

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, OCTOBER 17, 2011 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

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

ABSENT: Nil

ADOPTION OF AGENDA:

Chaboyer-Harwood
339 That the Agenda for the Regular Meeting of City Council to be held Monday, October 17, 2011 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Blight-Rice
340 That the Minutes of the Regular Meeting of City Council held Monday, September 26, 2011 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) VANESSA HAMILTON AND KRIS DESJARLAIS - HEALTHY LIVING BRANDON

Vanessa Hamilton and Kris Desjarlai of Healthy Brandon appeared before City Council with respect to Healthy Brandon's work in creating a healthy environment for residents to live, work and play by fostering cooperation and collaboration with community partners.

Three policy position statements were presented regarding Active Transportation, Healthy Meetings, and Work/Life Balance, that encompass Healthy Brandon's commitment to creating a healthier Brandon.

Isleifson-McCrae
341 That the presentation by Vanessa Hamilton and Kris Desjarlais with respect to the position statements of Healthy Brandon be received. CARRIED.

(B) CHIEF KEITH ATKINSON, BRANDON POLICE SERVICE - BRANDON'S CRIME STATISTICS

Chief of Police Keith Atkinson appeared before City Council to provide a power point presentation on Brandon's crime statistics for 2010-2011. It was noted that the overall crime rate between 2010 and 2011 had dropped by 2%, and included a 2% decrease in violent crimes and a 24% decrease in property crimes.

Harwood-Blight
342 That the presentation by Chief K. Atkinson of the Brandon Police Service with respect to Brandon's crime statistics be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

EAST END WATER TOWER

Dayna Austin, President of the East End Community Centre, appeared before City Council to speak on the issue of the removal of the East End Water Tower from the City of Brandon's demolition plans. Ms. Austin noted that the East End Water Tower was an important part of Brandon's history and encouraged City Council to vote in favour of removing the tower from the 2012 demolition list when it was discussed later in the meeting.

Doug Irwin, Vice-President of the East End Community Centre, also spoke in favour of City Council saving the East End Water Tower as an important historic icon in the City of Brandon.

Randall Sutter, East End Community Centre Board Member, concurred with Ms. Austin and Mr. Irwin and urged City Council to remove the East End Water Tower from the 2012 demolition list and save this historic City of Brandon landmark.

COMMITTEE REPORTS:

(A) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE SEPTEMBER 14, 2011

September 14, 2011
Brandon, Manitoba

Mayor and Council
City of Brandon

Your Municipal Heritage Advisory Committee begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Committee Members: Councillor Jeff Harwood (Chairperson), Councillor Corey Roberts, David Hughes, Bill Chester, Reg Hildebrand, Garry Miller, Daniel Olsen, Doug Matthews, Greg Hutsal, Eleanor McCallum

Advisory Members: Brad McKay (Senior Fire Prevention Officer), Angie Veilleux (Senior Planner - City of Brandon Planning and Development Services), Marty Snelling (General Manager, Brandon Neighbourhood Renewal Corporation), Heather Ewasiuk (Deputy City Clerk), Katy Singleton (Heritage Coordinator)

(1) LaPlont Block Municipal Heritage Site Designation Appeal

The commercial property at 924 Rosser Avenue known as the "LaPlont Block" was nominated for designation as a municipal heritage site by its owner, Delmar and Marianne Firomski in 1995. The LaPlont Block is a relatively small, two-storey, structure which is interesting architecturally and historically. It is one of seven turn-of-the century commercial buildings located on the south side of Rosser Avenue between 9th and 10th Streets. This is the only structure in that group of buildings which completely retains its original facade. This building was the site of the Mutter Brother's Grocery Store which operated in the downtown business district for more than three-quarters of this century. Their store was opened in 1902 and was operated by the family until approximately 1976.

The continued operation of this store resulted in it becoming something of a landmark in the community and is affectionately remembered by many of the history-conscious citizens. Many of the store's interior fixtures and furnishing have been preserved and are currently on public display in the Daly House Museum.

Based on the evaluation and recommendation by the Brandon Municipal Heritage Advisory Committee, City Council passed By-law No. 6313 on July 24, 1995 designating the property as a municipal heritage site.

On August 25, 2011, the Brandon Municipal Heritage Advisory Committee (MHAC) received an appeal requesting revocation of the Municipal Heritage Site Status assigned to 924 Rosser Ave (the LaPlont Block). Official appeal documentation was sent to the committee by current building owners; Mr. and Mrs. Del and Marianne Firomski.

As per Heritage Bylaw No. 6644, Section 17 (a);

“Appeal of Site Designation

- (a) Any owner or lessee of a designated site, or any other person affected or likely to be affected by the site designation, or any person, group, society, organization or agency interested in the designation, may appeal such designation to City Council at any time after the adoption of the by-law, but only if the by-law, as originally proposed, has been varied or new facts or new circumstances have arisen or have been disclosed since the date the by-law was adopted.”

