

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY,
FEBRUARY 16, 2010 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor D. Burgess in the Chair, 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: Councillor V. Barletta

ADOPTION OF AGENDA:

1296 Harwood-Rice
That the Agenda for the Regular Meeting of City Council to be held on Tuesday, February 16, 2010 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1297 Blight-Jessiman
That the Minutes of the Regular Meeting of City Council held on Monday, February 1, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) POVERTY COMMITTEE FEBRUARY 16, 2010
VERBAL REPORT

January 4, 2010
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Rice provided a verbal report on the Poverty Committee Public Forum to be held Saturday, February 20, 2010 in the Council Chamber where The Honourable Kerri Irvin-Ross, Minister of Housing and Community Development and The Honourable Gord Mackintosh, Minister of Family Services and Consumer Affairs for the Province of Manitoba would meet with members of the Committee and local service groups to discuss poverty issues. He invited everyone to attend.

1298 Black-Campbell
That the verbal report by Councillor Rice with respect to the Poverty Committee be received. CARRIED.

ENQUIRIES:

(754) FORMER CONVERGYS BUILDING UPDATE

Councillor Fitzpatrick requested an update on the status of the former Convergys Building.

At the request of His Worship the Mayor, the City Manager advised that a Letter of Intent had been submitted on February 5, 2010, followed by a formal Offer to Purchase being received from the same company on February 12, 2010, and that these were being reviewed by Administration for a report to City Council in the near future.

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

Councillor Fitzpatrick referred to a previous enquiry regarding the 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 of the Board was contrary to the vote of the membership itself and enquired if AMM's two Western District representatives elected to the AMM Board in part by members of Brandon's City Council could be invited to appear before City Council with an explanation on the Board's subject decision.

Further to this issue, Councillor Paterson enquired if a Special Meeting of City Council could be held to discuss this issue and formulate a plan to go forward in this case.

His Worship the Mayor agreed to send a written invitation to Councillor Alan Ransom, AMM Western District Rural Representative, and Councillor Maxine Chacun, AMM Western District Urban Representative, to appear before City Council and provide the reasons for their having voted in favour of this AMM Board decision.

His Worship the Mayor advised that numerous letters of support from other Manitoba municipalities had been received many of which had offered to take this issue forward to AMM themselves along with the City of Brandon. He added that the steps to be taken by Brandon City Council were dependent on the steps being taken by the other AMM member municipalities, however, the decision on the plan of action would be made by all members of City Council.

(756) MANITOBA PUBLIC INSURANCE (MPI) DRIVER TESTING - EAST END

Councillor Jessiman referred to a recent newspaper article whereby Manitoba Public Insurance (MPI) had announced that effective March 1, 2010 all Class 1 Driver's License testing would be conducted in the City of Brandon. Councillor Jessiman noted that this would cause a significant increase in semi-truck traffic in the east end, thereby becoming a safety concern. He enquired if MPI could be contacted and requested to reconsider this decision.

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

(757) QUEENS CRESCENT SNOW REMOVAL

Councillor McCrae advised that he had contacted City Administration regarding complaints he received from residents on Queens Crescent who had advised him that their street was being neglected when it came to snow removal and had been assured that the situation would be rectified.

(758) ODOURS - PLASTIC REFUSE BINS

Councillor Black advised that he had received a call from an area resident regarding odours from refuse being absorbed by the plastic refuse bins and enquired if other complaints had been received, and further, if a solution to this problem could be provided.

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

(759) INVENTORY OF VACANT HOUSES

Councillor Black noted that vacant houses within the City of Brandon continued to be a safety concern and enquired if an inventory of same was available.

At the request of His Worship the Mayor, the General Manager of Development Services responded that no such inventory existed, and further, that the monitoring of same was complaint driven. His Worship the Mayor encouraged anyone who observed a problem to contact the Planning Department who would ensure action was taken.

(760) WESTBRAN TRAINING CENTRE - PROGRAM CHANGES

Councillor Black referred to a previous enquiry whereby it had been noted that program changes were taking place at the Westbran Training Centre and requested an update on the status of same.

At the request of His Worship the Mayor, the City Manager advised that Westbran was moving away from field work to a more classroom oriented approach to the programs offered. He added that Rick Bailey, the City's Director of Community Services, continued to work with the Province of Manitoba on this issue and once formal clarification of those changes had been received, same would be shared with City Council.

ANNOUNCEMENTS:

RIVERVIEW WARD MEETING - MARCH 2, 2010

Councillor Black announced that a Riverview Ward Meeting would be held March 2, 2010 beginning at 7:00 p.m. at the East End Community Centre where the only topic of discussion would be the proposed Solid Waste Management By-law.

GENERAL BUSINESS:

(A) THE CITY OF BRANDON YOUTH PLAN

It was noted that the City of Brandon Youth Plan had been referred from the February 1, 2010 meeting of City Council to this meeting for debate.

Rick Bailey, Director of Community Services, Esther Bryan, Community Development Co-ordinator, and Cathy Snelgrove of Siere Solutions appeared before City Council to answer questions on the plan.

Harwood-Paterson

1299 That the City of Brandon Youth Plan, dated December 2009, be adopted and the recommendations contained therein be implemented. CARRIED.

(B) 2010 BUDGET ALLOCATION - GENERAL MUSEUM AND ARCHIVES INC.

Considered was a report from Councillor Harwood dated February 3, 2010 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held February 1, 2010.

