

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
OCTOBER 19, 2009 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION  
BUILDING, BRANDON, MANITOBA**

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PRESENT: Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black, Councillor M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice

ABSENT: Councillor M. Blight

ADOPTION OF AGENDA:

1161 Harwood-Fitzpatrick  
That the Agenda for the Regular Meeting of City Council to be held on Monday, October 19, 2009 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1162 Harwood-Rice  
That the Minutes of the Regular Meeting of City Council held Monday, October 5, 2009 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) VICKI BURNS, COMMUNITY FOUNDATIONS OF CANADA - WATER ISSUES  
ACROSS THE PRAIRIES

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Vicki Burns of Community Foundations of Canada appeared before City Council and provided a powerpoint presentation with respect to water issues across the prairies. Ms. Burns stated that there was a sense of urgency to pay attention to what was going on with the water around us. She noted that much of the degradation of water that was occurring was a result of man-made activities and that everyone needed to get involved in learning how to treat water differently.

1163 Paterson-Harwood  
That the presentation by Vicki Burns, Community Foundations of Canada, with respect to water issues across the Prairies, be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE - CUPE CONTRACT OCTOBER 6, 2009

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October 6, 2009  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held this 6th day of October, 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. V. Fifi, Director of Human Resources, Mr. Patrick Pulak, Deputy Director of Engineering and Water Resources

Contract Settlement - Canadian Union of Public Employees, Local 69

The purpose of the meeting was to discuss the recent negotiations with the Canadian Union of Public Employees, Local 69.

Councillor McCrae

That the Committee resolve into closed session. Carried unanimously.

Mrs. Fifi presented a summary of the negotiations and advised that these were ratified by the membership on September 29, 2009 as per the Memorandum of Settlement. Mr. Pulak responded to enquiries from the Committee members with respect to some issues related to the proposed settlement.

Highlights of the negotiated settlement include:

- Contract term - 24 months: January 1, 2009 - December 31, 2010
- Salary increases of:
  - 2.5% on January 1, 2009
  - 2.5% on January 1, 2010
- Vacation adjustment to 6 weeks after 24 years
- Increase in driver license medical reimbursement to maximum of \$65 in 2009 and \$70 in 2010
- Increase shift premium to \$0.60/hr in 2009 and \$0.65/hr in 2010 for hours worked between 4:00 p.m. and 12:00 a.m. (effective date of signing)
- Increase shift premium to \$0.75/hr in 2009 and \$0.90/hr in 2010 for hours worked between 12:00 a.m. and 8:00 a.m. (effective date of signing)
- Increase safety boot allowance for permanent employees to \$90/year (effective January 1, 2010)
- Introduce new entry level within the Casual Labourer classification to recognize those individuals hired to primarily perform semi-skilled labour or operate equipment (effective date of signing)
- Introduce new level to Casual Labourer classification to recognize individuals who achieve 1040 hours of experience (effective date of signing)
- Change progression process within classification for water/wastewater operators
- Change requirements for Level 3 Chargehand to recognize those who hold approved certifications/journey tickets
- Add Level 4 Chargehand to recognize those who hold approved certifications/journey tickets and meet existing qualifications/responsibilities
- Change process for safety boot allowance with respect to temporary employees
- Introduce new classification for Information Technologists, including Best Practice Guideline to determine initial placement and future progression through the classification
- Introduce Best Practice Guideline with regard to classification of equipment and establishment of pay for operating said equipment
- Replace Clerical Administrative and Clerical Technical classification with an Administrative classification encompassing 5 levels

- Introduce new Letters of Understanding to address issues not specifically covered within the collective agreement, in particular:
  - Standby Guidelines - Information Technology
  - Grandfathering Water/Wastewater Employees with Regard to Required Certifications
  - Sewer and Water Certifications
- Other minor language changes

Councillor McCrae

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 Canadian Union of Public Employees, Local 69 as per the Memorandum of Settlement for the period January 1, 2009 to December 31, 2010 whereby wages shall be increased 2.5% on January 1, 2009, and 2.5% on January 1, 2010.". Carried unanimously.

Councillor McCrae

That the Committee resolve into open session. Carried unanimously.

Councillor Jessiman

That the meeting now adjourn. Carried.

Respectfully submitted,

"D. Burgess"

Mayor Dave Burgess  
CHAIRMAN

McCrae-Jessiman

1164 That the report of the Personnel Committee of its meeting held October 6, 2009 regarding the recent negotiations with the Canadian Union of Public Employees, Local 69 be received. CARRIED.

