

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, APRIL 12, 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 J. McCrae, Councillor D. Paterson, Councillor G. Rice

ABSENT: Nil

ADOPTION OF AGENDA:

1351 Harwood-Blight
That the Agenda for the Regular Meeting of City Council to be held on Monday, April 12, 2010 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1352 Rice-Fitzpatrick
That the Minutes of the Regular Meeting of City Council held on Monday, March 22, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) CHIEF KEITH ATKINSON - PROGRESS OF NEW POLICE SERVICES BUILDING AT 10TH STREET AND VICTORIA AVENUE

Chief of Police Keith Atkinson appeared before City Council and provided an informational power point presentation on the progress of the proposed Police Services Building to be located at 10th Street and Victoria Avenue. Chief Atkinson noted that the plans for the new building had been scaled back due to budget restraints, but still included over 35,000 square feet of space on the main floor, 4,000 square feet in the basement and 1,000 square feet on the partial mezzanine. He advised that some of the major changes included the removal of the proposed glass atrium and the full second floor mezzanine and elevator, and the requirement to meet LEED environmental standards. Chief Atkinson concluded by stating that the integrity of the station's functional purpose was maintained with the new design and that the cost reductions were aesthetic items.

1353 Paterson-Black
That the presentation by Chief of Police Keith Atkinson with respect to the progress of the new Police Services Building to be located at 10th Street and Victoria Avenue be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) GRANTS REVIEW COMMITTEE

MARCH 18, 2010

March 18, 2010
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Your Grants Review Committee has met and assessed all applications submitted and reports as follows, and submits recommendations where deemed necessary and expedient:

The Grants Review Committee is comprised of Councillor Margo Campbell, Chairperson, Councillor Don Jessiman and Councillor Jim McCrae.

The Grants Review Committee provides the following information:

- 1) City Council makes grants to a number of service, cultural, performance and recreational organizations each year to assist them in their efforts to add to the quality of life for citizens of Brandon. The Grants Review Committee was established in 1985 to examine applications and make recommendations to Council. Applications are to be accompanied by the organization's most recent annual financial statement and by their budget for the upcoming year. Recommendations are formulated by the Committee on the basis of perceived need for the proposed program, breadth of impact in the community and financial need of the organization. (Terms of Reference - 1985)

In addition, the Committee used the following parameters in considering all applications:

- 1) Is the group funded by another government level?
 - 2) Does the group apply year after year?
 - 3) Does the group probably have the financial resources to fund itself?
 - 4) Does the group do other fund raising? If not, should it?
 - 5) Does this grant funding relate to core services of the City, i.e. recreation, youth services, social issues, etc.?
- 2) On November 9, 2009, the Committee undertook its initial screening of all applications. An additional meeting was held on December 9, 2009. On December 16, 2009 interviews were held with four selected organizations. On this date, decisions on grants to be recommended to Council were finalized.
 - 3) Not included in the scope of the Grants Review Committee are budgeted grants made by Council to Brandon and Area Planning District, Brandon Riverbank Inc., Western Manitoba Centennial Auditorium, YMCA - the Keystone Pool operation, the Art Gallery of Southwestern Manitoba, Westman Recycling Inc., Keystone Centre, Special Olympics, Canadian Mental Health Association and the Western Manitoba Regional Library Board. These grants either are part of multi-party agreements or have been designated as the prerogative of Council as a whole.
 - 4) Through the grant mechanism, the City of Brandon has been able to support many local organizations whose efforts help make Brandon the caring, positive community it is.

Our citizens expect that such support will be consistently and prudently offered by Council, and that requests will be evaluated carefully. The Committee wishes to convey its admiration for the groups who are doing well enough that they have found it unnecessary to apply for a City grant this year.

- 5) The total grants recommended are \$191,110. The budget amount included in the 2010 Financial Plan is \$191,110.
- 6) Following this report is a list of the grants recommended to City Council by this Committee, along with the amounts requested by each organization.

RECOMMENDATIONS:

That the Report of the Grants Review Committee dated March 18, 2010, be received.

