

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
MARCH 22, 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, Councillor J. Harwood, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice

ABSENT: Councillor J. McCrae

ADOPTION OF AGENDA:

1332 Jessiman-Barletta
That the Agenda for the Regular Meeting of City Council to be held on Monday, March 22, 2010 be adopted as presented. CARRIED.

PRESENTATIONS AND RECOGNITION OF GUESTS:

(A) CANADIAN NAVY CENTENNIAL PRESENTATION - LIEUTENANT COMMANDER T. DOHERTY - HMCS BRANDON

Lieutenant Commander Tim Doherty, Commanding Officer of HMCS Brandon accompanied by Lieutenant Jeremy Breese presented His Worship the Mayor with a framed pictorial history of Brandon's namesake warships.

CONFIRMATION OF MINUTES:

1333 Harwood-Jessiman
That the Minutes of the Regular Meeting of City Council held on Monday, March 8, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

Prior to the above motion being voted on, Councillor Blight noted that under the Confirmation of Minutes in the above noted Minutes, his name appeared both as the mover and seconder of the motion. His Worship indicated that the subject Minutes would be corrected.

HEARING OF DELEGATIONS:

(A) CENTRAL ASSINIBOINE LOWER SOURIS WATERSHED INTEGRATED
MANAGEMENT PLAN

Ms. Heather Dalglish and Ms. Barb Kingdon appeared before City Council and provided an informational power point presentation on the Central Assiniboine and Lower Souris Integrated Watershed Management Plan. Highlights of the presentation included a brief outline of the services provided by the 18 conservation districts in the Province of Manitoba.

It was noted that the City of Brandon, while not in the district, is located in the Central Assiniboine and Lower Souris Watershed. Ms. Dalglish and Ms. Kingdon also provided the definition of a watershed and a brief description of the Central Assiniboine Lower Souris Integrated Watershed Management Plan (IWMP). In closing, they encouraged everyone to attend the upcoming open house on Thursday, March 25, 2010 from 7:00 p.m. to 9:00 p.m. at the Riverbank Discovery Centre where the details of the Plan would be discussed further.

1334 Harwood-Jessiman
That the presentation by Heather Dalgleish and Barb Kingdon with respect to the Central Assiniboine Lower Souris Watershed Management Plan be received. CARRIED.

(B) DAN ROBERTSTON - KEYSTONE CENTRE

Mr. Dan Robertson appeared before City Council to provide pictures and a verbal update on the renovations to the Keystone Centre in preparation for the 2010 MasterCard Memorial Cup. He concluded by stating that the renovations were nearly complete and the facility would be ready for the Royal Manitoba Winter Fair the last week of March 2010.

1335 Blight-Paterson
That the presentation by Dan Robertson with respect to the Keystone Centre be received. CARRIED.

(C) KENNY CHOY - CHINESE MEMORIAL AT BRANDON MUNICIPAL CEMETERY

Mr. Kenny Choy appeared before City Council to request support for the installation of a Chinese Memorial at the Brandon Municipal Cemetery. He indicated that the memorial would be to honour the Chinese Immigrants who were charged a special tax per person, known as a head tax, prior to being allowed to immigrate to Canada. He noted that no monetary donation was required, only a donation of a small parcel of land at the cemetery and assistance with the establishment of a trust fund.

1336 Paterson-Black
That the presentation by Kenny Choy with respect to the installation of a Chinese Memorial at the Brandon Municipal Cemetery be received. CARRIED.

1337 Jessiman-Harwood
That the City of Brandon establish a fund to receive donations in support of the Chinese Head Tax Monument Project at the Brandon Municipal Cemetery;

and further, that the City of Brandon enter into an agreement with the Westman Chinese Association for the establishment and any future liability/maintenance of said monument. CARRIED.

