

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
MARCH 8, 2010 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. 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:**

1310 Harwood-Rice  
That the Agenda for the Regular Meeting of City Council to be held on Monday, March 8, 2010 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

1311 Blight-Paterson  
That the Minutes of the Regular Meeting of City Council held on Tuesday, February 16, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) IAN DEG - SCOUTING

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Mr. Ian Deg appeared before City Council to explain the "Good Deed" Program, the basis of which is to acknowledge a good deed by presenting an orange bracelet to someone who has done a good deed. He indicated that this was a one week program. It was noted that a number of scouts were also in attendance.

1312 Rice-Paterson  
That the presentation by Ian Deg with respect to scouting be received. CARRIED.

(B) 2010 MASTERCARD MEMORIAL CUP

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Mr. Jeff Cristall, Chairperson, 2010 MasterCard Memorial Cup Host Committee, appeared before City Council to provide the schedule of upcoming events in conjunction with the 2010 Memorial Cup, beginning with the presentation of the Cup at Canadian Forces Base Shilo on Thursday, May 13, 2010 and culminating with the Championship Game on Sunday, May 23, 2010.

1313 McCrae-Paterson  
That the presentation by Jeff Cristall, Chairperson, 2010 MasterCard Memorial Cup Host Committee, with respect to the 2010 MasterCard Memorial Cup be received. CARRIED.

1314 McCrae-Barletta  
That the 2010 MasterCard Memorial Cup to be held May 14 to 23, 2010 be designated as an Event of Local Significance and a Community Event in the City of Brandon. CARRIED.

**PUBLIC HEARINGS:**

(A) 2010 FINANCIAL PLAN

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City Council sat to receive representation on the City of Brandon's 2010 Financial Plan.

Denise Hitchins, City Treasurer, appeared before City Council and provided a power point presentation which contained highlights of the 2010 Financial Plan. Items highlighted included, capital expenditures and assessment and taxes, inclusive of the estimated tax increases for 2010 based on the mill rate.

Chris Griffin, President of the Brandon Chamber of Commerce, appeared before City Council to offer the Chamber's support for the 2010 Financial Plan and cautioned City Council to stay within that budget, particularly in regards to the amount allotted for the new Police Station.

No further representation was put forward either in support of or in opposition to the Financial Plan.

Black-McCrae

1315 That the Public Hearing on the City of Brandon's 2010 Financial Plan be concluded. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) WESTERN MANITOBA REGIONAL LIBRARY BOARD MARCH 8, 2010  
VERBAL REPORT

March 8, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Jessiman provided a verbal report on the February 17, 2010 meeting of the Western Manitoba Regional Library Board. He noted that the Board's 2010 budget had been approved, and a copy of same would be available for viewing in the City Clerk's Office. He advised that the budget had increased by 2.6 per cent, most of which was the result of salary increases.

(B) WESTERN MANITOBA CENTENNIAL AUDITORIUM BOARD MARCH 8, 2010  
VERBAL REPORT

March 8, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Blight provided a verbal report on the February 23, 2010 meeting of the Western Manitoba Centennial Auditorium Board. He advised that, at that meeting, MCM Architects Inc. had been selected for the upgrades to the entry canopy.

Harwood-Fitzpatrick

1316 That the verbal reports of the Western Manitoba Regional Library Board and the Western Manitoba Centennial Auditorium Board be received. CARRIED.

ENQUIRIES:

(761) CLEAN-UP FOR THE 2010 MASTERCARD MEMORIAL CUP

Councillor Paterson enquired if a special city-wide clean-up was planned prior to the start of 2010 MasterCard Memorial Cup in May 2010.

At the request of His Worship the Mayor, the City Manager responded that, while no special clean-up was planned, the event would take place immediately following normal spring clean-up operations. He added that the Memorial Cup Host Committee was planning some special initiatives for 18th Street and that the City would support same in any way possible.

(762) KEYSTONE CENTRE UPPER CONCOURSE UPGRADES

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Councillor Fitzpatrick requested an update on the upgrades to the upper concourse at the Keystone Centre.

At the request of His Worship the Mayor, Councillor McCrae advised that the upgrades were progressing nicely and expected to be completed on time.

Further to this issue, Councillor Black advised that he had spoken with Dan Robertson, General Manager of the Keystone Centre, who advised him that he intended to appear at the March 22, 2010 City Council meeting whereby he would confirm that the upgrades were on-time and within budget and answer any other questions City Council may have with respect to same.