That the sum of One Hundred Ninety-One Thousand One Hundred Ten Dollars (\$191,110.00) be distributed as grants for the year 2010 to those organizations and groups indicated in the List of Recommended Grants For 2010 as listed in the Grants Review Committee Report dated March 18, 2010.

Respectfully submitted,

“M. Campbell”

Councillor Margo Campbell
Chairperson

Campbell-Jessiman

1354 That the report of the Grants Review Committee dated March 18, 2010 be received. CARRIED.

Campbell-Jessiman

1355 That the sum of One Hundred Ninety-One Thousand One Hundred Ten Dollars (\$191,110.00) be distributed as grants for the year 2010 to those organizations and groups indicated in the List of Recommended Grants For 2010 as listed in the Grants Review Committee Report dated March 18, 2010. CARRIED.

ENQUIRIES:

(792) VENDORS ALONG THE BICYCLE AND WALKING PATHS

Councillor Paterson enquired if inviting local food vendors to park along bicycles and walking paths throughout the city could be considered.

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

(793) UNSIGHTLY PREMISES - WESTERLY EXTENSION OF PACIFIC AVENUE

Councillor Harwood advised that he had received a complaint regarding garbage and weeds accumulating on a vacant property along the westerly extension of Pacific Avenue between Kansteel Manufacturing and Pacific Estates. He enquired if same could be investigated.

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

(794) UPDATE ON MEETING WITH MANITOBA HYDRO - STREET LIGHTS

Councillor Rice referred to a recent update to City Council regarding a meeting between the City of Brandon and Manitoba Hydro whereby the issue of burned out street lights had been discussed. He enquired if a further update on this issue could be provided.

At the request of His Worship the Mayor, the General Manager of Development Services responded that by keeping a written record of all burned out street lights that had recently been replaced, it was discovered that many of the replacements were duplicates. Further investigation revealed that Manitoba Hydro had received a shipment of defective bulbs and they were working with the supplier to have this problem rectified as soon as possible.

(795) SCHEDULE FOR GRADING OF STREETS IN SOUTH CENTRE WARD

Councillor Rice requested an update on the schedule for grading of streets and lanes in the South Centre Ward.

At the request of His Worship the Mayor, the General Manager of Operational Services responded that a city-wide maintenance sweep was currently underway and grading of all streets within the city was expected to be completed by the end of May 2010.

(796) UPDATE ON RESPONSE FROM THE ASSOCIATION OF MANITOBA MUNICIPALITIES (AMM) BOARD OF DIRECTORS - ANNUAL CONVENTION

Councillor Fitzpatrick requested an update on discussions and the voting process surrounding the decision of the AMM Board of Directors regarding the location of the AMM Annual Convention.

His Worship the Mayor responded that, while he had requested in writing that a recorded vote be taken on any discussions regarding this issue, no actual vote had taken place at the AMM Board of Directors meeting and no written response from the AMM Board had been received to date.

He advised that both Councillor Alan Ransom, AMM Western District Rural Representative, and Councillor Maxine Chacun, AMM Western District Urban Representative, had been invited to attend a City Council meeting to discuss the issue, and that Councillor Ransom was expected to appear at the April 26, 2010 meeting, however no response had been received to date from Councillor Chacun.

(797) CONDOMINIUM COMPLEXES - STREET LIGHTING

Councillor Campbell noted that she had recently received complaints from residents of the new condominium complexes in the Richmond Ward who had advised her that there were no street lights installed within the complexes. She noted that this was a safety concern and enquired if a change to the development agreements to provide for the required installation of street lights within the developments could be considered.

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

(798) LEAFY SPURGE STAKEHOLDERS GROUP (LSSG) MEMBERSHIP

Councillor Blight referred to a recent report received from the Leafy Spurge Stakeholders Group (LSSG) regarding noxious weeds and enquired if the City of Brandon was an active participant in the LSSG.

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

(799) STREET CLEANING UPDATE

Councillor Blight requested an update on the street cleaning schedule for the City of Brandon.

