

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
FEBRUARY 14, 2011 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CIVIC  
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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PRESENT: Mayor S. Decter Hirst in the Chair, Councillor S. Berry, Councillor M. Blight, Councillor J. Fawcett, Councillor J. Harwood, Councillor L. Isleifson, Councillor J. McCrae, Councillor S. Montague, Councillor G. Rice, Councillor C. Roberts

ABSENT: Councillor J. Chaboyer

ADOPTION OF AGENDA:

Harwood-Blight  
115 That the Agenda for the Regular Meeting of City Council to be held on Monday, February 14, 2011 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Rice-Montague  
116 That the Minutes of the Regular Meeting of City Council held on Monday, January 24, 2011 be taken as read, all statutory requirements having been fulfilled. CARRIED.

Harwood-Roberts  
117 That the Minutes of the Special Meeting of City Council held on Tuesday, February 1, 2011 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) GENE NERBAS - ASSINIBOINE RIVER, FISHING LAKE DRAINAGE PROJECT AND SHELLMOUTH DAM

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Mr. Gene Nerbas, on behalf of the Assiniboine Valley Producers' Association, appeared before City Council to provide information on the Shellmouth Dam and to seek support in requesting full disclosure on the Fishing Lake drainage project from the Province of Manitoba.

Mr. Nerbas stated that Shellmouth Dam was built to alleviate flooding in Winnipeg from the Assiniboine River however the operation of the dam had change from flood control to water supply and recreation. He noted that local farmers in the Assiniboine Valley did not receive adequate compensation for their losses and that previous ad hoc programs implemented by the Provincial Government had been insufficient.

Mr. Nerbas further stated his grave concerns with the implications of the Fishing Lake drainage project and noted there had been no public consultation by the Provincial Government. He advised that some conditions had been imposed by the Province of Manitoba on this project, but it had been difficult to obtain details of same. He concluded by requesting support from the City of Brandon in lobbying the Provincial Government to provide public consultation on this matter and to request full disclosure on the Fishing Lake drainage project.

McCrae-Blight  
118 That the presentation by Gene Nerbas with respect to the Assiniboine River, the Fishing Lake Drainage Project and Shellmouth Dam be received and referred to Administration for study and report back to City Council. CARRIED.

(B) MARK KOVATCH - SUPPLYING WATER TO TURTLE CROSSING

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Mark Kovatch, President of Turtle Crossing Campground, RV Park and Event Centre appeared before City Council to request a connection to the City's water supply. He noted that the park was within the boundaries of the city, but without access to the City's water supply, the owners had to bear the cost of running and maintaining a water treatment plant in order to provide potable water to the campground users. Mr. Kovatch requested the same level of services provide to other local businesses, and stated that he was not asking for special treatment but rather equal treatment. He noted that providing water to Turtle Crossing would increase the speed and scope of investment in the park which would in turn, increase tax revenue for the City of Brandon.

Fawcett-McCrae

119 That the request of M. Kovatch with respect to the water supply to Turtle Crossing be referred to Administration for report inclusive of the options to supply the water, the number of properties in the City currently not serviced with water and/or sewer and the feasibility/advisability of the City assuming the operation of the water treatment facility at Turtle Crossing. CARRIED.

(C) LILI JARDINE - DRUG AND ALCOHOL PREVENTION PROGRAM

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Lili Jardine of the Brandon Community Drug and Alcohol Coalition appeared before City Council to provide a power point presentation on the Youth Revolution Student Leadership Group. She advised that the group was currently comprised of 38 students and their mandate was to create programs to promote healthy life choices in order to minimize the use of drugs and alcohol among youth. Some of the group's projects included the development of a website, promotional videos and newsletters and a parent kit on talking to kids about drugs and alcohol. Ms. Jardine noted that the student advisory group were mentors to other students and that the program provided opportunities to develop leadership and communication skills, promote teamwork and problem resolution.

Ms. Jardine and Catherine Dubois, a member of Youth Revolution concluded the presentation by inviting members of City Council to the Youth Revolution Ceremony to recognize their accomplishments which would be held from 9:00 a.m. to 11:45 a.m. on May 25, 2011 at McDiarmid Alliance Church and presented each member of Council with a gift of a cell phone cleaner and pen.