McCrae-Jessiman

1165 That the City of Brandon enter into a two (2) year agreement with the Canadian Union of Public Employees, Local 69 as per the Memorandum of Settlement for the period January 1, 2009 to December 31, 2010 whereby wages shall be increased 2.5% on January 1, 2009, and 2.5% on January 1, 2010. CARRIED.

(B) PERSONNEL COMMITTEE - E911

OCTOBER 6, 2009

October 6, 2009  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held this 6th day of October, 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. V. Fifi, Director of Human Resources, Ms. L. Poole, Director of Emergency Communications

Contract Settlement - E911/Police Operator-Dispatcher

The purpose of the meeting was to discuss the recent negotiations with the E911/Police Operator-Dispatcher Division of the Brandon Professional Firefighters'/Paramedics' Association (IAFF, Local 803).

Councillor McCrae

That the Committee resolve into closed session. Carried unanimously.

Mrs. Fifi presented a summary of the negotiations and advised that these were ratified by the membership on September 29, 2009 as per the Memorandum of Settlement. Ms. Poole responded to enquiries from the Committee members with respect to some operational issues related to the proposed settlement.

Highlights of the negotiated settlement include:

- Salary increase of 3% on each of January 1, 2010 and January 1, 2011.
- Shift differential increase to \$0.75/hour effective January 1, 2010 and \$0.90/hour effective January 1, 2011.
- Meal allowance of \$15 when continuation of duty is required for a minimum of three (3) hours.
- Introduction of a new clause regarding training.

Councillor McCrae

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 E911/Police Operator-Dispatcher Division of the Brandon Professional Firefighters'/Paramedics' Association (IAFF Local 803) for the period January 1st, 2010 to December 31st, 2011 as per the Memorandum of Settlement whereby wages shall be increased 3% on each of January 1st, 2010 and January 1st, 2011." Carried unanimously.

Councillor McCrae

That the Committee resolve into open session. Carried unanimously.

Councillor Jessiman

That the meeting now adjourn. Carried.

Respectfully submitted,

"D. Burgess"

Mayor Dave Burgess  
CHAIRMAN

McCrae-Jessiman

1166 That the report of the Personnel Committee of its meeting held October 6, 2009 regarding the recent negotiations with the E911/Police Operator-Dispatcher Division of the Brandon Professional Firefighters'/Paramedics' Association (IAFF, Local 803), be received. CARRIED.

McCrae-Jessiman

1167 That the City of Brandon enter into a two (2) year agreement with the E911/Police Operator-Dispatcher Division of the Brandon Professional Firefighters'/Paramedics' Association (IAFF Local 803) for the period January 1st, 2010 to December 31st, 2011 as per the Memorandum of Settlement whereby wages shall be increased 3% on each of January 1st, 2010 and January 1st, 2011. CARRIED.

ENQUIRIES:

(690) CLOSURE OF CKX TELEVISION IN THE CITY OF BRANDON

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Councillor Paterson requested an update on the status of a proposed meeting of City Council with the local Members of the Legislative Assembly, Rick Borotsik and Drew Caldwell, and Member of Parliament, Merv Tweed regarding the closure of CKX Television.

His Worship the Mayor responded that his office was continuing to work with the office of the Member of Parliament to establish a time for the meeting and when same was set, City Council and the local Members of the Legislative Assembly would be notified.

Further to this issue, Councillor Paterson referred to a letter received from the Canadian Radio-television and Telecommunications Commission (CRTC) and distributed to all members of City Council, whereby the CRTC had advised that there were currently no regulatory requirements forcing satellite television providers to distribute local television stations. He enquired as to the process required to launch a formal complaint with the CRTC in regards to this issue.

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

(691) LIGHTING OF WALKPATHS IN THE CITY OF BRANDON

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Councillor Campbell advised that she had raised an enquiry with Administration regarding insufficient lighting along walkpaths throughout the city and requested a report on cost-effective measures to rectify this problem.

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

(692) VACCINATION PROGRAM AND PANDEMIC PREPAREDNESS

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Councillor Barletta referred to information provided on the City of Brandon website regarding pandemic preparedness, part of which included a vaccination program for city employees. He noted that Health Canada was expected to release the H1N1 Vaccine in the near future and enquired if a mandatory vaccination was to be imposed on any city employees, specifically essential staff such as emergency response personnel.