At the request of His Worship the Mayor, the General Manager of Operational Services responded that street cleaning was currently underway and it was expected to be completed by mid-May 2010. He encouraged residents to watch for the street cleaning signs in their neighbourhood and move their vehicles accordingly.

(800) INFORMATION SESSION FOR PROSPECTIVE CANDIDATES IN THE UPCOMING MUNICIPAL ELECTION

Councillor Black enquired if information sessions were planned for prospective candidates in the upcoming Municipal Election, inclusive of the duties of elected officials and the time commitments required to perform those duties.

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

(801) WESTBRAN TRAINING CENTRE - NEGOTIATIONS WITH PROVINCE OF MANITOBA

Councillor Black referred to a previous enquiry whereby it had been noted that program changes were taking place at the Westbran Training Centre and that the City of Brandon was working with the Province of Manitoba in the development of those programs. He requested an update on the status of same.

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

(802) DERELICT BUILDINGS - PROACTIVE ENFORCEMENT

Councillor Black referred to a previous enquiry whereby it had been noted that enforcement of the City of Brandon Building Safety and Property Standards By-law was complaint driven. He noted that the City of Winnipeg had recently initiated tougher enforcement of their by-law and enquired if same could be considered for the City of Brandon.

Further to this issue he referred to a recent picture in the newspaper in which pigeons were photographed coming and going from an abandoned building in the 100 Block of 10th Street and enquired if the windows in same could be boarded up to alleviate this problem.

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

ANNOUNCEMENTS:

GREEN ACRES WARD MEETING

Councillor Jessiman announced that a Green Acres Ward Meeting would be held April 20, 2010 at 7:00 p.m. at Harrison Middle School. He noted that agenda items would include annexation of land, extension of ward boundaries, bussing of school children and any other ward issues and invited everyone to attend.

OPENING OF WHEAT CITY GOLF COURSE

Councillor Blight announced that the Wheat City Golf Course was open for the season as of today.

STATE OF CITY ADDRESS - BRANDON CHAMBER OF COMMERCE

Councillor Blight encouraged everyone to attend the Mayor's State of the City Address at the Brandon Chamber of Commerce Luncheon on April 13, 2010 at the Victoria Inn.

SOUTH CENTRE WARD MEETING

Councillor Rice announced that a South Centre Ward Meeting would be held May 5, 2010 at the Central Community Centre, commencing at 7:00 p.m. and encouraged everyone to attend.

HOCKEY EXHIBIT AT DALY HOUSE MUSEUM

Councillor Harwood announced that an exhibit highlighting the City of Brandon's hockey history would be on display at Daly House Museum from April 17 to June 30, 2010 and invited everyone to visit the exhibit.

SUPPORT FOR MILITARY AT SHILO BASE

Councillor Paterson referred to a recent newspaper article whereby a citizen had criticized the City of Brandon citing a lack of support for Canadian Forces Base Shilo and its troops. He noted that the main complaint had been the absence of a Veterans' Memorial within the City and advised that projects were currently underway to alleviate this situation and asked the public to be patient.

RICHMOND WARD MEEETING

Councillor Campbell announced that a Richmond Ward Meeting would be held April 22, 2010 at 7:00 p.m. in the Council Chamber, City Hall. She noted that agenda items would include drainage issues, use of the former Patmore Playground, condominium concerns, new ward boundaries and any other ward issues.

PIGEONS IN VACATED BUILDING IN DOWNTOWN

Further to the enquiry of Councillor Black earlier in the meeting, Councillor Barletta announced that he had referred this matter to the City of Brandon By-law Enforcement and Building Inspection Sections for their immediate follow-up.

COMPLETION OF CONSTRUCTION AT KEYSTONE CENTRE

Councillor McCrae announced construction at the Keystone Centre was near completion and was expected to be ready well before the start of the 2010 MasterCard Memorial Cup.

GENERAL BUSINESS:

(A) APPLICATION TO SUBDIVIDE - 105 MIDDLETON AVENUE (ROY, JOHNSTON AND CO./CHUNG AND KIM ENTERPRISES LTD.)

City Council considered a report from Planning Services dated March 31, 2010 with respect to the above.