Blight-Decter Hirst

120 That the presentation by Lili Jardine with respect to drug and alcohol prevention programs of the Community Drug and Alcohol Education Coalition be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

DEVELOPMENT AND SALE OF 620 MCDIARMID DRIVE

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Mr. Reg Atkinson appeared before City Council and offered his advice with respect to the development and sale of 620 McDiarmid Drive to be discussed later in the meeting. Mr. Atkinson suggested that an amending motion should be brought forward whereby parts (c) and (d) of the recommendation would be deleted, citing that the City did not have the resources for, nor should it be involved in these issues.

POTENTIAL FLOODING OF THE ASSINIBOINE VALLEY

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Mr. Stan Cochrane, Chair of the Assiniboine Valley Producers' Association appeared before City Council to discuss the potential flooding of the Assiniboine Valley as well as the Shellmouth Dam and Fishing Lake situation. Mr. Cochrane advised that the Assiniboine Valley Producers' Association was formed in 1995 specifically to rectify problems with the Shellmouth Dam and ongoing drainage from Saskatchewan into Manitoba. He noted that the Fishing Lake situation had brought the whole drainage issue to a head and advised that the local groups and all levels of government within the area needed to work together to find a solution to these problems.

SPORTSPLEX POOL/YMCA AQUATIC FACILITY

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Mr. Richard Kent appeared before City Council to speak on the City of Brandon/YMCA aquatics partnership options. Mr. Kent thanked City Council for hosting the Town Hall meeting and noted that same was very encouraging to the public who felt that they now had a voice on this issue. He noted that consensus among the public was to keep the Sportsplex pool open and continue to support the YMCA project, and further that the savings on a \$1,000,000 debenture could be allocated to repairs for the Sportsplex pool. In conclusion, he stated that the meeting should be considered an informal plebiscite and encouraged City Council to vote accordingly when the item was raised later in the meeting.

ASSINIBOINE VALLEY FLOODING

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Mr. Gene Nerbas appeared before City Council to further discuss the drainage issues on which he had provided a presentation earlier in the meeting. Mr. Nerbas advised that enforcement of the law regarding the drainage of agricultural land was complaint driven. He stated that the Provincial Water Stewardship Program considered the flows coming out of the spillway of the Shellmouth Dam as natural. He noted that the construction of the dam in 1971 immediately changed the flows coming into it from natural to artificial as they were controlled by man. In conclusion Mr. Nerbas noted that education and enforcement were key issues in solving the drainage problems, and further, if strict fines were handed out to those who broke the law eventually the situation would resolve itself.

COMMITTEE REPORTS:

- (A) POVERTY COMMITTEE  
VERBAL REPORT

FEBRUARY 14, 2011

February 14, 2011  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Isleifson reported that the Poverty Committee was working hard on reorganizing the priorities of the committee which included housing, education, childcare and employment. He noted that a detailed report would be presented at an upcoming meeting of City Council, and that the Committee would be asking City Council to endorse the support of the community by the Provincial Department of Employment and Assistance.

(B) KEYSTONE CENTRE BOARD OF DIRECTORS  
VERBAL REPORT

FEBRUARY 14, 2011

February 14, 2011  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Rice provided a report on the Keystone Centre Board. He noted that the Board was addressing the increase costs in the maintenance of facility and security, the safety issues with the leaking roof, and the deterioration of the main ramp due to weather conditions. He extended best wishes to the Brandon Wheat Kings in the upcoming Western Hockey League playoffs as their success had an impact on Keystone Centre's bottom line.

(C) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE  
VERBAL REPORT

FEBRUARY 14, 2011

February 14, 2011  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Roberts reported that the Brandon Municipal Heritage Advisory Committee would be sending out invitations to the key stakeholders of the community regarding the launch of a new website for the Heritage Advisory Committee. He added that discussions continued on ideas for Central Fire Hall #1, a possible essay contest, and trading cards.

(D) WESTERN MANITOBA CENTENNIAL AUDITORIUM  
VERBAL REPORT

FEBRUARY 14, 2011

February 14, 2011  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Blight reported that the new podium had been well received by the public however, despite signage, there were still some issues with vehicles entering the wrong way. He noted that the Board would be meeting on February 16, 2011 whereby cosmetic improvements to the podium, new front doors and fund raising initiatives would be discussed.

