

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, MAY 10, 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 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:**

**Blight-Harwood**  
1379 That the Agenda for the Regular Meeting of City Council to be held on Monday, May 10, 2010 be adopted as presented. CARRIED.

**PRESENTATIONS AND RECOGNITION OF GUESTS:**

(A) **MERIT AWARD FOR DESIGN OF NEW FIRE HALL AND BRANDON FIRE STATION TRIBUTE BOOK - FIRE CHIEF B. DANE**

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Fire Chief Brent Dane presented City Council with an award from the International Association of Fire Chiefs and Fire Rescue Magazine that was received by Cibinel Architects for the design of the new Fire Hall. Chief Dane also presented City Council with a copy of a book that was developed by local photographer Inge Skliros as a tribute to the #1 Central Fire Hall at 637 Princess Avenue.

**Black-Harwood**  
1380 That the presentation by Chief Brent Dane with respect to an award from the International Association of Fire Chiefs and Fire Rescue Magazine for the design of the New Fire Hall, and the tribute book by local photographer Inge Skliros be received. CARRIED.

**CONFIRMATION OF MINUTES:**

**Fitzpatrick-Rice**  
1381 That the Minutes of the Regular Meeting of City Council held on Monday, April 26, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

Nil

**PUBLIC HEARINGS:**

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

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

It was noted that the public hearing on this matter had been adjourned from the April 26, 2010 meeting of City Council to be reconvened at the May 10, 2010 meeting.

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

Paterson-Black

1382 That the Public Hearing with respect to By-law No. 6973 to close and convey the public lane in Plan 1701 BLTO adjacent to Kasiurak Bay be concluded with the understanding that City Council, under the Order of By-laws, shall give consideration to amending said by-law to reflect the consensus achieved at the April 13, 2010 neighborhood meeting. CARRIED.

(B) CONDITIONAL USE APPLICATION - 717 3RD STREET (CANCADE)

City Council sat to receive representation on the appeal of the Planning Commission's decision to reject the conditional use application of Ray and Wanda Cancade for 717 - 3rd Street.

Ray Cancade appeared before City Council. He noted that the property had originally been developed in 1988 and included a woodworking business, storage facility and a 1,000 square foot residential unit. He stated that the premises offered both an employment opportunity and affordable place to live as the tenant was the on-site manager for the storage facility. Mr. Cancade explained that in early December of 2009, there was a fire at the property and they were planning on rebuilding, however, with a change to the Zoning By-law in 2001, the previous arrangement was no longer allowed. He requested that the existing use be grand-fathered whereby the residential suite would remain at 1000 square feet and the on-site manager would continue to provide security for the storage units.

It was noted that City garbage pick-up was not available on this site and Mr. Cancade was in agreement to continue to arrange for commercial refuse collection.

No further verbal or written representation was put forward in support of or opposition to this application.

Rice-Paterson

1383 That the Public Hearing on the conditional use application by Ray and Wanda Cancade for 717 - 3rd Street be concluded. CARRIED.

Rice-Black

1384 That the conditional use application by Ray and Wanda Cancade for a dwelling unit at 717 - 3rd Street (Lots 22/25, Block 63, Plan 8 BLTO) be rejected. LOST.

Rice-Barletta

1385 That the conditional use application by Ray and Wanda Cancade for a dwelling unit at 717 - 3rd Street (Lots 22/25, Block 63, Plan 8 BLTO) be accepted. NOT VOTED ON.

Barletta-Paterson

1386 That the conditional use application of Ray and Wanda Cancade for a dwelling unit at 717 - 3<sup>rd</sup> Street be referred to Administration for the preparation of a recommendation to impose a condition of approval whereby the dwelling unit at this property shall be deemed an accessory use while the property is zoned MR Restricted Industrial and used to accommodate a warehouse/storage facility. CARRIED.

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

- (A) KEYSTONE CENTRE BOARD OF DIRECTORS MAY 10, 2010  
VERBAL REPORT
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May 10, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor McCrae stated that the 2010 MasterCard Memorial Cup Hockey was coming to town this week and was happy to report that renovations to the Keystone Centre were completed and the City of Brandon was ready to host what was anticipated to be a great event.