Paterson-Jessiman

1356 That the application of Hyungsic Choi (c/o Roy, Johnston and Co. LLP), on behalf of the owner Chung and Kim Enterprises Ltd., to subdivide 105 Middleton Avenue (Parcel B, Plan 846 BLTO) be approved subject to:

- 1) the owner or successor entering into a development agreement with the City of Brandon as attached to the report of the General Manager of Development Services dated March 31, 2010;
- 2) removed, and permits being obtained from the City of Brandon Planning Department for their removal;

- 3) the applicant obtaining a variance to increase the maximum height for the proposed three-storey hotel;
- 4) written confirmation from the City of Brandon Building Department that it is satisfied the existing building(s) on the subject property complies with the Manitoba Building Code in relation to the proposed property line; and
- 5) written confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro and, if applicable, Westman Communications Group. CARRIED.

(B) 2009 PUBLIC WATER SUPPLY ANNUAL REPORT

Considered was a report from the Acting General Manager of Development Services dated March 30, 2010 with respect to the above.

Blight-Harwood

1358 That the report from the Province of Manitoba, Office of Drinking Water entitled 'quot;City of Brandon - Public Water System Annual Audit - 2009'quot; dated March 3, 2010 be received, and further that the 2009 City of Brandon Water Supply Annual Report be received. CARRIED.

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

1359 That By-law No. 6965, respecting the collection, removal and disposal of solid waste and recycling material and for the abatement of certain nuisances to be known as the "Solid Waste Collection and Disposal By-law" and to repeal By-law No. 5863 be amended by:

- (a) in Subsection 8 (a) after the word: "receives", adding the words: "front street collection";
- (b) in Subsection 8 (b) after the word: "carts", adding the words: "that are considered front street collection";
- (c) in Subsection 8 (d) after the word: "owner", adding the words: "with front street collection";
- (d) in Subsection 8 (d) after the word: "street", removing the words: "or lane";
- (e) in Subsection 8 (e) at the beginning of the subsection, adding the words: "Every owner with front street collection"; and
- (f) in Section 9 after the word: "mobility", adding the word: "/geographic". CARRIED.

Black-McCrae

1360 That the by-law, as amended, be read a second time. CARRIED.

1361 Black-Harwood
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. 6965 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. 6971 - TO REZONE PROPERTY LOCATED AT 1530-9TH STREET (LOT 36/39, BLOCK 2, PLAN 289 BLTO) FROM RSF RESIDENTIAL SINGLE FAMILY ZONE TO RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE

It was noted that this by-law had received first reading at the February 1, 2010 meeting of City Council.

1362 Campbell-Jessiman
That By-law No. 6971 to rezone 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 second time. CARRIED.

1363 Campbell-Jessiman
That third reading of the by-law be held in abeyance pending the execution of a development agreement between the City of Brandon and the owner/successor of the property pursuant to Section 150 of The Planning Act. CARRIED.

NO. 6975 - TO IMPOSE AND LEVY PROPERTY TAXES FOR THE FISCAL YEAR 2010

It was noted that this by-law received first reading at the March 22, 2010 meeting of City Council.

1364 Paterson-Blight
That By-law No. 6975, being the 2010 Tax Levy By-law, be read a second time. CARRIED.

1365 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. 6975 third reading.

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

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

It was noted that this by-law had received second reading at the March 22, 2010 meeting of City Council.

1366 Harwood-Barletta
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 amended by deleting therefrom Schedule "A" in its entirety, and substituting therefor the revised Schedule "A" attached to the report of the City Clerk dated March 29, 2010. CARRIED.

1367 Harwood-Barletta
That the by-law as amended, 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. 6976 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. 6978 - TO REZONE 903 STICKNEY AVENUE FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE

Submitted for consideration was a report from Planning Services dated March 25, 2010 with respect to the above.

1368 Paterson-Blight
That By-law No. 6978 to rezone 903 Stickney Avenue (Lots 1/4, Block 108, Plan 2 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Jessiman-McCrae
That the meeting do now adjourn (9:33 p.m.). CARRIED.

MAYOR

CITY CLERK