Rice-Isleifson

121 That the verbal reports of the Poverty Committee, the Keystone Centre Board of Directors, the Brandon Municipal Heritage Advisory Committee and the Western Manitoba Centennial Auditorium be received. CARRIED.

ENQUIRIES:

(39) DRAINAGE OF 600 BLOCK MCDIARMID DRIVE

Councillor Harwood advised that drainage continued to be a problem in the vicinity of Vincent Massey School in the 600 Block of McDiarmid Drive. He enquired if this location could be added to the list of problem drainage areas to be monitored and repaired if possible.

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

(40) CROSSWALK AT 18TH STREET AND LORNE AVENUE

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Councillor Montague advised that he had been informed that a pedestrian had come close to being struck in the crosswalk at the intersection of 18th Street and Lorne Avenue. He noted that this had been a problem corner for quite some time and enquired if a request for improvements to same could be submitted to the Province of Manitoba.

At the request of Her Worship the Mayor, the Acting City Manager responded that the Provincial Department of Infrastructure and Transportation had been contacted in the past regarding this issue. He agreed to contact them again and request that the issue be investigated further. He noted however that the problems arose from both pedestrians and vehicles and cautioned everyone to be more diligent in the future.

(41) GARBAGE PICKUP IN BACKLANES

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Councillor Isleifson noted that refuse bins being left in the backlanes for long periods of time continued to cause problems for residents in the Riverview Ward. He enquired if this situation could be addressed through amendments to the City's Solid Waste Collection and Disposal By-law.

Her Worship the Mayor responded that Councillor Chaboyer had raised this issue at the January 24, 2011 City Council Meeting and been advised that amendments to the by-law were being considered and that a report was expected to be provided in the Fall of 2011.

(42) SNOW REMOVAL ON SIDEWALKS

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Councillor Isleifson noted that sidewalks in the Riverview Ward were becoming very snow packed and slippery and enquired as to whose responsibility it was to clear the sidewalks in the residential areas of the city.

At the request of Her Worship the Mayor, the Acting City Manager responded that the only snow clearing requirements in the City's Traffic By-law were for commercial businesses. He noted however, that the city crews cleared sidewalks that were direct routes for schools and along certain collector and arterial roadways.

Further to this issue, Councillor Isleifson enquired if the feasibility and costs involved for the City to clear sidewalks in residential areas could be investigated.

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

(43) UPDATE - SNOW CLEARING ON CITY STREETS

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Councillor Berry requested an update on the snow clearing efforts in the City of Brandon.

At the request of Her Worship the Mayor, the General Manager of Operational Services advised that street clearing efforts were ongoing on a priority basis. He added that the build-up of snow in the centre of the streets caused by the continuous thawing and freezing was hard to remove without causing damage to the equipment. In conclusion, he advised that problem areas should be reported to the Public Works Department at 729-2285.

(44) CROSSWALK FOR STICKNEY AVENUE IN FRONT OF SOKOL MANOR

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Councillor Roberts noted that residents of Sokol Manor continued to have difficulties crossing Stickney Avenue to access the North End Community Centre and enquired as to the possibility of a crosswalk being developed in that vicinity.

At the request of Her Worship the Mayor, the Acting City Manager advised that crosswalks were typically located at intersections however he agreed to take the matter under advisement.

(45) LOADING ZONE ON 13TH STREET NORTH NEAR SOKOL MANOR

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Councillor Roberts advised that the loading zone located on 13th Street North was not accessible for the residents of Sokol Manor to be dropped off or picked up due to it being used as a regular parking space. He enquired if stricter enforcement for that area could be considered.

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

ANNOUNCEMENTS:

INFORMATION SESSION - FLOODING OF WHEAT CITY GOLF COURSE

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Councillor Harwood announced that an information session with respect to the potential of flooding at the Wheat City Golf Course was to be held February 22, 2011 at 7:30 p.m. at Mum's Restaurant at the Recreation Centre. He encouraged everyone to attend.

PUBLIC WORKS AND POTHOLES HOTLINE NUMBERS

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Councillor Rice announced that the Public Works hotline number was 729-2285 and the Pothole hotline number was 729-2200 and encouraged residents to use same to report any public works related and pothole issues.

VICTORIA WARD MEETING - MARCH 22, 2011

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Councillor Blight announced that a Victoria Ward meeting would be held March 22, 2011 commencing at 7:00 p.m. at the Victoria Inn. He noted that Her Worship the Mayor and members of Administration would be in attendance and encouraged all ward residents to attend.

