

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, FEBRUARY 1, 2010 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 (entered at 7:32 p.m.), Councillor J. Harwood, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice

ABSENT: Councillor J. McCrae

ADOPTION OF AGENDA:

1278 Harwood-Blight
That the Agenda for the Regular Meeting of City Council to be held on Monday, February 1, 2010 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1279 Rice-Jessiman
That the Minutes of the Regular Meeting of City Council held on Monday, January 18, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

1280 Harwood-Blight
That the Minutes of the Special Meeting of City Council held on Friday, January 22, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

1281 Rice-Blight
That the Minutes of the Special Meeting of City Council held on Tuesday, January 26, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) STEPHEN MONTAGUE - BOTTLED WATER IN MUNICIPAL BUILDINGS

Stephen Montague, President of Brandon University Students' Union appeared before City Council with a powerpoint presentation on the recent elimination of bottled water on the University campus. He noted that the first annual "Bottled Water Free Day" was scheduled for March 11, 2010 and encouraged City Council to join Brandon University as the leaders in the community in eliminating the sale and provision of bottled water in all municipal offices, buildings and facilities. He further challenged City Council to invest in infrastructure where needed to improve access to safe public drinking water in municipal buildings, and to continue to promote recycling and other environmentally sustainable practices in the community.

1282 Barletta-Black
That the presentation by Stephen Montague, President of the Brandon University Students' Union with respect to bottled water in municipal buildings be received;

and further, that the matter be referred to Administration for a report back to City Council at a subsequent meeting. CARRIED.

PUBLIC HEARINGS:

- (A) BY-LAW NO. 6967 - TO CLOSE AND CONVEY A PORTION OF THE NORTH/SOUTH LANE IN BLOCK 1, PLAN 211 BLTO, LOCATED SOUTH OF VICTORIA AVENUE AND WEST OF 26TH STREET TO ADJACENT PROPERTY OWNERS

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

Mr. Ted Snure, General Manager of Development Services appeared before City Council and provided some background information on the proposed road closure.

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

Harwood-Paterson

- 1283 That the Public Hearing to close and convey a portion of the north/south lane in Block 1, Plan 211 BLTO located south of Victoria Avenue and west of 26th Street be concluded. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

- (A) WESTERN MANITOBA REGIONAL LIBRARY BOARD FEBRUARY 1, 2010
VERBAL REPORT

February 1, 2010
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Jessiman provided a verbal report on the January 20, 2010 meeting of the Western Manitoba Regional Library Board. He noted that a draft budget had been presented for the upcoming year, and that the election of officers was held, whereby Russ Shackel was re-elected as Chairperson of the Board.

Fitzpatrick-Paterson

- 1284 That the verbal report by Councillor Jessiman with respect to the Western Manitoba Regional Library Board be received.

ENQUIRIES:

- (746) SKATING OVAL WATERFALL OF LIGHTS DISPLAY

Councillor Paterson referred to recent news reports which had indicated that the Waterfall of Lights at the Skating Oval was to be turned off within the next week and enquired if same could be left on for a longer period of time.

At the request of His Worship the Mayor, the Director of Community Services responded that rain and flooding in early March 2009 had created difficulties for the crews in removing these displays, whereby it had been decided to shut off the lights and start to remove the displays earlier this year. He added, however, that due to the popularity of the display and requests from residents, weather permitting, the scheduled turn off date had now been pushed back to February 14, 2010.

(747) YIELD SIGNS AT CORNER OF MCTAVISH AVENUE EAST AND PARK STREET

Councillor Black advised that he had received calls from area residents requesting that the yield signs at the corner of McTavish Avenue East and Park Street be changed to stop signs and enquired if same could be considered.

At the request of His Worship the Mayor, the General Manager of Development Services advised that he had already ordered these sign changes to be completed as soon as possible.

(748) TENDER FOR CARGO VAN

Councillor Harwood referred to a recent tender for a cargo van whereby same had been awarded at \$6,000 over the budgeted amount and enquired as to the reasons for the overage.

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

(749) BURNED OUT STREET LIGHTS - COSTS AND DIFFICULTY REPORTING

Councillor Jessiman advised that the issue of reporting and repairing burned out street lights continued to be a problem. He enquired as to the amount the City of Brandon paid to Manitoba Hydro, and whether or not Manitoba Hydro could be ordered to rectify this problem as soon as possible.

Further to this issue, Councillor Campbell advised that she also continued to receive complaints regarding this issue and she agreed with Councillor Jessiman that same needed to be resolved as soon as possible.