- (B) WESTERN MANITOBA CENTENNIAL AUDITORIUM MAY 10, 2010  
VERBAL REPORT
- 

May 10, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Blight provided a verbal report from the Western Manitoba Centennial Auditorium. He reported that the Building Committee would be meeting at the end of the month to review final plans for the upgrades to the entrance of the Auditorium. Councillor Blight noted that the project was one to two weeks behind schedule and stated that any input from His Worship the Mayor and the Administration to speed up the process would be appreciated.

Black-Paterson

- 1387 That the verbal reports of the Keystone Centre Board of Directors and the Western Manitoba Centennial Auditorium Board be received. CARRIED.

ENQUIRIES:

- (813) MONEYSENSE MAGAZINE SURVEY
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Councillor McCrae referred a recent survey conducted by MoneySense Magazine whereby the City of Brandon ranked 7th out of 179 Canadian cities on the list of the best places to live and requested further information on same.

His Worship the Mayor responded that he had been pleased to see such a tremendous result for the City of Brandon in a survey conducted by a national magazine. He added that the City had progressively moved up on the list after having placing 18th four years ago, and further, that Brandon ranked number one amongst all cities located west of Ottawa, Ontario.

- (814) STATUS OF PROPOSED ANNEXATION OF LAND WEST OF 34TH STREET, SOUTH OF RICHMOND AVENUE
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Councillor McCrae requested an update on the proposed annexation of the land west of 34th Street and south of Richmond Avenue.

At the request of His Worship the Mayor, the City Manager responded that the Municipal Board had reviewed the information submitted by the General Manager of Development Services and set a hearing date of June 4, 2010 after which a recommendation would be made to the Minister.

(815) 700 BLOCK OF 21ST STREET - SIDEWALK REPAIRS

Councillor McCrae noted that the sidewalk on the west side of the 700 Block of 21st Street was in poor condition and enquired when repairs to same could be expected.

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

(816) SPEED OF TRUCK TRAFFIC ON PATRICIA AVENUE

Councillor Campbell referred to a previous enquiry whereby she had advised that the truck traffic on Patricia Avenue during construction was causing a problem for area residents. She noted there continued to be a problem due to the speed of the trucks and enquired if a speed restriction could be imposed.

At the request of His Worship the Mayor, the General Manager of Development Services responded that the amount of heavy truck traffic in the area had caused roads to deteriorate and that the Operations Division were working to address this issue. As to the issue of the speed of the trucks, he advised that the major developer in the area had directed his drivers to keep their speed to under 50 km/hr, however other contractors also used that route and same would be monitored and drivers advised accordingly.

(817) REPLACEMENT OF STREET LIGHTS BY MANITOBA HYDRO IN THE CITY OF BRANDON

Councillor Campbell referred to the recent issues regarding the replacement of street lights in the City of Brandon by Manitoba Hydro and noted that the situation had been ongoing for quite some time. She enquired if the City of Brandon had considered withholding payment to Manitoba Hydro until such time as the situation had been rectified and requested an update on the status of same.

At the request of His Worship the Mayor, the General Manager of Development Services responded that the City of Brandon continued to work with Manitoba Hydro to rectify this situation and that improvements to the reporting system had proven extremely beneficial. He concluded by stating that Manitoba Hydro continued to work diligently to address this issue and that withholding funds was not a viable option.

(818) AIR SERVICE FOR THE CITY OF BRANDON

Councillor Paterson requested an update on the status of the attempts to attain air service for the City of Brandon.

At the request of His Worship the Mayor, the City Manager advised that the lines of communication between the airlines and the City of Brandon remained open and that more formal discussions were expected to take place in June or July of 2010. He added however, that as the neither the situation for the airlines nor the City had changed, the outcome of those discussions were not expected to be any different than previous discussions.