At the request of His Worship the Mayor, the City Manager advised that the vaccine was to be distributed through Public Health on a priority basis established by the Provincial Medical Officer of Health. He added that emergency services personnel, as well as employees working at water and wastewater facilities, were included on that priority list, however, vaccination was on a voluntary basis.

(693) STREET NAMING PLAN FOR CITY OF BRANDON

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Councillor Rice referred to a recent article in local newspaper whereby it had been suggested that switching some street names within the city, such as switching Louise Avenue with College Avenue, would be beneficial. He noted that other name changes had also been suggested in the past and enquired if a report on same could be provided.

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

(694) BURNED OUT STREET LIGHTS

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Councillor McCrae noted that a substantial number of street lights were burned out throughout the city and enquired if this issue could be addressed with Manitoba Hydro.

At the request of His Worship the Mayor, the City Manager advised that this issue had also been raised by other members of City Council as well as numerous citizens, and Manitoba Hydro had been contacted and requested to rectify this problem in a timely manner. He agreed to keep City Council apprised of any response received from Manitoba Hydro.

(695) RELATIONSHIP WITH NEW PREMIER OF MANITOBA

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Councillor McCrae referred to the recent appointment of Greg Selinger as Premier of Manitoba and enquired if Mr. Selinger had been congratulated on his appointment and invited to maintain the ongoing good relationship between the Provincial Government and the City of Brandon.

His Worship the Mayor responded that a letter of congratulations had been sent on behalf of City Council. He added that he was looking forward to the first meeting with Premier Selinger and anticipated a good working relationship would continue between the Provincial Government and the City of Brandon.

(696) RELOCATION OF ROYAL BANK FROM EAST END OF BRANDON

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Councillor Jessiman advised that he had received calls from residents in the East End of the city concerning the relocation of the Royal Bank from that area. He enquired if information could be sought from the bank as to whether or not this was a permanent relocation.

His Worship the Mayor advised that, given that the Royal Bank was a private entity, City Council was not in a position to interfere with their decisions. He encouraged Councillor Jessiman and concerned residents to contact the bank directly regarding this issue.

(697) JOINT LIAISON COMMITTEE - BRANDON SCHOOL DIVISION AND BRANDON CITY COUNCIL

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Councillor Jessiman noted that in the past, City Council and Brandon School Division Trustees had met on a regular basis and enquired as to the status of those meetings.

His Worship the Mayor advised that the establishment of the City of Brandon/Brandon School Division Joint Task Force, with three members appointed by each group, had negated the necessity for all members of City Council and all Brandon School Division Trustees to meet.

At the request of His Worship the Mayor, Councillor McCrae advised that the Task Force met regularly with the next meeting expected to be held in November, 2009. He agreed to keep City Council apprised of the outcome of all meetings.

(698) SIGNAGE FOR CHANGE IN LANES - 26TH STREET BETWEEN RICHMOND AVENUE AND MARYLAND AVENUE

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Councillor Fitzpatrick referred to 26th Street between Richmond Avenue and Maryland Avenue where the street changed from a double lane to a single lane. He noted that drivers who were unaware of the change continued straight rather than taking the curve to merge into the single lane and ended up driving off the road into the ditch. He enquired if signage notifying drivers of the upcoming merge requirement could be provided to avoid such situations.

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

(699) OTHER COMMUNITIES' LOSS OF LOCAL TELEVISION

Councillor Black referred to the proposed meeting between all three levels of government regarding the closure of CKX Television. He noted that other communities, such as Hamilton and Victoria, had lost their local television stations and enquired if information could be sought from those communities as to their response to the closures, inclusive of what worked, what did not, and what they wished they had done differently.

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

(700) BRANDON DOWNTOWN DEVELOPMENT CORPORATION (RENAISSANCE BRANDON) FUNDING

Councillor Black noted that Brandon General Museum and Archives Inc. currently conducted business in much the same way as the Downtown Brandon Development Corporation (Renaissance Brandon) and enquired if Renaissance Brandon could provide Brandon General Museum and Archives Inc. with information on potential funding resources, inclusive of whether or not a museum or archives would qualify for the same type of funding.