(763) STORM SEWER DRAINS

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Councillor Fitzpatrick noted that he had observed crews thawing storm sewer drains and requested an update on the progress of same.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that crews were out in full force thawing culverts, sewer drains and catch basins to ensure proper spring drainage. He encouraged anyone who observed a problem area to report same to the Public Works Department at 729-2285.

(764) FLOODING - CORNER OF FALCON CRESCENT AND 20TH STREET

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Councillor Campbell referred to a pool of water located at the corner of Falcon Crescent and 20th Street which was causing a problem for pedestrians accessing the walking path in the area. She enquired if same was expected to be drained in the near future.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that the current priority for crews was to address areas where residential properties were in danger of flooding. He noted that many of the walking paths in the city were inaccessible in certain areas due to the spring thaw and encouraged everyone to be patient while more problematic issues were being addressed.

(765) POTHOLE HOTLINE

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Councillor Rice encouraged the public to report potholes to the pothole hotline at 729-2200.

At the request of His Worship the Mayor, the General Manager of Operational Services echoed Councillor Rice's comments and advised that, although the hotline was not answered by an operator, messages were monitored daily and crews were being dispatched accordingly.

(766) ICE BUILD-UP FROM DOWNSPOUT WATER RUN-OFFS

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Councillor Black referred to an issue raised at a recent ward meeting whereby it was noted that ice build-up from downspout water run-offs was becoming a problem in the downtown area and enquired as to any possible solutions to this problem.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that he had attended the area in question and observed that, in this particular situation, the build-up was occurring in a narrow back lane which was not accessible by a grader. He advised that his Division was working with By-law Enforcement as well as the Development Services Division to address the issue.

(767) GROOMING OF CROSS-COUNTRY SKI TRAILS

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Councillor Jessiman enquired if the cross-country ski trails at the City of Brandon Recreation Centre were groomed on a regular basis.

At the request of His Worship the Mayor, the General Manager of Operational Services advised that the trails were groomed on a regular basis by the Parks and Recreation Section staff, and further he encouraged anyone with questions to contact the Parks and Recreation Office.

(768) ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM) UPCOMING MEETINGS

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Councillor Fitzpatrick referred to a recent invitation extended to the Association of Manitoba Municipalities (AMM) Western District representatives to meet with City Council to discuss the AMM Board's decision to move the annual convention to Winnipeg on a permanent basis and enquired if a response to same had been received.

His Worship the Mayor confirmed that a written invitation had been sent to Councillor Alan Ransom, AMM Western District Rural Representative, and Councillor Maxine Chacun, AMM Western District Urban Representative. He advised that a response had not yet been received from Councillor Ransom; however, Ms. Chacun had responded that she would not be available to attend the meeting between Brandon City Council and representatives from the AMM Board of Directors scheduled for March 15, 2010.

Further to this issue, His Worship noted that letters supporting the AMM Convention being held in Brandon alternating years had been received from municipalities, towns and cities from all areas of the Province of Manitoba and that he expected the issue would be discussed at all upcoming March District Meetings.

(769) TRAFFIC CONCERNS - VICINITY OF 22ND STREET AND MCTAVISH AVENUE

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Councillor McCrae advised that traffic volumes and speed continued to be a safety issue in the vicinity of 22nd Street and McTavish Avenue and enquired how this situation could be rectified.

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

(770) POLICE STATION TENDER PROCESS

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Councillor Rice requested an update on the tender process for the new police station.

At the request of His Worship the Mayor, the City Manager advised that, following a review of the design by the architect, Development Services staff and members of Police Administration, many changes were planned, some being consistent with the programming work conducted with input from members of the Brandon Police Association. He added that the detailed specifications and design drawings were currently being completed and the project was expected to be tendered in early April 2010.

(771) POLICE STATION FINAL DESIGN

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Councillor Black enquired if City Council would have an opportunity to preview the final design of the police station prior to same being put to tender.

At the request of His Worship the Mayor, the City Manager confirmed that City Council would be given an opportunity to view the design prior to same being put to tender.

(772) ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM) MEETINGS

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Councillor Black referred to a previous enquiry regarding upcoming Association of Manitoba Municipalities meetings to be held on March 15, 2010 with City Council and March 17, 2010 in Pipestone and enquired if same were open to the public to attend.

His Worship the Mayor responded that the March 15, 2010 meeting with City Council was a closed meeting; however, media could be in attendance at the March 17, 2010 meeting in Pipestone and the general public would also be welcome to attend as guests.