(819) AWARENESS CAMPAIGN - HORNS OR BELLS ON BICYCLES

Councillor Paterson noted that the installation of horns or bells on bicycles would be beneficial to both bicyclists and pedestrians in the City of Brandon and enquired if an awareness campaign on this issue could be undertaken.

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

(820) UPGRADES TO CROSSWALK AT 3RD STREET AND PARK AVENUE

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Councillor Rice noted that many crosswalks throughout the City of Brandon had recently been upgraded and enquired if upgrades to the crosswalk at the intersection of 3rd Street and Park Avenue were being considered.

At the request of His Worship the Mayor, the General Manager of Development Services advised that an oversized crosswalk sign as well as an advanced warning sign would be installed at this location in the near future.

(821) VARIOUS WARD ISSUES

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Councillor Blight announced that he had raised various Victoria Ward issues, such as potholes and the repair of fencing on Fox Place with City Administration who had agreed to have these issues taken care of as soon as possible.

(822) WHEAT CITY GOLF COURSE IRRIGATION SYSTEM

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Councillor Blight announced that he had passed a complaint received by him to the General Manager of Operational Services with respect to the irrigation system at the Wheat City Golf Course and had been advised that the system was working fine but had not yet been put into full operation as overnight freezing put the lines at risk.

The General Manager added that until such time as the auto irrigation was operational in mid-May, staff were manually operating the system. He further noted that staff were currently manually applying liquid fertilizer to the top greens. He concluded by encouraging any citizens who had concerns regarding the maintenance and management of the Wheat City Golf Course to contact the Community Services Division.

(823) COUNCIL RETREAT

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Councillor Jessiman enquired if a City Council Retreat would be held prior to the Municipal Election in October, 2010.

His Worship the Mayor responded that a retreat was not planned.

(824) STREET MARKINGS IN THE VICINITY OF THE KEYSTONE CENTRE

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Councillor Jessiman enquired as to the possibility of requesting the Province of Manitoba to paint the street markings in the vicinity of the Keystone Centre, most specifically 18th Street and Richmond Avenue, prior to the commencement of the MasterCard Memorial Cup on May 14, 2010.

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

(825) ACCOMMODATION OF PETS BY LANDLORDS

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Councillor Black noted that the availability of apartments for pet owners within the City of Brandon continued to be a problem. He enquired if the landlords who do allow pets could be encouraged to advertise such, and further, if Administration could work with local landlords on this issue.

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

(826) LOSS OF JOBS AT EMPLOYMENT SERVICES OFFICE

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Councillor Black advised that he had recently been informed that fourteen term positions at the Government of Canada Employment Services Office in the City of Brandon were to end on May 28, 2010 and further, that as the remaining fifteen permanent positions were vacated, they would not be replaced. He enquired if further information on this issue could be sought.

His Worship the Mayor agreed to contact the Government of Canada for clarification on this issue.

(827) FUTURE GROWTH OF AQUATIC SPORTS - SWIM MANITOBA

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Councillor Black enquired if Swim Manitoba could be invited to meet with City Council to discuss the future growth of aquatic sports in the Province of Manitoba.

His Worship the Mayor responded that Swim Manitoba had previously requested a special meeting with City Council to discuss this issue and that at that time, it had been decided that a special meeting was not necessary and such was still the case. He added that Swim Manitoba had been invited to appear as a delegation at a regular meeting of City Council or meet with City Administration at any time to discuss this issue.

(828) USE OF RED LIGHT CAMERAS IN THE CITY OF BRANDON

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Councillor Fitzpatrick enquired if an update could be provided on the possibility of the use of red light cameras within the City of Brandon.

At the request of His Worship the Mayor, the City Manager responded that when this issue had been raised previously, the Chief of Police had contacted the Province of Manitoba who had denied the request and a report on same had been provided to City Council at that time.

Further to this issue, His Worship the Mayor advised Councillor Fitzpatrick that this subject could be raised as a notice of motion for discussion by all of City Council at a future meeting.

ANNOUNCEMENTS:

REDEDICATION OF MEMORIAL CUP - MAY 13, 2010

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Councillor Paterson announced that the Rededication Ceremony for the Memorial Cup would be held at 1:30 p.m. on Thursday, May 13, 2010 at Canadian Forces Base Shilo and encouraged everyone to attend.