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

(701) MEMBERSHIP IN THE MID-ASSINIBOINE CONSERVATION DISTRICT

Councillor Black referred to a previous enquiry regarding the City of Brandon obtaining membership in the Mid-Assiniboine Conservation District. He noted that the Provincial Government had advised that the conservation districts were under review and the City of Brandon would be advised when same was completed. He enquired as to the status of that review, and further, whether or not the City of Brandon would be invited to join a conservation district.

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

ANNOUNCEMENTS:

Nil

GENERAL BUSINESS:

(A) TENDER - CT (CONTACT TIME) UPGRADE FOR WATER TREATMENT FACILITY

City Council considered a report from the Director of Engineering Services and Water Resources dated October 7, 2009 with respect to the above.

Rice-Harwood

1168 That the low bid of Wescan Electrical Mechanical to carry out the CT (Contact Time) Upgrades at the Water Treatment Facility as per tender and specifications at a cost of \$1,421,455.90 (including GST) be accepted. CARRIED.

(B) TENDER - WATER TREATMENT FACILITY WASTE RESIDUALS PROGRAM

Submitted for consideration was a report from the Director of Engineering Services and Water Resources dated September 14, 2009 with respect to the above.

1169 Paterson-Rice  
That the bid of Assiniboine Injectors to carry out the waste residuals program at the Water Treatment Facility as per tender and specifications at a total cost of \$363,513.00 (including GST) be accepted. CARRIED.

(C) APPLICATION TO SUBDIVIDE - 702 - 1ST STREET, 718 - 1ST STREET AND 230 VAN HORNE AVENUE (MEIGHEN, HADDAD AND CO. O/B/O HOMETOWN AUTO GLASS (BRANDON) LTD. AND CRANE ENTERPRISES LTD.)

Considered was a report from the Planning Department dated October 6, 2009 with respect to the above.

1170 Rice-Barletta  
That the application of Meighen, Haddad and Co. on behalf of the owners, Hometown Auto Glass (Brandon) Ltd. and Crane Enterprises Ltd., to subdivide 702 - 1st Street, 718 - 1st Street and 230 Van Horne Avenue (Parcels D/H, Plan 2218 BLTO, Lots 8/10, 12/23, Block 64, Plan 8 BLTO and Lot 1, Plan 2422 BLTO) be approved subject to:

- 1) the applicant and/or owners successfully obtaining a variation order, and complying with any conditions as may be imposed and required pursuant to such variation order, so as to address the deficient side yards of the three (3) proposed lots and the lot width of proposed Lot 3;
- 2) the applicant and/or successor entering into the development agreement with the City of Brandon attached to the report of the General Manager of Development Services dated October 6, 2009;
- 3) the Planning Department being provided with two (2) signed copies of a cross access agreement should the owner of proposed Lot 2 be willing to grant to the owner of 205 College Avenue the use of proposed Lot 2 for access purposes whereby the form and content of said agreement shall be satisfactory to the Planning Department and said agreement shall be registered against titles to 205 College Avenue and proposed Lot 2; and
- 4) there being no further or additional structures, improvements or otherwise constructed or erected upon any of the three (3) proposed lots, which for these purposes shall include but not be limited to fencing, where, if constructed or erected, such further or additional structures, improvements or otherwise would or may block or impede the required emergency exits in accordance with the Manitoba Building Code. CARRIED.

(D) AMENDMENT TO TRAFFIC BY-LAW NO. 5463 - MAINTENANCE OF RESIDENTIAL DRIVEWAY APPROACHES

City Council considered a report from the General Manager of Operational Services dated October 14, 2009 with respect to the above.

1171 Rice-Campbell  
That the repair of residential driveways remain the responsibility of property owners as currently set-out in Traffic By-law No. 5463. CARRIED.

BY-LAWS:

Nil



GIVING OF NOTICE:

(A) MORATORIUM ON ESTABLISHMENT OF COMMERCIAL USES OUTSIDE  
DOWNTOWN BRANDON

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In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Paterson gave notice of his intent to introduce at the November 2, 2009 meeting of City Council, the following motion:

“That Administration review and provide a report on a three (3) year moratorium being imposed on the establishment of the following commercial uses outside downtown Brandon being that area bounded by 1st and 18th Streets and Pacific and Victoria Avenues: arts and cultural centres, bars, commercial establishments, government offices and facilities, hotels, motels, nightclubs, restaurants and taverns.”

ADJOURN:

Barletta-McCrae

That the meeting do now adjourn (8:46 p.m.) CARRIED.

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MAYOR

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CITY CLERK