

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JULY 19, 2010 AT 7:30 P.M. 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:**

1442 Harwood-McCrae  
That the Agenda for the Regular Meeting of City Council to be held on Monday, July 19, 2010 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

1443 Blight-Rice  
That the Minutes of the Regular Meeting of City Council held on Monday, June 21, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

1444 Harwood-Fitzpatrick  
That the Minutes of the Special Meeting of City Council held on Wednesday, June 30, 2010 be taken as read, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) BRIAN KAYES - BRANDON EMERGENCY ALERTING PROGRAM

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Brian Kayes, City of Brandon Emergency Coordinator, appeared before City Council to provide an update on the Brandon Emergency Alerting Program (BEAP). Mr. Kayes advised that the BEAP had been implemented in 2003 and that as of July 2010, there were 9 siren stations located throughout the City of Brandon with 2 new locations to be added by the end of 2010. He noted that the sirens were tested the 1st Wednesday of every month at 4:40 p.m. by the Brandon Police Service with the next scheduled test being August 4, 2010.

1445 Black-Harwood  
That the presentation by Brian Kayes with respect to the Brandon Emergency Alerting Program be received. CARRIED.

(B) COLIN CORNEAU - BRANDON FOLK, MUSIC AND ART SOCIETY INC.

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Due to unforeseen circumstances Mr. Corneau was not able to attend this evening's meeting and had requested to appear at the August 16, 2010 meeting of City Council.

(C) MARK KOVATCH - DEVELOPMENT AND TAX STRUCTURE OF TURTLE CROSSING CAMPGROUND

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Mr. Mark Kovatch appeared before City Council to discuss recent infrastructure improvements and planned development at Turtle Crossing Campground and to request City Council's assistance in changes to the tax structure. He noted that changes in the tax structure for the land at Turtle Crossing would reduce the taxes and alleviate the financial concerns with the planned developments.

In conclusion Mr. Kovatch requested that City Council approve a drastically reduced tax rate for Turtle Crossing Campground, and further, that same be capped for a period of time to allow for his further investment into the site. Mr. Kovatch also requested that the City of Brandon consider connecting the City's pathway system to the existing trail system, formerly accessible by the river ferry.

Paterson-Jessiman

1446 That the presentation by Mark Kovatch with respect to the development and tax structure of Turtle Crossing Campground be received and referred to Administration for consideration and subsequent report to City Council at its meeting to be held August 16, 2010. CARRIED.

(D) OKTOBERFEST 2010

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Mr. Manfred Wicht, President of the German Society of Westman, appeared before City Council to provide details on the upcoming Oktoberfest 2010 Celebration to be held September 11, 2010 at the Riverview Curling Club and request that City Council designate this event as a Community Event in the City of Brandon.

Paterson-McCrae

1447 That the presentation of Manfred Wicht, President of the German Society of Westman, with respect to the designation of Oktoberfest 2010 as a Community Event in the City of Brandon be received. CARRIED.

Paterson-Rice

1448 That Oktoberfest to be held September 11, 2010 at the Riverview Curling Club be designated as a Community Event in the City of Brandon. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATION & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) WESTERN MANITOBA CENTENNIAL AUDITORIUM BOARD JULY 19, 2010  
VERBAL REPORT

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July 19, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

At the request of His Worship the Mayor, the City Manager, Brian MacRae provided a verbal report on the upgrades to the Western Manitoba Centennial Auditorium (WMCA). Mr. MacRae advised that the tender for the replacement of the podium and front entrance way at the WMCA had been awarded with work expected to commence in the near future. He noted that all tenders had come in over-budget and much work had been done by the WMCA Board of Governors and WMCA staff to reduce costs of the overall project resulting in savings of half the overage amount with the remainder of same being funded by the Province of Manitoba, the City of Brandon and the Western Manitoba Centennial Auditorium itself. He added that concerns raised by Councillor Barletta regarding the decision to use asphalt rather than concrete for parts of the project as a cost saving measure had been passed on to the Board of Governors for their consideration.

Further to this issue, Councillor Blight reported that Mr. Terry Payne had recently been elected as Chairman of the WMCA Board of Governors and that Mr. Kent Forman was now a board member.