PUBLIC HEARINGS:

(A) BY-LAW NO. 6973 - TO CLOSE AND CONVEY THE PUBLIC LANE IN PLAN 1701 BLTO LOCATED ADJACENT TO KASIURAK BAY

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

Mr. Jayme Weger, the owner of 14 Kasiurak Bay, appeared before City Council citing his reasons for the request for the closure of the public lane as the desire for an extension of his residence and to allow for the construction of a driveway on his property. Mr. Weger provided a letter of support from the previous owner, Mr. Dennis Gaboury.

Mr. Wayne Freeman, a Kasiurak Bay resident appeared before City Council to state his opposition to the proposed closure of the public lane. Mr. Freeman advised that his reason for opposition was that the closure of the public lane would deny him and other Kasiurak Bay residents access to the public reserve located directly behind the property.

Mr. Paul Moore appeared before City Council to state his opposition to the proposed closure of the public lane. He noted that if this closure was approved access to his own property and that of the property owner of 13 Kasiurak Bay would be extremely limited, and further, that access to public services in the lane would also be limited.

Ms. Judy Pilling appeared before City Council to state her opposition to the closure of the public lane and reiterated Mr. Moore's comments regarding the limited access to her property with the closure of the lane.

Mr. Dennis Gaboury, previous owner of 14 Kasiurak Bay, appeared before City Council to speak in support of the closure of the public lane and advised that, in his opinion, the other Kasiurak Bay residents would not be as ill-affected as they perceived, and further, the only public services in the lane were those which ran to 14 Kasiurak Bay. He added that services to all other residences would remain easily accessible.

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.

Paterson-Rice

1338 That the Public Hearing to close and convey the public lane in Plan 1701 BLTO adjacent to Kasiurak Bay be adjourned and the matter referred to an area meeting with the purchaser of the lane and area residents for subsequent report to City Council for its reconvening of the public hearing on April 26, 2010. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE MARCH 12, 2010

City Council considered a report from the Personnel Committee dated March 22, 2010 with respect to the above.

Jessiman-Paterson

1339 That the report of the Personnel Committee of its meeting held March 12, 2010 regarding the tentative settlement reached between the City of Brandon and the Brandon Police Association be received. CARRIED.

Jessiman-Paterson

1340 That the City of Brandon enter into a twenty-two (22) month agreement with the Brandon Police Association for the period March 1, 2010 to December 31, 2011 as per the Memorandum of Settlement whereby wages shall be increased as follows:

Salary increases for sworn members, based on First Class Constable rate, of:

4.75% on March 1, 2010

4.50% on January 1, 2011

Salary increases for non-sworn members of:

2.75% on March 1, 2010

2.75% on January 1, 2011 CARRIED.

ENQUIRIES:

(782) WINNIPEG POLICE SERVICE CADETS PROGRAM

Councillor Paterson referred to a recent news report regarding the Winnipeg Police Service Cadets Program. He advised that the program involved special cadets taking over some duties of the police members such as directing traffic and crowd control over the summer months. He enquired if such a program, inclusive of any available funding from the Province of Manitoba, could be investigated for the City of Brandon.

His Worship the Mayor responded that research on potential funding had already begun and agreed to take this matter under advisement.

(783) LAPEL MICROPHONES

Councillor Jessiman advised that he continued to receive calls from television viewers of City Council meetings regarding their not being able to hear the discussions. He enquired if lapel microphones for all members of City Council could be considered.

His Worship the Mayor advised that previous testing of lapel microphones had proven them to be ineffective and reminded all members of City Council to speak directly into their microphones.

(784) WHEAT CITY CURLING CLUB BUILDING

Councillor Jessiman requested an update on the plans for the former Wheat City Curling Club building.

At the request of His Worship the Mayor, the City Manager responded that a full structural assessment of the building was scheduled for the summer of 2010 with a report on same expected to be presented to City Council in the fall.

(785) ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM) MEETINGS

Councillor Jessiman requested an update on the AMM meeting held March 17, 2010 in Pipestone.