CITY WIDE COMMUNITY CLEAN-SWEEP

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Councillor Rice announced that the city-wide Community Clean-Sweep would be held May 17 to 21, 2010 and encouraged everyone to participate. He noted this event provided an opportunity for citizens to have bulky items picked up by the Sanitation Department on their regular garbage day and further information could be obtained on the website at [www.brandon.ca](http://www.brandon.ca) or by calling 729-2281.

GENERAL BUSINESS:

(A) APPOINTMENT OF CITIZEN MEMBERS TO BRANDON DOWNTOWN DEVELOPMENT CORPORATION

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Submitted for consideration was a report from the City Clerk dated April 30, 2010.

1388 Barletta-Jessiman  
That the following citizen appointments be and are hereby made to the Board of Directors of the Brandon Downtown Development Corporation for a two (2) year term of office to take effect on June 1, 2010 and expire May 31, 2012:

Diane Fotheringham  
Corey Roberts CARRIED.

(B) TENDER - SNOW BLOWER REPLACEMENT, BRANDON MUNICIPAL AIRPORT

Considered was a report from the Director of Operational Services dated April 30, 2010 with respect to the above.

1389 Paterson-Harwood  
That the proposal from Airport Technologies Inc. for the supply of one refurbished 2EC5200 snow blower as per proposal and specifications, at a total price of \$322,148.11 excluding GST be accepted. CARRIED.

(C) AMENDMENT OF CONCEPTUAL PLAN - COMMERCIAL ARTERIAL ZONED PROPERTIES EAST OF 18TH STREET, SOUTH OF CEMETERY, NORTH OF SYCAMORE DRIVE AND WEST OF 1505 SYCAMORE DRIVE

City Council considered a report from Planning Services dated May 10, 2010 with respect to the above.

1390 Campbell-Paterson  
That the conceptual site plan for the area of land on the east side of 18th Street, south of the City of Brandon cemetery, north of Sycamore Drive and west of 1505 Sycamore Drive be deleted. CARRIED.

(D) APPLICATION TO SUBDIVIDE 1660 - 34TH STREET (WAVERLY DEVELOPMENTS LTD.)

His Worship the Mayor declared a conflict of interest in this matter due to his relationship with the applicant and left the Council Chamber without further discussion.

Submitted for consideration was a report from Planning Services dated April 30, 2010 with respect to the above.

1391 Fitzpatrick-Blight  
That the application of Waverly Developments Ltd., to subdivide 1660 - 34th Street (Pt. NE 1/4 9-10-19 WPM) be approved subject to the following conditions:

- 1) written confirmation that the subject property has been rezoned from DR Development Reserve Zone to RSF Residential Single Family Zone, PR Parks and Recreation Zone and OS Open Space Zone;
- 2) written confirmation that the City of Brandon Building Department is satisfied with the location of fire hydrants in this subdivision;
- 3) written confirmation that the City of Brandon Building Department and Fire Department is satisfied with an ingress/egress plan for this subdivision;
- 4) written confirmation from the City of Brandon Treasury Department that taxes on the land to be subdivided, for the current year plus any arrears, have been paid or arrangements satisfactory to City Council have been made;

- 5) written 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; and
- 6) that Lakeview Drive between 34th Street and Plateau Drive and Plateau Drive between Lakeview Drive and Grassland Crescent be constructed to at least the same standard as Plateau Drive north of Grassland Crescent. CARRIED.

Following the above motion being voted on, His Worship the Mayor re-entered the Council Chamber.

(E) TENDER - COMMUNITY FIBRE BUILD CONTRACT G

City Council considered a report from the Director of Information Technology dated May 5, 2010 with respect to the above.

Blight-Barletta

- 1392 That the bid of Crown Utilities Ltd. to carry out Contract G Community Fibre Build - 2010 as per tender and specifications at a cost of \$431,933.25 be accepted. CARRIED.