(B) BRANDON AND AREA PLANNING DISTRICT BOARD  
VERBAL REPORT

JULY 19, 2010

July 19, 2010  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Barletta reported that a review of the Brandon and Area Planning District (BAPD) Development Plan was currently being conducted with the last such review having been conducted in 2006. He noted that the current review would examine future growth and land use within the City of Brandon and the partnering municipalities with input welcomed from all members of City Council and citizens. In conclusion he stated that MMM Group of Winnipeg would be working with the BAPD Board on this project which was expected to be completed and submitted to the Province of Manitoba for approval by Spring 2011.

Blight-Paterson

1449 That the reports of the Western Manitoba Centennial Auditorium Board and the Brandon and Area Planning District Board respectively be received. CARRIED.

ENQUIRIES:

(864) UNSIGHTLY PREMISES

Councillor Blight referred to the property at the corner of 10th Street and Pacific Avenue and other vacant properties throughout the City of Brandon that had become overgrown with weeds and long grass. He enquired as to the process to follow to force the owners of such properties to clean them up and maintain them.

At the request of His Worship the Mayor, the City Manager advised that the enforcement of maintenance on private properties was complaint driven. He encouraged anyone observing a problem area to report same to By-law Enforcement at the Brandon Police Service or his office who would ensure the matter was taken care of.

(865) 10TH STREET AND PARK AVENUE - DIRECTIONAL ARROWS

Councillor Blight referred to the intersection of 10th Street and Park Avenue and noted that Park Avenue traffic in the left lane was directed by arrows to either turn left or continue straight through whereas the right lane was for right turns only. He noted that changing the directional arrows to allow for traffic in the left lane to turn left only and traffic in the right lane to turn right or proceed straight through may speed up the flow of traffic and enquired if same could be considered.

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

(866) COMMERCIAL E-WASTE AT THE LANDFILL SITE

Councillor Rice distributed copies of a notice sent out by the City of Brandon Sanitation Department whereby residents were being advised that the City of Brandon Landfill Site was no longer accepting commercial e-waste. He advised that the notice provided a list of other commercial e-waste depots throughout Manitoba with some being in communities much smaller than the City of Brandon. He enquired if any changes to the disposal of residential e-waste at the Landfill Site were expected.

At the request of His Worship the Mayor, the City Manager responded that the Commercial E-waste Program was administered by the Province of Manitoba who had advised the City of Brandon that same was to be discontinued noting however, the Residential E-Waste Program administered by the City of Brandon would not be affected.

(867) MOSQUITO ABATEMENT - BUFFER ZONES

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Councillor McCrae referred to the recent fogging for nuisance mosquitoes in the City of Brandon. He noted that, under Provincial legislation, buffer zones could be requested by any resident with no evidence required to substantiate that request. He noted that medical evidence was required for requests for buffer zones to be granted when spraying under a Province of Manitoba order and enquired if the Province of Manitoba could be requested to consider the same restrictions when fogging took place for nuisance mosquitoes.

His Worship the Mayor confirmed that, under current Provincial legislation, no evidence was required for a request for a buffer zone to be granted when spraying for nuisance mosquitoes; however, both the City of Winnipeg and the City of Brandon were applying to the Provincial Government for changes to same. He added that, in the off-season, advice on this issue would be sought from experts in the field and other cities culminating in the establishment of a City of Brandon By-law to address this issue on a permanent basis.

(868) BRANDON UNIVERSITY WELLNESS CENTRE COMMUNITY ACCESS AGREEMENT

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Councillor Black requested an update on the status of the Community Access Agreement between Brandon University and the City of Brandon.

At the request of His Worship the Mayor, the City Manager advised that the establishment of the agreement was in progress, consultations would take place with user groups within the community, and the agreement was required to be in place prior to the Wellness Centre being commissioned and opened which was not expected until mid 2011.

(869) UPDATE ON THE NEW POLICE STATION

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Councillor Black requested an update on the new Police Station.

At the request of His Worship the Mayor, the City Manager advised that the tender call for the construction of the new Police Station was expected to be issued by the end of the week and closing at the end of August, with recommendations to be presented to City Council for its meeting to be held September 13, 2010.

(870) TRANSIT SERVICE FOR CANADA DAY CELEBRATIONS

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Councillor Black enquired as to the possibility of transit service being provided for citizens wanting to attend the annual Canada Day Celebrations at the Riverbank Discovery Centre.