His Worship the Mayor responded that he, Councillor Fitzpatrick and the City Manager had attended the meeting. He confirmed that strong support had been received from the neighbouring towns and rural municipalities for the reconsideration of the decision of the AMM Board of Directors to move the AMM Convention to Winnipeg on a permanent basis. He advised that the AMM Board of Directors was expected to make a decision on this matter at their meeting to be held March 25, 2010. He noted that he had requested AMM, in writing, that a recorded vote be taken on that decision and that the results of same be shared with all AMM members. He concluded by stating that if the decision of the AMM Board was to discontinue alternating the convention sites between Brandon and Winnipeg, an informal strategy session of City Council would be called to discuss the issue.

Further on this issue, Councillor Fitzpatrick advised that he had been pleased to see the support for the City of Brandon from neighbouring towns and municipalities. He added however, he did not expect the AMM Board of Directors to reverse their decision and the City of Brandon should be prepared to take the next steps on this issue.

(786) 9TH STREET AND MARYLAND AVENUE CONSTRUCTION - HEAVY TRUCK TRAFFIC ROUTE

Councillor Campbell advised that the construction in the vicinity of 9th Street and Maryland Avenue was causing an increase in the volume of heavy truck traffic in the area. She noted that in discussions with the General Manager of Development Services it had been decided that the quickest route for the trucks would be east on Patricia Avenue and enquired if the truck drivers had been advised of same.

His Worship the Mayor confirmed that the drivers had been advised.

Further on this issue, His Worship the Mayor advised that he had received complaints from residents on Magnolia Crescent regarding the poor condition of their street from this construction and that the issue would be addressed by the Engineering Department.

(787) CITY COUNCIL UPDATES ON THE WEBSITE

Councillor Fitzpatrick referred to the weekly updates provided to City Council from Administration and advised that he provides his ward residents with a web version of same. He enquired if posting of the updates on the City of Brandon website could be considered.

At the request of His Worship the Mayor, the City Manager advised that the current version of the updates was a communication tool whereby City Administration could share public and non-public information with City Council. He did indicate however, that a web based version for public viewing could be considered.

Councillor Fitzpatrick enquired as to when a report on same could be expected. With leave from His Worship the Mayor, the City Manager advised that a report on this matter would be provided to City Council by the end of April 2010.

(788) ASSOCIATION OF MANITOBA MUNICIPALITIES - DEADLINE FOR RESOLUTIONS

Councillor Black enquired as to the deadline for City Council to submit resolutions to the Association of Manitoba Municipalities for consideration at the fall convention.

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

(789) MANITOBA SCHOOL BOARDS ASSOCIATION ANNUAL CONVENTION

Councillor Black stated that he had been pleased to see recent news reports whereby the Manitoba School Boards Association announced their intent to hold their annual convention in the City of Brandon at least once every four years.

(790) PROVINCE OF MANITOBA BUDGET

Councillor Black noted that the Province of Manitoba would release its budget on March 23, 2010 and enquired if any information had been sought from the City of Brandon regarding the Provincial budget.

His Worship the Mayor responded that the City of Brandon had not been consulted in regards to the Provincial budget.

(791) BRANDON UNIVERSITY WELLNESS CENTRE AGREEMENT

Councillor Paterson enquired if an agreement had been reached between the City of Brandon and Brandon University in regards to the public being given access to use the Brandon University Wellness Centre.

At the request of His Worship the Mayor, the City Manager responded that he had only recently been made aware of the requirement by the Government of Canada for a Community Access agreement to be completed between Brandon University and the City of Brandon; therefore, discussions had just been initiated. He added that the City of Brandon and Brandon University would be working with the Federal and Provincial Governments as well as consulting with various user groups within the City to ensure that the best needs of the community were met in the terms of the agreement and the use of the facility.

ANNOUNCEMENTS:

WESTERN MANITOBA CENTENNIAL AUDITORIUM (WMCA) DEVELOPMENT

Councillor Blight announced that the WMCA Board of Governors had met recently and approved the design of the entry podium and driveway at the WMCA. He explained that this approval will allow for Phase I of the 3 Phase Development Project at the WMCA to begin.