Mr. and Mrs. Firomski submitted a Municipal Notice of Appeal (Schedule F) document describing the reason for appeal as the following; *“it is the express desire of the owners of this property that this Bylaw be revoked, to attain Freedom from encumbrance.”* Details as to new facts or circumstances surrounding this encumbrance were not given in the documentation. In speaking directly with Del Firomski both the MHAC chair, Jeff Harwood, as well as the Heritage Coordinator, Katy Singleton, were unable to gain specific details as to any variations to the original by-law. Mr. Firomski indicated there were no plans to alter the business currently residing within the building, no plans to alter arrangements with the current tenant within the building, as well as no plans for restoration work at this time.

As the Schedule F appeal document submitted by the Firomski's, as well as verbal communication with Mr. Firomski, failed to meet the requirements outlined within By-law No. 6644, by identifying variance in the original by-law, or stating new facts or circumstances that have arisen since the adoption of the original by-law, the Municipal Heritage Advisory Committee recommends that the appeal of Municipal Heritage Site Status for the LaPlont Block be dismissed.

If City Council wishes to consider the appeal, it may, as per Section 17 (c) of By-law No. 6644:

- (1) adopt a by-law to repeal the by-law designating the heritage site in question; or
- (2) refer the appeal to the Municipal Board of Manitoba requesting that it hold a public hearing and report back to City Council its recommendations.

RECOMMENDATION:

That the appeal of the heritage site designation for 924 Rosser Avenue, commonly known as The LaPlont Block, be hereby dismissed and Heritage Designation By-law No. 6313 be confirmed.

Respectfully submitted,

Councillor Jeff Harwood,
CHAIRPERSON
Brandon Municipal Heritage Advisory Committee

McCrae-Rice

343 That the report of the Brandon Municipal Heritage Advisory Committee dated September 14, 2011 be received. CARRIED.

Harwood-Roberts

344 That the appeal of the heritage site designation for 924 Rosser Avenue, commonly known as The LaPlont Block, be hereby dismissed and Heritage Designation By-law No. 6313 be confirmed. CARRIED.

(B) SOUTH WEST 2011 FLOOD STRATEGY COMMITTEE
VERBAL

OCTOBER 17, 2011

October 17, 2011
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Her Worship Mayor Decter Hirst reported that the South West 2011 Flood Strategy Committee had met earlier in the day to discuss aspects of flood mitigation. She advised that this group was made up of representatives from the City of Brandon and approximately 20 rural municipalities, 7 towns and 6 associated members such as Keystone Agricultural Producers and the Conservation Districts in the southwest part of the province. Mayor Decter Hirst advised that the group would be presenting a motion to the Association of Manitoba Municipalities membership at the November convention dealing with short and long term plans to deal with conditions to ensure the long-term viability of the area.

(C) POVERTY COMMITTEE
VERBAL

OCTOBER 17, 2011

October 17, 2011
Brandon, Manitoba

Mayor and Councillors
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Councillor Chaboyer reported that the Poverty Committee had met on October 11, 2011. She stated that a response had been received from the Association of Manitoba Municipalities (AMM) advising that the resolution submitted by the City of Brandon regarding an increase in shelter allowances for persons on social assistance had been reviewed and was considered to be a provincial issue and not within the jurisdiction of the AMM. Based on this evaluation, it was noted that the resolution would not be presented at the AMM convention in November for debate by the membership.

Councillor Chaboyer enquired if the Poverty Committee could write a letter to the AMM to voice its disappointment with AMM's decision in this regard. Her Worship the Mayor advised that the City of Brandon would be sending a letter to AMM expressing concern with non-inclusion of the resolution for due consideration by the membership. She also noted that the City's concerns would be voiced to the Minister of Family Services and Consumer Affairs during the convention. Mayor Decter Hirst invited the Poverty Committee, as a standing committee of Council, to write a letter of concern as well.

Harwood-Montague

345 That the verbal reports of the Southwest 2011 Flood Strategy Committee and the Poverty Committee be received.

ENQUIRIES:

(172) LIGHTING OF THE WALKWAY - CORNWALLIS BAY

Councillor Chaboyer advised that she had received calls from area residents who had expressed concerns regarding the walkway along Cornwallis Bay and enquired if a light could be installed on same.

At the request of Her Worship the Mayor, the City Manager responded that the Engineering Department was following up on this request.

(173) STANDARDS FOR FABRIC TENT GARAGES

Councillor Chaboyer referred to the fabric tent garages being erected throughout the City of Brandon and enquired if same were subject to any building standard policies or by-laws.