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

(750) AFFORDABLE HOUSING INITIATIVE

Councillor Campbell enquired as to the affordable housing initiatives currently underway and proposed in the City of Brandon, inclusive of the level of involvement of the City, the Provincial Government and the Federal Government and requested a report on same. She suggested that following receipt of that report, a special meeting of City Council be held to discuss how City Council could be of assistance in addressing the critical issue of affordable housing in the City of Brandon.

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

(751) PORTABLE CONCRETE CRUSHER

Councillor Fitzpatrick referred to a recent trip to Swift Current, Saskatchewan whereby he had learned that used concrete from sidewalks etc. was broken down by a portable concrete crusher to be used as gravel. He enquired if the purchase or lease of such a machine could be considered for the City of Brandon.

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

(752) LOCATION OF THE ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM) ANNUAL CONVENTION

Councillor Fitzpatrick referred to a decision by the Board of Directors of the Association of Manitoba Municipalities (AMM) that future annual AMM Conventions would be held strictly in Winnipeg as opposed to alternating annually between Brandon and Winnipeg as had been the case in the past.

He noted that this decision was contrary to previous votes of the AMM membership to continue to alternate locations and enquired what steps were being taken to address this issue.

His Worship the Mayor advised that he had requested the AMM Board to state their intent in writing so that a copy of same could be shared with the other AMM members, the local hoteliers and the Westman Accommodations Group, however, same had not yet been received. He further advised that he now intended to put his request to AMM in writing.

Further to this issue, Councillor Black suggested a copy of that letter also be sent to the Minister of Local Government, to which His Worship the Mayor agreed.

(753) FUTURE USE OF EXISTING NO. 1 FIRE HALL

Councillor Barletta requested clarification on recent comments regarding the future use of the existing No. 1 Fire Hall made by His Worship the Mayor on a local radio station program.

His Worship the Mayor advised that he had discussed the future use of the existing No. 1 Fire Hall on a local radio station program and the high cost of necessary upgrades and improvements. He added that rumours were circulating regarding the building being demolished and he stated that those rumours were unfounded, noting that the building was a historical building and he was confident that some use for the building could be found.

ANNOUNCEMENTS:

7TH ANNUAL LIEUTENANT GOVERNOR'S WINTER FESTIVAL

Councillor Paterson announced that the 7th Annual Lieutenant Governor's Winter Festival was to be held February 4 to 6, 2010 in Brandon and requested further details on same. At the request of His Worship the Mayor, Ms. Esther Bryan, City Representative on the Festival Committee, advised that the program of activities was available in the local newspaper as well as at City Hall and the Riverbank Discovery Centre. She advised that there would be a total of 12 pavilions, three of which were new for 2010, those being Ethiopia, Columbia and Mexico. Opening Ceremonies were to be held at City Hall on Thursday, February 4, 2010 at 6:00 p.m. hosted by the Chinese Pavilion. She encouraged everyone to attend the festivities over the weekend.

Further to the above, Councillor Blight enquired about children attending the pavilions.

Ms. Bryan responded that, with the exception of the Mexican Pavilion, which was restricted to 18 years of age and older, children were welcome at all pavilions. She added that 3 pavilions would open their doors for school children on Friday, February 5, 2010 and over 500 children from various schools were expected to attend.

USE OF ELECTRIC BICYCLES

Councillor Paterson announced that he had requested information regarding the use of electric bicycles in the City of Brandon, and noted that in the thorough response received from the Chief of Police, all types of electric bicycles were covered under The Highway Traffic Act of Manitoba, and therefore, the City of Brandon was well prepared for the increase in usage of such vehicles.

GENERAL BUSINESS:

(A) PROPOSAL - WATER TREATMENT PLANT SCADA UPGRADE

City Council considered a report from the General Manager of Development Services dated January 19, 2010 with respect to the above.

Paterson-Black

1285 That the proposal for the SCADA Upgrade submitted by Delco Automation in the amount of \$338,746, GST included, be accepted. CARRIED.

(B) THE CITY OF BRANDON YOUTH PLAN

Submitted for consideration was a report from the General Manager of Operational Services dated January 18, 2010 with respect to the above.

Rice-Blight

1286 That the City of Brandon Youth Plan, dated December 2009, be received and scheduled for debate at the regularly scheduled Council meeting of February 16, 2010. CARRIED.

(C) ASSISTANCE FOR RESIDENTS IN PROCESSING CLAIMS AND OBTAINING REDRESS FOR DAMAGES TO THEIR PREMISES

Considered was a report from the City Manager dated January 28, 2010 with respect to the above.