CBC TELEVISION KRAFT HOCKEYVILLE

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Councillor Isleifson announced that CBC Television would be at the East End Community Centre February 15, 2011 from 4:00 p.m. to 6:00 p.m. where they would be filming shots of kids skating and playing hockey as part of the City of Brandon's nomination for Kraft Hockeyville 2011. He invited everyone to attend.

LINDEN LANES WARD MEETING HELD JANUARY 26, 2011

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Councillor Berry announced that the Linden Lanes Ward Meeting held January 26, 2011 had been very informative, despite there only being 3 ward residents in attendance. He thanked members of City Council and City Administration for their attendance.

RICHMOND WARD MEETING - FEBRUARY 24, 2011

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Councillor Montague announced that a Richmond Ward meeting would be held February 24, 2011 commencing at 7:00 p.m. at Crocus Plains Regional Secondary School. He noted that agenda items would include spring flooding, winter road and sidewalk maintenance, Sportsplex Pool/YMCA update, and any other city and ward issues. He encouraged everyone to attend.

RE-IMPLEMENTATION OF THE KEYS TO CITY PROGRAM

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Councillor Montague announced that he had been pleased to see that Her Worship the Mayor had agreed to re-implement the Keys to the City Program in the City of Brandon and thanked her for her efforts in that regard.

COFFEE WITH THE MAYOR - CRANBERRY'S RESTAURANT

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Her Worship the Mayor announced that the second "Coffee with the Mayor" would be held February 28, 2011 at 10:00 a.m. at Cranberry's Restaurant and invited everyone to attend.

GENERAL BUSINESS:

(A) DEVELOPMENT AND SALE OF 620 MCDIARMID DRIVE

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City Council considered a report from the Acting General Manager of Development Services dated January 11, 2011 with respect to the above.

Harwood-McCrae

122 That the City of Brandon (City) exchange land with the Brandon School Division (Division) subject to subdivision approval whereby the City would:

- (a) dispose of approximately 2.14 acres of 620 McDiarmid Drive in two parcels to the Division for \$1.00;
- (b) acquire from the Division 355 - 15th Street, 101 - 14th Street North, 100 - 13th Street North and 1313 Stickney Avenue for \$1.00;
- (c) relocate the roof drainage from Vincent Massey High School to McDiarmid Drive to a maximum cost of \$28,200;

and further, that the City dispose of approximately 0.9 acres of 620 McDiarmid Drive to Western Manitoba Seniors Non-profit Housing Cooperative Ltd. (Cooperative) for \$1.00 whereby:

- (a) should the Cooperative discontinue providing affordable housing at this property, the Cooperative shall then pay to the City fair market value for the property as determined at the time of discontinuance of the provision of affordable housing;
- (b) the City would contribute as a maximum affordable housing subsidy, a one-time land and capital grant of approximately \$263,000 and an annual grant equal to 50% of the municipal portion of the annual taxes on the property for a period of 20 years;
- (c) the maximum rent charged for the dwelling units shall not exceed the Brandon median rents established annually by Canada Mortgage and Housing Corporation currently established for a one (1) bedroom unit at \$575; for a two (2) bedroom unit at \$713; for a three (3) bedroom unit at \$863 and for a four (4) bedroom unit at \$1,013;

- (d) the individuals occupying these dwelling units shall not have annual family incomes in excess of the upper limit 2nd quintile family income established by Statistics Canada currently established at \$57,000; and
- (e) construction of the units on the property must commence within 18 months of the signing of the offer to purchase. CARRIED.

(B) ELIMINATING SALE AND DISTRIBUTION OF BOTTLED WATER AT CITY OWNED AND OPERATED FACILITIES

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Submitted for consideration was a report from Councillor S. Montague dated January 27, 2011 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held January 24, 2011.

Montague-Berry

- 123 That Administration review and provide a report to City Council for its meeting to be held March 14, 2011 on the feasibility and practicality of eliminating the sale and distribution of bottled water at all city owned and operated facilities. CARRIED.

(C) ASSISTANCE PROGRAM - SEWER/DRAINAGE BACK-UP SYSTEM

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Considered was a report from Councillor J. McCrae dated February 8, 2011 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held January 24, 2011.