DURUM DRIVE RESURFACING - UPDATE

Councillor Fitzpatrick announced that he would have an update at the April 12, 2010 City Council meeting regarding the resurfacing of Durum Drive.

BRANDON SCHOOL DIVISION FRENCH MILIEU SCHOOL MEETINGS

Councillor Fitzpatrick announced that two public meetings were to be held in the upcoming week regarding the potential French Milieu School for the City of Brandon. He indicated that the first meeting would be held March 23, 2010 at Harrison Middle School beginning at 7:00 p.m. and the second would be held March 25, 2010 at New Era School beginning at 7:00 p.m.

ROYAL MANITOBA WINTER FAIR - MARCH 29 TO APRIL 3, 2010

Councillor Paterson announced that the Royal Manitoba Winter Fair would be held March 29 to April 3, 2010 at the Keystone Centre and encouraged everyone to attend this prestigious event.

BUDGET ALLOCATIONS FOR PARKS AND RECREATION SECTION

His Worship the Mayor announced that, contrary to recent news reports, the budget allocation for the Parks and Recreation Section had not been cut by City Council but rather the increase in the allocated amount had been reduced from 23 per cent to 12 per cent.

ART GALLERY OF SOUTHWESTERN MANITOBA FUNDRAISER

His Worship the Mayor announced that he and his wife, along with other couples, would be dancing at a fundraiser for the Art Gallery of Southwestern Manitoba on March 25, 2010 at the Victoria Inn. He noted that tickets were available at the Art Gallery Office and encouraged everyone to attend.

GENERAL BUSINESS:

(A) 2010 CITIZEN APPOINTMENTS TO THE PLANNING COMMISSION

Considered was a report from the City Clerk's Office dated March 8, 2010 with respect to the above.

Harwood-Campbell

1341 That Colleen Anderson and Leo Boivin be hereby appointed to the Planning Commission with terms of office to commence April 1, 2010 and expire March 31, 2013. CARRIED.

(B) CITY COUNCIL EXPLORATORY COMMITTEE ON COMMUNITY ABORIGINAL RESOURCES

Considered was a report from Councillor Barletta dated March 11, 2010 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held March 8, 2010.

Barletta-Rice

1342 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. CARRIED AS AMENDED.

AMENDMENT

Black-Paterson

1343 That the above motion be amended by:

- (a) deleting the words: "exploratory committee" and substituting therefor the words: "task force";
- (b) adding after the word: "Council", the words: "comprised of three (3) members of City Council";
- (c) deleting after the word: "Brandon", the words: "can play in providing additional resources and support to"; and substituting therefor the words: "is now playing and the role the City of Brandon could play in support of"; and
- (d) adding after the word: "Community", the words: "for report to City Council for its meeting to be held August 16, 2010." CARRIED.

(C) ADOPTION OF THE 2010 FINANCIAL PLAN

Considered was a report from the City Treasurer dated March 15, 2010 with respect to the above.

Blight-Jessiman

1344 That the 2010 Financial Plan of The City of Brandon dated March 8, 2010, as set out in the form approved by the Minister of Local Government be amended by replacing pages 1, 8 and 9 contained in the copy of said plan attached to the report of the City Treasurer dated March 15, 2010, and said plan be so adopted;

and further, that the operating and capital estimates outlined in said plan be incorporated in and form part of the 2010 Tax Levy By-law. CARRIED.

(D) SALE OF CITY LAND ADJACENT TO 908 ROSSER AVENUE

Councillor Paterson declared a professional conflict of interest in this matter and retired from the Council Chamber without further discussion.

Considered was a report from the General Manager of Development Services dated February 26, 2010 with respect to the above.

Barletta-Harwood

1345 That Part of Lot 18, Block 60, Plan 2 BLTO, located south of Rosser Avenue be disposed of to the adjacent property owner of 908 Rosser Avenue for the sum of \$1.00 plus G.S.T., whereby said owner shall be responsible for:

- (a) the transfer fee of approximately \$70.00;
- (b) the consolidation of this parcel with his existing property; and
- (c) the registration of the Transfer of Land within two (2) months of its issuance by the City of Brandon. CARRIED.