Black-Rice

1287 That Administration develop additional procedures for residents/citizens who are caught in anomalous situations that result in damages to their homes through no fault of their own to receive assistance from the City of Brandon in their efforts to get their claims processed and obtain redress due them in a timely and expeditious manner. LOST.

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

As the above motion received an equal division of votes, it was declared lost.

FOR

Councillor Barletta
Councillor Black
Councillor Harwood
Councillor Jessiman
Councillor Rice

AGAINST

His Worship Mayor Burgess
Councillor Blight
Councillor Campbell
Councillor Fitzpatrick
Councillor Paterson

BY-LAWS:

NO. 6910 - TO REZONE PROPERTY LOCATED AT 1310 AND 1320 1ST STREET NORTH (LOT 1, PLAN 1817 BLTO AND LOT 10, BLOCK 1, PLAN 848 BLTO) FROM CAR COMMERCIAL ARTERIAL ZONE TO CG COMMERCIAL GENERAL ZONE (ANWIN HOLDINGS INC. C/O ANDREW KOOP)

It was noted that this by-law had received first reading at the June 16, 2008 meeting of City Council.

Paterson-Barletta

1288 That By-law No. 6910 to rezone property located at 1310 and 1320 1st Street North (Lot 1, Plan 1817 BLTO and Lot 10, Block 1, Plan 848 BLTO) from CAR Commercial Arterial Zone to CG Commercial General Zone be given no further readings. CARRIED.

NO. 6961 - TO REPEAL BY-LAW NO. 6955 AND TO NAME THE PRIVATE STREET WITHIN THE WHISTLER LANDING SUBDIVISION LOCATED NORTH OF BRAECREST DRIVE (SW 1/4 35-10-19 WPM)

It was noted that this by-law had received first reading at the January 18, 2010 meeting of City Council.

Paterson-Blight

1289 That By-law No. 6961 to repeal By-law No. 6955 and to name the private street within the Whistler Landing subdivision located north of Braecrest Drive (SW 1/4 35-10-19 WPM) be read a second time. CARRIED.

Paterson-Harwood

1290 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. 6961 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 Paterson	
Councillor Rice	

NO. 6967 - TO CLOSE AND CONVEY A PORTION OF THE NORTH/SOUTH LANE IN BLOCK 1, PLAN 211 BLTO LOCATED SOUTH OF VICTORIA AVENUE AND WEST OF 26TH STREET TO THE ADJACENT PROPERTY OWNERS

It was noted that this by-law received first reading at the January 4, 2010 meeting of City Council.

Harwood-Black

1291 That By-law No. 6967 to close and convey a portion of the north/south lane in Block 1, Plan 211 BLTO, located south of Victoria Avenue and east of 26th Street to adjacent property owners, be read a second time. CARRIED.

Harwood-Jessiman

1292 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. 6967 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 Paterson	
Councillor Rice	

NO. 6969 - TO RENAME THE PUBLIC STREET WITHIN THE WHISTLER LANDING SUBDIVISION LOCATED NORTH OF BRAECREST DRIVE (SW 1/4 35-10-19 WPM)

It was noted that this by-law had received first reading at the January 18, 2010 meeting of City Council.

1293 Paterson-Blight
That By-law No. 6969 to rename the public street within the Whistler Landing subdivision located north of Braecrest Drive (SW 1/4 35-10-19 WPM) be read a second time. CARRIED.

1294 Paterson-Blight
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. 6969 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 Paterson	
Councillor Rice	

NO. 6971 - TO REZONE PROPERTY LOCATED AT 1530 - 9TH STREET (LOTS 36/39, BLOCK 2, PLAN 289 BLTO) FROM RSF RESIDENTIAL SINGLE FAMILY ZONE TO RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE (DORNN)

City Council considered a report from Planning Services dated January 18, 2010 with respect to the above.

1295 Campbell-Jessiman
That By-law No. 6971 to rezone property located at 1530 - 9th Street (Lots 36/39, Block 2, Plan 289 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

(A) 2010 BUDGET ALLOCATION TO GENERAL MUSEUM AND ARCHIVES INC.

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Harwood gave notice of his intent to introduce at the February 16, 2010 meeting of City Council the following motion:

"That City Council reconsider the vote on Motion No. 1270 of the regular meeting of City Council held January 26, 2010 with respect to the reduction in the budget allocation to General Museum and Archives Inc."

ADJOURN:

Blight-Barletta

That the meeting do now adjourn (8:50 p.m.)

MAYOR

CITY CLERK