Harwood-Black

1300 That pursuant to Subsection 139(1) of The Municipal Act and in accordance with my notice of motion given at the meeting of City Council held February 1, 2010, I hereby move that City Council reconsider the vote on Motion No. 1270 of the special meeting of City council held January 26, 2010 with respect to the reduction in the budget allocation to General Museum and Archives Inc. CARRIED.

It was noted that the motion being reconsidered was amending the following main motion:

“That the 2010 Operating and Capital budgets be approved;

and further, that Administration prepare the required Financial Plan in accordance with the noted budgets.”

In view of the above motion of reconsideration having been adopted, the following motion was before City Council as if it had not yet been voted on.

AMENDMENT

Burgess-McCrae

1301 That the above motion be further amended by adding the following sub-paragraph thereto:

“(3) reducing the allocation to the General Museum and Archives Inc. by \$63,000,” CARRIED AS AMENDED.

AMENDMENT TO AMENDMENT

Harwood-Paterson

1302 That the above amending motion be amended by deleting the figure: “\$63,000” and substituting therefor, the figure: “\$33,000” and that Administration find the \$30,000 in additional funding in the existing 2010 budget without impacting the adopted total budget increase over 2009. CARRIED.

(C) RENT SUBSIDY TO ART GALLERY OF SOUTHWESTERN MANITOBA

Submitted for consideration was a report from the City Treasurer dated February 8, 2010 with respect to the above.

Jessiman-Campbell

1303 That the City of Brandon provide funding to the Art Gallery of Southwestern Manitoba (Art Gallery) for the years 2010 through 2014 such that the amount of such funding equals \$10,000 less than the Art Gallery's annual rental payment set-out in its lease agreement for its use of the City owned premises at 710 Rosser Avenue during the subject period. CARRIED.

(D) APPLICATION TO SUBDIVIDE 2200 - 1ST STREET (ROY JOHNSTON AND CO./VBJ DEVELOPMENTS)

Considered was a report from Planning Services dated February 3, 2010 with respect to the above.

Campbell-Jessiman

1304 That the application of Roy, Johnston and Co., on behalf of the owner, VBJ Developments Ltd., to subdivide 2200 - 1st Street (Pt. SE 1/4 11-10-19 W.P.M.) be approved subject to:

- 1) the owner or successor entering into a development agreement with the City of Brandon as attached to this report;
- 2) prior to the start of any work on this proposed subdivision, including but not limited to, preparatory work for the installation of public works, the applicant obtaining a development permit pertaining to construction activities on the residual lot of the subject property, including but not limited to the establishment of a construction fill site;
- 3) the applicant submitting a phased construction report to the City of Brandon Engineering Department for its approval, with said report to show the extent of construction of the stormwater retention pond to be carried out for each of the remaining phases of development, and the applicant providing verification that the final pond constructed shall meet the requirements of Stantec Consulting Ltd.'s construction drawing #C-501, approved on September 10, 2009 by the City of Brandon; and
- 4) confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro, MTS Allstream Inc. and Westman Communications Group. CARRIED.

(E) SALE OF PART OF PUBLIC LANE IN PLAN 1701 AND OPEN SPACE ADJACENT TO KASIURAK BAY

City Council considered a report from the General Manager of Development Services dated January 28, 2010 with respect to the above.

Paterson-Blight

1306 That part of Block 13, Plan 1701 be disposed of to the adjacent property owner of 14 Kasiurak Bay (Lot 14, Block 12, Plan 1701) for the sum of \$4, 260 plus all applicable costs;

and further, that the closure and conveyance of part of the public lane in Plan 1701 adjacent to Kasiurak Bay to said property owner be referred to the Order of By-laws for 1st reading of corresponding By-law No. 6973. CARRIED.

BY-LAWS:

NO. 6965 - SOLID WASTE COLLECTION AND DISPOSAL BY-LAW AND TO REPEAL BY-LAW NO. 5863

Submitted for consideration was a report from the General Manager of Operational Services dated February 1, 2010 with respect to the above.

Paterson-Blight

1307 That By-law No. 6965 respecting the collection, removal and disposal of solid waste and recycling material and for abatement of certain nuisances to be known as the "Solid Waste Collection and Disposal By-law" and to repeal By-law No. 5863, be read a first time. CARRIED.

NO. 6970 - TO AMEND PESTICIDE BY-LAW NO. 6825 - DELETION OF ONE YEAR GRACE PERIOD

Considered was a report from the Director of Community Services dated January 29, 2010 with respect to the above.

Blight-Jessiman

1308 That By-law No. 6970, to amend Pesticide By-law No. 6825 regarding the removal of a one year grace period, be read a first time. CARRIED.

NO. 6973 - TO CLOSE AND CONVEY THE LANE IN PLAN 1701 BLTO (KASIURAK BAY)

City Council considered a report from the General Manager of Development Services dated January 28, 2010 with respect to the above.

Paterson-Harwood

1309 That By-law No. 6973 to close and convey the public lane in Plan 1701 BLTO (Kasiurak Bay) be read a first time. CARRIED.

GIVING OF NOTICE:

(A) ABORIGINAL LIAISON OFFICE

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Black gave notice of his intent to introduce at the March 8, 2010 meeting of City Council the following motion:

"That \$125,000 be allocated to establish an Aboriginal Liaison Office in City Hall to hire a professional Aboriginal Liaison Officer and support staff."

ADJOURN:

McCrae-Rice

That the meeting do now adjourn (9:15 p.m.) CARRIED.

MAYOR

CITY CLERK