At the request of His Worship the Mayor, the Director of Transportation Services responded that the operation of Brandon Transit for Canada Day had been researched with preliminary figures coming in at a cost of \$20,000 to \$25,000, including the required 18 to 20 drivers at overtime rates for the Statutory Holiday. He noted that this was for a full service much the same as the current Saturday service; however, other options, such as minimal pick-up and drop-off locations could be considered at a more reasonable cost. He noted however, that any deviation from the regular routes would require extensive marketing and advertising so as not to confuse the riders. He agreed to research this matter further and respond back to City Council.

(871) REMOVAL OF OFFENSIVE GRAFFITI ON PRIVATE RESIDENCES

Councillor Black advised that no provisions existed in the current City of Brandon By-law to force owners to remove offensive graffiti from their private residences and enquired if changes to the by-law could be considered.

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

(872) NOISES FROM KOCH FERTILIZER CANADA LTD. PLANT

Councillor Black advised that he had received complaints from area residents regarding loud noises being emitted recently from the Koch Fertilizer Plant. He noted that same had caused concern for area residents and enquired if representatives from Koch could be invited to provide a presentation to City Council to explain the need for the testing and assure residents of their safety.

His Worship the Mayor noted that because Koch Fertilizer was a private entity they could not be forced to answer to City Council-however, he agreed to contact Koch Fertilizer Canada Ltd. and request any available information for distribution to City Council.

(873) UNSIGHTLY PREMISES - CORNER OF 18TH STREET AND ROSSER AVENUE

Councillor Paterson noted that the abandoned Shell Canada Station at the corner of 18th Street and Rosser Avenue had become overgrown with weeds and was in need of some general grounds maintenance. He enquired if a letter could be sent to Shell Canada requesting that this site be cleaned up and that regular maintenance be scheduled for the future.

His Worship the Mayor noted that upcoming changes to the Zoning By-law specific to service stations were expected to alleviate these types of problems in the future. He agreed to request this site to be investigated and the property owners contacted as soon as possible.

(874) CANADA DAY CELEBRATIONS COSTS

Councillor Campbell advised that she had received many phone calls from ward residents who had issued accolades to the City of Brandon staff for having hosted a spectacular Canada Day Celebration and enquired as to the cost of same.

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

(875) UPDATE ON NEW 1ST STREET AND VICTORIA AVENUE INTERSECTION

Councillor Jessiman advised that he had recently received calls from area residents who had raised concerns regarding an increase in accidents at the new 1st Street and Victoria Avenue intersection and requested an update on same.

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

ANNOUNCEMENTS:

BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE (MHAC) DOORS OPEN  
BRANDON - JULY 24 AND 25, 2010

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Councillor Harwood announced that the 9th annual MHAC Doors Open Brandon Event was to be held July 24 and 25, 2010 with 16 heritage sites open to the public on both days. He noted that Downtown Walking Tours guided by the Heritage Coordinator, Mr. Ken Storey, had been added this year with the walks beginning at 3:30 p.m. at the Chamber of Commerce building on the corner of 11th Street and Rosser Avenue both days. He encouraged everyone to attend.

CITY COUNCIL UPDATES ON THE WEBSITE

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Councillor Fitzpatrick advised that the weekly updates to City Council provided by Administration were now available for viewing on the City of Brandon website and thanked Administration for their role in making this possible.

BRANDON FOLK MUSIC AND ARTS FESTIVAL - JULY 23 TO 25, 2010

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Councillor Barletta announced that the 26th Annual Brandon Folk Music and Arts Festival was to be held July 23 to 25, 2010 on the Keystone Centre grounds with events taking place throughout the day and main stage events taking place in the evening. He invited everyone to attend.

GENERAL BUSINESS:

(A) VEHICLE INSPECTIONS IN THE CITY OF BRANDON

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Considered was a report from Councillor Jessiman dated June 22, 2010 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held June 21, 2010.

Jessiman-Black

1450 That the Brandon Police Service provide a report and recommendation on its carrying out inspections of Class 1, 2 & 3 vehicles. CARRIED.

(B) APPLICATION TO SUBDIVIDE - 1405, 1500 AND 1505 SYCAMORE DRIVE

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Considered was a report from the General Manager of Development Services dated June 21, 2010 with respect to the above.