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

(174) TAXATION AND APPLICATION OF MILL RATE

Councillor Montague enquired if information could be provided on taxation and the application of the mill rates in the City of Brandon.

At the request of Her Worship the Mayor, the City Manager responded that the City Treasurer would be providing a presentation to City Council at the October 31, 2011 meeting.

(175) RE-OPENING OF 26TH STREET AND MCDONALD AVENUE

Councillor Harwood enquired when 26th Street and McDonald Avenue were expected to be re-opened to traffic in all directions.

At the request of Her Worship the Mayor, the City Manager responded that both streets were expected to be fully re-opened by Friday, October 21, 2011.

(176) PROHIBITING ELECTION CAMPAIGN SIGNS ON PUBLIC PROPERTY

Councillor Harwood advised that he had received numerous complaints with respect to election campaign signs on boulevards and medians becoming an eyesore. He enquired if prohibiting election campaign signs on public property could be considered.

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

(177) UPDATE ON THE DIKE

Councillor Fawcett requested an update on the dike.

At the request of Her Worship the Mayor, the General Manager of Development Services responded that results of the engineering study indicated that overall the dike was in good shape. He advised, however, that the dike at 17th Street East was to be relocated and improved. The General Manager also advised that the meeting between representatives from the City of Brandon and the Provincial Department of Infrastructure and Transportation had taken place regarding the diking of 1st and 18th Streets and the alignment of the dike at the Experimental Farm, with a meeting to discuss the alignment of the dike at the soccer park on 1st Street North scheduled for October 18th, 2011.

In conclusion, the General Manager advised that the City of Brandon and the Department of Infrastructure and Transportation had submitted the requests for funding assistance to the appropriate Provincial Government Departments.

At the request of Her Worship the Mayor, the General Manager of Development Services confirmed that Mr. Herb Mahood, Engineer for the Province of Manitoba Department of Infrastructure and Transportation, would be providing a presentation, inclusive of drawings on the alignment of the dikes on 1st and 18th Streets North, at the October 31, 2011 City Council meeting.

(178) PRISON BREAK AT BRANDON CORRECTIONAL CENTRE

Councillor Fawcett enquired if any information was available on the recent prison break at the Brandon Correctional Centre.

At the request of Her Worship the Mayor, the Chief of Police responded that, while he was unable to comment on the specific case, he was able to advise that the Brandon Correctional Centre staff would be conducting a full investigation and making security adjustments as necessary.

(179) ISSUES WITH PROVINCIAL GOVERNMENT

Councillor McCrae enquired if Her Worship the Mayor planned to discuss traffic flows on 18th Street from Princess Avenue across the Daly Bridge and an increase in the Provincial Assistance Shelter Allowance Rates with the newly elected Provincial Government.

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

(180) STATUS OF SPECIAL PROJECTS/INITIATIVES APPROVED IN 2011 BUDGET

Councillor Chaboyer enquired if a summary on the status of special projects/initiatives approved in the 2011 City of Brandon budget could be provided.

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

ANNOUNCEMENTS:

WASTE REDUCTION SCHOOL CHALLENGE

Councillor Isleifson announced that the City of Brandon and the Community Lead Emissions Reductions Program (CLER) had launched the inaugural Waste Reduction School Challenge. The Challenge will run from October 17 to 23, 2011 with 10 classrooms in the City of Brandon competing against each other in collecting waste and sorting out the recyclable items.

COFFEE WITH THE MAYOR - OCTOBER 31, 2011

Her Worship the Mayor announced that "Coffee with the Mayor" would be held October 31, 2011 at 10:00 a.m. at the Brandon Public Library.

JOINT WARD MEETING - GREEN ACRES AND RICHMOND WARDS

Councillor Montague announced that he and Councillor Chaboyer would be holding a Joint Richmond and Green Acres Ward Meeting with the tentative date for same being November 3, 2011 where an in-depth budget discussion was to take place. He encouraged everyone to watch local media and the website for a confirmed time and location in the near future.

25TH ANNUAL MANITOBA FARM WOMEN'S CONFERENCE

Councillor Chaboyer announced that she would be representing Her Worship the Mayor and City Council at the 25th Annual Manitoba Farm Women's Conference on November 15, 2011 where issues such as agricultural lending, the use of the internet and farm safety would be discussed.

UPCOMING WARD MEETING - SOUTH CENTRE WARD

Councillor Rice announced that a South Centre Ward Meeting was being planned for late November 2011 where the City of Brandon Budget and the new Brandon Police Service Building would be discussed.

OPENING OF JAMES A. RICHARDSON TERMINAL - WINNIPEG INTERNATIONAL AIRPORT

Councillor McCrae announced that he had been pleased to represent Her Worship the Mayor and City Council at the Gala Opening of the James A. Richardson Terminal at the Winnipeg International Airport on Saturday, October 15, 2011.