McCrae-Rice

- 124 That the City of Brandon partner with the Province of Manitoba in the subsidy program that would pay 60% of the cost of installing a sewer/drain back-up system to a maximum of \$3,000 per household consisting of up to \$1,000 towards the installation of an approved in-line backwater valve and up to \$2,000 toward the installation of a sump pump and pit drainage system whereby the sum of \$60,000 shall be allocated from the Wastewater Reserve to fund the City portion of the subsidy program. CARRIED.

Following the vote on the above motion, Her Worship the Mayor announced that the Province of Manitoba and the City of Brandon would be making an announcement at 2:30 p.m. on Tuesday, February 15, 2011 at EMCO Waterworks, 343 Park Avenue East, Brandon regarding an incentive program for homeowners who install sewer drainage back-up systems

(D) ADOPTION OF THE BRANDON EMERGENCY PLAN

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City Council considered a report from the Emergency Coordinator dated February 4, 2011 with respect to the above.

Roberts-Isleifson

- 125 That the Brandon Emergency Plan dated February 2011 be adopted. CARRIED.

(E) CITY OF BRANDON/YMCA AQUATICS PARTNERSHIP OPTIONS

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Councillor Berry declared a conflict of interest due to his wife being employed by the YMCA and retired from the Council Chamber without further discussion.



Submitted for consideration was a report from Councillor J. Fawcett dated February 10, 2011 with respect to the above.

Fawcett-Montague

126 That pursuant to Subsection 139(1) of The Municipal Act, and in accordance with my notice of motion given at the meeting of City Council held January 10, 2011, I hereby move that City Council reconsider the vote firstly, on Motion No. 1475 and then Motion No. 1474 of the regular meeting of City Council held August 16, 2010 with respect to the YMCA and City of Brandon Joint Recreation Facility. CARRIED.

In view of the above motion of reconsideration having been adopted, the following two motions were before City Council as if they had not been voted on.

Fawcett-Montague

127 That the terms and conditions outlined in the agreement to be made between the City of Brandon and the Young Men's Christian Association of Brandon (YMCA) attached to the report of the City Manager dated August 13, 2010 with respect to the YMCA and the City of Brandon Joint Recreation Facility and execution of said agreement be hereby approved. CARRIED.

AMENDMENT

Fawcett-Blight

128 That the above motion be amended by adding, immediately following the word: "approved" the words: "whereby the agreement shall be amended to include a clause that the Sportsplex Pool be closed within two months of the opening of the new YMCA and the City of Brandon Joint Recreation Facility". LOST.

Councillor Fawcett then introduced the following motion.

Fawcett-Montague

129 That an amending agreement be made between the City of Brandon (City) and The Young Men's Christian Association of Brandon (YMCA) to amend the agreement made between both parties on October 20, 2010 with respect to the YMCA's proposed multi-use facility whereby:

- (a) the requirement that the City close its Sportsplex pool permanently within two months after the YMCA's pool is operational shall be deleted in its entirety from the agreement;
- (b) the City's capital contribution of \$5 million to the YMCA shall be reduced to \$4 million which shall consist of \$3.4 million towards the design/construction of the facility and an aggregate value of \$600,000 for the value of the land the City will transfer to the YMCA being comprised of the former Beaubier Hotel property, the parking lot property adjacent to 7th Street and the back lane right-of-way;
- (c) the City's contribution of \$250,000 annually in operating costs to the YMCA for the first five (5) years shall be reduced to \$100,000 annually and this contribution, if renewed after the initial term, shall cease at the end of the 20th year; and
- (d) the new name for the Y Pool will be chosen by the YMCA instead of the City. CARRIED.

Following the above motions being voted on, Councillor Berry re-entered the Council Chamber.

BY-LAWS:

NO. 6993 TO REZONE PROPERTY LOCATED AT 1660 - 34TH STREET (PT. NE 1/4 9-10-19 WPM) FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (WAVERLY DEVELOPMENTS LTD.)

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Considered was a report from the Planning Department dated February 3, 2011 with respect to the above.

Berry-Isleifson

130 That By-law No. 6993 to rezone property located at 1660 - 34th Street (Pt. NE 1/4 9-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Blight-Isleifson

That the meeting do now adjourn. (10:21 p.m.) CARRIED.

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MAYOR

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CITY CLERK