(773) STREET LIGHT REPAIRS

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Councillor Black enquired as to the possibility of having all street light repairs completed prior to the start of the 2010 MasterCard Memorial Cup in May 2010.

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

(774) IMPROVEMENTS TO DOWNTOWN LIGHTING

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Councillor Black advised that he had received complaints from area residents regarding insufficient lighting in the downtown area and enquired if options to improve same could be investigated.

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

(775) HOME-BASED BUSINESSES - PARKING REQUIREMENTS

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Councillor Black enquired as to the parking requirements for home-based businesses in residential areas.

At the request of His Worship the Mayor, the City Manager responded that the maximum allowed under the City by-law is four vehicles, customer and business-related combined.

(776) VETERANS' WAY PARK - UPDATE

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Councillor Black requested an update on the park to honour veterans proposed to be located on Veterans' Way.

At the request of His Worship the Mayor, the City Manager advised that the Municipal Heritage Advisory Committee was working with the Planning Department staff for the proposed park on Veterans' Way to tie in with the plans for a park on the city-owned land at the corner of Rosser Avenue and 1st Street. He indicated that an update to City Council on same was expected in late Spring of 2010.

Further to this issue, Councillor Black suggested that public input be sought on this issue whereby His Worship the Mayor agreed that a city-wide meeting would be held prior to the finalization of the plan.

(777) UPDATE ON THE CRIME PREVENTION COMMITTEE

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Councillor Black requested an update on the Crime Prevention Committee.

His Worship the Mayor responded that he and Inspector Shane Corley of the Brandon Police Service represented the City at a meeting of this group on March 4, 2010 where five members of the committee had attended. He agreed to request an update to City Council from Mr. Darryl Darling, Chair of the Crime Prevention Committee.

(778) FRANKLIN STREET RECONSTRUCTION - 500 AND 600 BLOCKS

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Councillor Black requested an update on the proposed reconstruction of the 500 and 600 Blocks of Franklin Street.

At the request of His Worship the Mayor, the General Manager of Development Services responded that with many other areas of the city in more dire need of upgrades, this proposed reconstruction had been postponed, however, it remained under consideration for the future.

(779) 1ST STREET AND RICHMOND AVENUE - LEFT TURN SIGNALS

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Councillor Jessiman referred to a previous enquiry whereby he had requested the installation of turn signals be considered for the traffic lights at the 1st Street and Richmond Avenue intersection and requested an update on same.

At the request of His Worship the Mayor, the General Manager of Development Services advised that the volume of traffic recorded in previous studies had not warranted left turn signals at that intersection. He agreed; however, to request another count be conducted by Manitoba Infrastructure and Transportation for both east and west bound traffic.

(780) MANITOBA PUBLIC INSURANCE (MPI) DRIVER TESTING

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Councillor Jessiman referred to a previous enquiry whereby he had requested that Manitoba Public Insurance (MPI) be requested to reconsider the decision that all Class 1 Driver's License testing would be conducted in the City of Brandon and requested an update on the status of same.

At the request of His Worship the Mayor, the General Manager of Development Services advised that he had sent a letter to MPI requesting that they reconsider the decision that testing for all Western Manitoba drivers would be conducted in the City of Brandon. He added that he had also requested that MPI provide a report to City Council outlining the expected traffic volumes, perceived safety issues and any mitigation measures that they deem appropriate. He concluded by stating that City Council would be notified as soon as a response to both requests was received.

(781) ICE ON SIDEWALKS

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Councillor Blight noted that he had observed many pedestrians walking on the roads due to a build-up of ice and snow on the sidewalks and enquired if this situation could be rectified.

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

ANNOUNCEMENTS:

NATIONAL BAN BOTTLED WATER DAY - MARCH 11, 2010

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Councillor Rice announced that the Canadian Federation of Students was promoting March 11, 2010 as National Ban Bottled Water Day and encouraged everyone to participate.

NATIONAL TASK FORCE ON THE DISAPPEARANCE AND MURDER OF WOMEN IN CANADA

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Councillor McCrae issued accolades to Councillor Black and other members of City Council for taking the initiative to address the issue of missing and murdered women in Canada with the Federal Government. He added that he was pleased to announce that at the recent Federal Government's Throne Speech there was a direct reference to this subject and the intent of the Federal Government to address the issue.