BY-LAWS:

- NO. 6959 - TO AMEND THE CITY OF BRANDON ZONING BY-LAW NO. 6642 RE: AUTOMOTIVE SERVICE STATIONS (CITY OF BRANDON)

Considered was a report from Planning Services dated April 30, 2010 with respect to the above.

Harwood-Paterson

- 1393 That By-law No. 6959 to amend Zoning By-law No. 6642, with respect to Automotive Service Stations be read a first time. CARRIED.

- NO. 6971 - TO REZONE PROPERTY LOCATED AT 1503-9TH STREET (LOT 36/39, BLOCK 2, PLAN 289 BLTO) FROM RSF RESIDENTIAL SINGLE FAMILY ZONE TO RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE (DORNN)

It was noted that this by-law had received second reading at the March 22, 2010 meeting of City Council and that third reading of the by-law had been held in abeyance pending the execution of a development agreement with the City of Brandon, which has since taken place.

Campbell-Jessiman

- 1394 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 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. 6971 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

NO. 6973 - TO CLOSE AND CONVEY A PORTION OF THE LANE IN PLAN 1701 BLTO (KASIURAK BAY) AND SALE OF A PORTION OF OPEN SPACE (BLOCK 13, PLAN 1701 BLTO)

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

Paterson-Barletta

1395 That By-law No. 6973 to close a portion of the public lane in Plan 1701 BLTO located on Kasiurak Bay and convey same to the adjacent property owner be amended as follows:

(a) by adding in the introductory paragraph, after the word: “close”, the words: “a portion of”, and by deleting the words: “property owners” and substituting therefor, the words: “property owner”;

(b) by deleting the description in Clause 1.(a) and substituting the following therefor:

“The portion of public lane identified as Parcel A, on a Plan of Public Lane to be Closed in Part of the SE 1/4 26-10-19 WPM being part of the public lane in Block 12, Plan 1701 as sworn to by Kenneth William Baley, a Manitoba Land Surveyor on the 25th day of January A.D. 2010.”;

(c) by deleting Clause 1. (b) in its entirety; and substituting the following therefor:

“1. (b) That title to all that portion of public lane described in Clause 1.(a) excepting thereout all mines and minerals and other matters set forth in the Crown Lands Act, shall be conveyed to the property owner of Lot 12, Block 14, Plan 1701 BLTO for the sum of \$2,805.00 plus Goods and Services Tax and other valuable considerations.”; and

(d) by deleting Schedule “A” and substituting therefor the revised Schedule “A” attached to the report of the General Manager of Development Services dated April 19, 2010. CARRIED.

Paterson-Barletta

1396 That the by-law, as amended, be read a second time. CARRIED.

Paterson-Barletta

1397 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. 6973 third reading.

FOR  
Mayor Burgess  
Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Campbell  
Councillor Fitzpatrick  
Councillor Harwood  
Councillor Jessiman  
Councillor McCrae  
Councillor Paterson

AGAINST  
Nil

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

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His Worship the Mayor declared a conflict of interest due to his relationship with the developer and left the Council Chamber without further discussion.

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

1398 Fitzpatrick-Paterson  
That By-law No. 6977 to rezone 1660 - 34th Street (Pt. NE 1/4 9-10-19 W.P.M.) from DR Development Reserve to RSF Residential Single Family Zone, PR Parks and Recreation Zone and OS Open Space Zone be read a second time. CARRIED.

1399 Fitzpatrick-Paterson  
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. 6977 third reading.

<u>FOR</u>	<u>AGAINST</u>
Councillor Barletta	Nil
Councillor Black	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor Jessiman	
Councillor McCrae	
Councillor Paterson	
Councillor Rice	

GIVING OF NOTICE:

(A) DISBANDMENT OF CRIME PREVENTION COMMITTEE

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Councillor Black gave notice of his intent to move the following motion at the meeting of City Council to be held May 25, 2010.

"That the Crime Prevention Committee of City Council be disbanded."

ADJOURN:

McCrae-Rice  
That the meeting do now adjourn (9:18 p.m.)

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MAYOR

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CITY CLERK