GENERAL BUSINESS:

(A) BRANDON TRANSIT FARE STRATEGY

City Council considered a report from the Director of Transportation Services dated October 3, 2011 with respect to the above.

Montague-Harwood

346 That the Brandon Transit Fare Strategy report presented by the Director of Transportation Services, dated October 3, 2011, be received. CARRIED.

(B) FUTURE OF EAST END WATER TOWER

Submitted for consideration was a report from Councillor L. Isleifson dated October 4, 2011 with respect to the above submitted in accordance with his notice of motion given at the regular meeting of City Council held September 26, 2011.

Isleifson-Montague

347 That the water tower in Rideau Park, scheduled for demolition in 2012, be removed from the City of Brandon's demolition plans. CARRIED.

(C) SNOW ROUTE PARKING BAN ADDITIONAL STREETS PROPOSAL

Considered was a report from the General Manager of Operational Services dated September 27, 2011 with respect to the above.

Blight-Roberts

348 That Snow Route parking bans be implemented on the West side of 10th Street from Princess Avenue to Pacific Avenue, on the East side of 9th Street from Pacific Avenue to Princess Avenue, and on the South side of Louise Avenue from 13th Street to 18th Street. CARRIED.

(D) TENDER - WATER TREATMENT FACILITY CLEARWELL 1 REHABILITATION

City Council considered a report from the General Manager of Development Services dated October 3, 2011 with respect to the above.

McCrae-Blight

349 That the low bid of Ben Wiebe Construction Ltd. for the Water Treatment Facility Clearwell 1 Rehabilitation as per tender and specifications at a cost of \$356,659.00 (exclusive of GST) be accepted;

and further, that \$106,659 be transferred from the Water Distribution Reserve to the Water Treatment Plant operating account to cover the budget shortfall. CARRIED.

(E) BRANDON REGENERATION STRATEGY

Submitted for consideration was a report by Her Worship Mayor Decter Hirst dated October 12, 2011 with respect to the above.

Decter Hirst-McCrae

350 That the City of Brandon enter into the Memorandum of Collaboration with the Province of Manitoba attached to the report of Mayor Decter Hirst dated October 12, 2011 with respect to the commitment by Manitoba and Brandon to jointly participate in a Brandon Regeneration Strategy. CARRIED.

(F) DEMOLITION OF 244 - 7TH STREET

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

Considered was a report from the General Manager of Development Services dated October 13, 2011 with respect to the above.

Roberts-Isleifson

351 That the single family dwelling and garage/shed on the property located at 244 - 7th Street (Lots 5/6, Block 41, Plan 2 BLTO) be demolished by Cumming and Dobbie (1986) Ltd. for a total cost of \$14,805.00 whereby said funds shall be expended from the 2011 Land Maintenance Account. CARRIED.

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

BY-LAWS:

NO. 7005 TO EXEMPT THE YOUNG MENS CHRISTIAN ASSOCIATION (YMCA) PROPERTY LOCATED AT 231 - 8TH STREET FROM MUNICIPAL TAXES

Councillor Berry declared a conflict of interest in this matter due to his wife being employed by the YMCA and left the Council Chamber without any further discussion.

City Council considered a report from the City Clerk's Office dated October 7, 2011 with respect to the above.

Roberts-Harwood

352 That By-law No. 7005 to exempt the Young Men's Christian Association (YMCA) property located at 231 - 8th Street from municipal taxes be read a first time. CARRIED.

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

NO. 7006 TO REZONE PROPERTY LOCATED AT 1660 - 34TH STREET FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE AND PR PARKS AND RECREATION ZONE (WAVERLY DEVELOPMENTS LTD.)

Submitted for consideration was a report from the Planning Department dated October 7, 2011 with respect to the above.

Berry-Montague

353 That By-law No. 7006 to rezone property located 1660 - 34th Street (Pt. NE 1/4 9-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone and PR Parks and Recreation Zone be read a first time. CARRIED.

GIVING OF NOTICE:

(A) AMENDMENT TO BRANDON AND AREA PLANNING DISTRICT DEVELOPMENT PLAN

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Fawcett gave notice of his intent to introduce at the October 31, 2011 meeting of City Council the following motion:

"That the Board of the Brandon and Area Planning District be requested that the southern part of 2405 Victoria Avenue in the City of Brandon (part of Parcels A and B and all of Parcel D in Plan 49547, SE ¼ 22-10-10 WPM) be designated Commercial in the proposed Brandon and Area Planning District Development Plan."

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (9:46 p.m.) CARRIED.

MAYOR

CITY CLERK