ST. ANDREW'S PRESBYTERIAN CHURCH 100TH ANNIVERSARY

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Councillor Black announced that St. Andrew's Presbyterian Church located at 361 Russell Street would celebrate its 100th Anniversary on the weekend of August 6 - 8, 2010 and encouraged everyone to attend.

BRANDON ELKS LODGE AND BRANDON ROYAL PURPLE LODGE CONFERENCE

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Councillor Black announced that the Brandon Elks Lodge and the Brandon Royal Purple Lodge were to hold a Provincial Conference in Brandon on June 18 and 19, 2010 with expected attendance to be 150 people from all across the Province of Manitoba.

SCHOOL FUNDRAISING

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Councillor Blight announced that many city schools were currently raising funds for playground equipment and encouraged anyone who was interested in participating to contact the respective schools.

ASSINIBOINE WARD MEETING - MARCH 9, 2010

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Councillor Paterson announced that an Assiniboine Ward Meeting would be held Tuesday, March 9, 2010 at North End Community Centre at 7:30 p.m. and invited everyone to attend.

MAYOR'S VOLUNTEER SERVICE AWARDS NOMINATIONS

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Councillor Blight issued a reminder that the deadline for nominations for the Mayor's Volunteer Service Awards was April 1, 2010 and that applications were available on the City of Brandon website or by contacting the Westman Association for Volunteer Administrators.

GENERAL BUSINESS:

(A) ABORIGINAL LIAISON OFFICE

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Considered was a report from Councillor Black dated February 22, 2010 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held February 16, 2010.

Black-Barletta

1317 That \$125,000 be allocated to establish an Aboriginal Liaison Office in City Hall to hire a professional Aboriginal Liaison Officer and support staff. LOST.

Prior to the above motion being voted on, the following referral motion was put forth.

Barletta-No Seconder

1318 That the allocation of \$125,000 to establish an Aboriginal Liaison Office in City Hall to hire a professional Aboriginal Liaison Officer and support staff be referred to an exploratory committee of City Council comprised of three (3) members of City Council to examine the issue of an Aboriginal Liaison Office and report their findings back to City Council as a whole. RULED OUT OF ORDER

His Worship the Mayor in ruling the above motion out of order indicated that in essence, such referral would be defeating Councillor Black's motion which was actually meant for the 2010 Budget without the vote of City Council. He suggested that the subject referral could be raised as a separate motion. Councillor Barletta agreed to bring the matter forward as a notice of motion at the end of the meeting.

(B) 2010 BRANDON EMERGENCY PLAN

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Submitted for consideration was a report from the Emergency Coordinator for the City of Brandon dated February 9, 2010 with respect to the above.

Paterson-Blight

1319 That the Brandon Emergency Plan dated February 2010 attached to the report of the Emergency Coordinator for the City of Brandon dated February 9, 2010 be adopted. CARRIED.

(C) ENVIRONMENTAL STRATEGIC PLAN UPDATE FOR 2009

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Considered was a report from the General Manager of Operational Services dated February 16, 2010 with respect to the above.

Mr. Tom Keep, the City's Environmental Initiatives Manager, appeared to answer questions from City Council on the subject update.

Paterson-Harwood

1320 That Brandon's Environmental Strategic Plan Update for 2009 be received as information. CARRIED.

(D) ANNEXATION - SOUTH OF PATRICIA AVENUE AND EAST OF 1ST STREET

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Considered was the report of the General Manager of Development Services dated February 22, 2010 with respect to the annexation of land located south of Patricia Avenue and east of 1st Street into the City of Brandon.

Jessiman-Campbell

1321 That His Worship Mayor Dave Burgess, Councillors Vince Barletta and Jeff Harwood, the City Manager, and the General Manager of Development Services begin the process of negotiation and consultation as per Section 37(1) of The Municipal Act and pursuant to the annexation proposal dated December 2009 submitted to The Municipal Board with respect to the annexation of land south of Patricia Avenue and east of 1st Street into the City of Brandon. CARRIED.



Prior to the above motion being voted on Councillor Jessiman requested a recorded vote.

FOR

Councillor Barletta  
Councillor Blight  
Councillor Campbell  
Councillor Fitzpatrick  
Councillor Harwood  
Councillor McCrae  
Councillor Paterson  
Councillor Rice

AGAINST

Councillor Jessiman

ABSTAINED

Councillor Black

(E) DISPOSAL OF PART OF 7TH STREET AND NORTH SOUTH LANE IN BLOCK 70,  
PLAN 8 NORTH OF VAN HORNE AVENUE

Considered was a report from the General Manager of Development Services dated March 1, 2010 with respect to the above.