Campbell-Jessiman

1451 That the application of VBJ Developments Ltd., to subdivide 1405, 1500 & 1505 Sycamore Drive (Lots 1/3, Plan 45570 BLTO) be approved subject to:

- 1) written confirmation from Manitoba Hydro that arrangements have been made for Easements with Manitoba Hydro, Centra Gas Manitoba Inc., MTS Allstream Inc. and Westman Communications Group;
- 2) written confirmation from the Brandon School Division that it has received \$39,690.00 as cash-in-lieu of land dedication for school purposes;
- 3) the owner/successor submitting a copy of the condominium declaration to the Planning Department for review and approval; and

- 4) the developer submitting a phasing plan which among other things clearly shows how access, both permanent and temporary, will be provided during implementation of each phase of development whereby approval of the phasing plan shall be the responsibility of the Senior Building Inspector and the General Manager of Development Services. CARRIED.

(C) MEMBERSHIP IN THE ASSINIBOINE HILLS CONSERVATION DISTRICT

City Council considered a report from the General Manager of Development Services dated July 9, 2010 with respect to the above.

His Worship the Mayor temporarily retired from the meeting whereby Deputy Mayor Fitzpatrick chaired the meeting until His Worship the Mayor returned.

Black-McCrae

1452 WHEREAS the City of Brandon supports the concept of a Conservation District located within the Assiniboine River and Lower Souris River Watersheds and has expressed an interest in joining the Assiniboine Hills Conservation District,

AND WHEREAS land and water management principles are a priority for the Assiniboine Hills Conservation District and the City of Brandon,

THEREFORE BE IT RESOLVED THAT the Province of Manitoba be requested to develop, in partnership with the Assiniboine Hills Conservation District and the City of Brandon, a proposal outlining the terms and conditions of the City of Brandon's membership in the Assiniboine Hills Conservation District. CARRIED.

(D) BRANDON TRANSIT SERVICE TO INDUSTRIAL ARTS/HOME ECONOMICS CLASSES

Considered was a report from the Manager of Transit Services dated July 9, 2010 with respect to the above.

Blight-McCrae

1453 That Brandon Transit and The Brandon School Division continue to work together on transportation needs for Division students and that the request of the Joint Task Force Committee for the continuation of free transportation on Brandon Transit for Grade 7 and 8 students to attend Industrial Arts / Home Economics classes throughout the Division for the 2010/2011 school year be approved. CARRIED AS AMENDED.

AMENDMENT

McCrae-Paterson

1454 That the above motion be amended by adding after the word "approved", the words: "whereby such service shall be provided indefinitely thereafter." CARRIED.

(E) RADIO CONSOLE UNITS - E-911 COMMUNICATIONS CENTRE

City Council considered a report from the Director of Emergency Communications dated July 8, 2010 with respect to the above.

Harwood-Barletta

1455 That the proposal of MTS Allstream for the supply of two radio console units as per proposal and specifications, at a total base price of \$206,431 excluding taxes be accepted, whereby the net funding for this project shall be provided by equal allocations from the E-911 Equipment and Police Equipment Reserves. CARRIED.

(F) HOUSEPLANS BRANDON INC. - AFFORDABLE HOUSING FOR WORKING FAMILIES WITH CHILDREN AND OTHERS

Councillor Paterson indicated that he would move his motion on the above matter at the September 27, 2010 City Council meeting to allow for further public input prior to City Council rendering a decision on this issue.

(G) TENDER - CONTRACT A ROADBUILDING WORKS

Councillor Rice declared a conflict of interest in this matter due to his employment in this industry and retired from the Council Chamber without further discussion.

Considered was a report from the General Manager of Development Services dated July 15, 2010 with respect to the above.

Blight-McCrae

1456 That the low bid of Maple Leaf Construction Ltd. to carry out Contract A Roadbuilding Works as per tender and specifications at a cost of \$1,086,159.95 (including GST) be accepted. CARRIED.

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

BY-LAWS:

NO. 6981 - TO AMEND CITY OF BRANDON POLICE RECORDS RETENTION BY-LAW NO. 5975/12/92  
1ST READING

Paterson-Blight

1457 That By-law No. 6981 to amend City of Brandon Police Records Retention By-law No. 5975/12/92 be read a first time. CARRIED.

GIVING OF NOTICE:

(A) CONTINUED USE OF LONG CENSUS FORM

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Black gave notice of his intent to introduce at the August 16, 2010 meeting of City Council the following motion:

"That the Association of Manitoba Municipalities be requested to petition the Federal Government to adhere to past practices in conducting the 2011 Census and to include in the Census package the long form compulsory survey which is sent to 20% of households."

ADJOURN:

Barletta-Paterson

That the meeting do now adjourn (9:42 p.m.) CARRIED.

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MAYOR

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CITY CLERK