Following the above motion being voted on, Councillor Paterson re-entered the Council Chamber.

(E) RENAMING OF NEW 18TH STREET RIVER CROSSING

Considered was a report from the General Manager of Development Services dated March 10, 2010 with respect to the above.

Paterson-Jessiman

1346 That Administration secure input of the public for renaming of the new structures which span the Assiniboine River at 18th Street based on the theme of history and the natural environment whereby once sufficient information has been obtained, Administration shall submit a report to City Council for its action pursuant to the requirement of Manitoba Infrastructure and Transportation for naming the structures. CARRIED.

BY-LAWS:

NO. 6973 - TO CLOSE AND CONVEY THE PUBLIC LANE IN PLAN 1701 BLTO LOCATED ADJACENT TO KASIURAK BAY

It was noted that this by-law had received first reading at the February 16, 2010 meeting of City Council and under the Order of Public Hearings the hearing had been adjourned and referred to a meeting of area residents and was to reconvene on April 26, 2010.

NO. 6974 - CAMPAIGN FINANCING

It was noted that this by-law had received first reading at the March 8, 2010 meeting of City Council.

Black-Campbell

1347 That By-law No. 6974 to prescribe certain matters concerning expenses and contributions in connection with City of Brandon elections be read a second time. CARRIED.

1348 Black-Campbell
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. 6974 third reading.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	
Councillor Barletta	
Councillor Black	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor Jessiman	
Councillor Paterson	
Councillor Rice	

NO. 6975 - 2010 TAX LEVY BY-LAW

City Council considered a report from the City Treasurer dated March 15, 2010 with respect to the above.

1349 Harwood-Paterson
That By-law No. 6975 to impose and levy property taxes for the fiscal year 2010 be read a first time. CARRIED.

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

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

1351 Blight-Fitzpatrick
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 second time. CARRIED.

1352 Blight-Barletta
That third reading of By-law No. 6976 to authorize the use of vote-counting machines for City Council and School Board elections be held in abeyance pending further review and report by Administration on the concerns expressed by members of City Council. CARRIED.

Prior to the above motion being voted on, the following points were raised:

- the sample ballot attached as a schedule to the by-law may be difficult for voters to use;
- the City had been in consultation with the School Division on the City's intended use of vote-counting machines;
- the City had entered into a lease agreement with Dominion Voting Systems for the lease of the machines for the 2010 City Council and School Board Elections;
- City Council had previously approved the lease of this equipment in the budget;

- rejected ballots would be returned by the machine immediately, thus allowing voters a chance to re-cast their ballot;
- training for election officials would be conducted ahead of time by Dominion Voting Systems and a representative of Dominion Voting Systems would be on-site during the Elections;
- City staff had travelled to Regina and Winnipeg and observed the vote-counting machines in use;
- there would be no drastic reduction in the number of polling places per ward; and
- the paper ballots would still be available, should the system malfunction or a re-count be necessary

NO. 6977 - TO REZONE PROPERTY LOCATED AT 1660 - 34TH STREET (PT. NE 1/4 9-10-19 W.P.M.)FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE, PR PARKS AND RECREATION ZONE AND OS OPEN SPACE ZONE (WAVERLY DEVELOPMENTS LTD.)

Considered was a report from Planning Services dated March 12, 2010 with respect to the above.

1350 Fitzpatrick-Paterson
That By-law No. 6977 to rezone property located at 1660 34th Street (Pt. NE 1/4 9-10-19 W.P.M.) from DR Development Reserve Zone to RSF Residential Single Family Zone, PR Parks and Recreation Zone and OS Open Space Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Jessiman-Barletta
That the meeting do now adjourn (10:53 p.m.) CARRIED.

MAYOR

CITY CLERK