>AGAINST</u>
Councillor Barletta	Nil
Councillor Black	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor Jessiman	
Councillor McCrae	
Councillor Paterson	
Councillor Rice	

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

NO. 6954 - TO PROVIDE FOR THE MANDATORY MOWING OF GRASS ON BOUELVARDS IN THE CITY OF BRANDON
2ND AND 3RD READINGS

It was noted that this by-law had received first reading at the June 29, 2009 meeting of City Council.

Burgess-Fitzpatrick

That By-law No. 6954 to provide for the mandatory cutting of grass on the boulevards in the City of Brandon be read a second time. NOT VOTED ON.

Prior to voting on the above motion, the following referral motion was put forward.

1098 Black-McCrae

That By-law No. 6954 to provide for the mandatory mowing of grass on boulevards in the City of Brandon be referred to Administration for the preparation of an amendment to include in the by-law the establishment of a registry of persons exempt from having to mow their boulevards and an appeal process. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Blight-Barletta

That the meeting do now adjourn (11:15 p.m.) CARRIED.

MAYOR

CITY CLERK