Rice-Black

1322 That the Easterly 20' x 264' portion of 7th Street [closed] and the North/South Lane in Block 70, Plan 8 BLTO located north of Van Horne Avenue be disposed of to the South West Regional Métis Centre Inc., or their designate, for the sum of \$7,920.00 plus G.S.T. CARRIED.

(F) 2010 GRANT-IN-AID PROGRAM

City Council considered a report from the General Manager of Development Services dated March 1, 2010 with respect to the above.

Paterson-Blight

1323 That the Manitoba Department of Infrastructure and Transportation be advised that the City of Brandon intends to proceed with the milling and paving of Rosser Avenue from 13th Street to 18th Street and the paving of Kirkcaldy Drive from Knowlton Drive to West leg of Cater Drive in the 2010 Road Paving Works;

and further, that a grant in the amount of \$193,269 be requested from the Manitoba Department of Infrastructure and Transportation under the 2010 Grant-In-Aid Program. CARRIED.

(G) BRANDON UNIVERSITY FITNESS CENTRE CONTRIBUTION

City Council considered a report from the City Manager dated March 3, 2010 with respect to the above.

Harwood-Barletta

1324 That the Council of the City of Brandon hereby reaffirm its support to Brandon University in its application for funding under the Building Canada Infrastructure Program for the development of the Brandon University Fitness Centre at a cost of \$18.8 Million;

and further, that the Council of the City of Brandon approve a capital contribution of \$1.88 Million to the Brandon University Fitness Centre project. CARRIED.

(H) AMENDMENT OF CONCEPTUAL SITE PLAN BROOKWOOD PARK  
NEIGHBOURHOOD SCHOOL SITE RELOCATION

Considered was a report from the General Manager of Development Services with respect to the above.

Fitzpatrick-McCrae

1325 That the revised site plan for the area south of Richmond Avenue and west of 34th Street attached to the report of the General Manager of Development Services dated March 4, 2010 be approved. CARRIED.

Prior to the discussion on the above His Worship the Mayor removed himself from the Council Chamber citing a conflict of interest due to his being a relative of the subdivision developer.

BY-LAWS:

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

It was noted that this by-law had received first reading at the February 16, 2010 meeting of City Council.

Black-Paterson

1326 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 second time. NOT VOTED ON.

Considerable debate was held and concerns expressed with respect to the proposed by-law. This resulted in further readings of the by-law not being proceeded with and the by-law being referred back to Administration to address the subject concerns.

1327 McCrae-Barletta

That By-law No. 6965 respecting the collection, removal and disposal of solid waste and recycling material and for abatement of certain nuisances be referred to Administration for further review and report to City Council within two months. CARRIED.

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

It was noted that this by-law had received first reading at the February 16, 2010 meeting of City Council.

Paterson-Blight

1327 That By-law No. 6970, to amend Pesticide By-law No. 6825 regarding the removal of a one year grace period, be read a second time. CARRIED.

Paterson-Blight

1328 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. 6970 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. 6974 - CAMPAIGN FINANCING

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Considered was a report from the City Clerk dated February 19, 2010 with respect to the above.

1329 Harwood-Black  
That By-law No. 6974 to prescribe certain matters concerning expenses and contributions in connection with City of Brandon elections be read a first time. CARRIED.

NO. 6976 - USE OF VOTE-COUNTING MACHINES FOR CITY COUNCIL AND SCHOOL BOARD ELECTIONS  
1ST READING

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Considered was a report from the City Clerk dated February 24, 2010 with respect to the above.

1330 Jessiman-Rice  
That By-law No. 6976 to authorize the use of vote-counting machines for the City Council and School Board elections in the City of Brandon be read a first time. CARRIED.

GIVING OF NOTICE:

(A) CITY COUNCIL EXPLORATORY COMMITTEE ON COMMUNITY ABORIGINAL RESOURCES

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Councillor Barletta gave notice of his intent to move the following motion at the meeting of City Council to be held March 22, 2010.

"That an exploratory committee of City Council be established to identify the role the City of Brandon can play in providing additional resources and support to the City's Aboriginal Community."

ADJOURN:

Blight-Jessiman  
That the meeting do now adjourn (11:20 p.m.) CARRIED.

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MAYOR

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CITY CLERK