

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
MARCH 18, 2013 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:

Harwood-Blight
1014 That the Agenda for the Regular Meeting of City Council to be held on Monday, March 18, 2013 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Rice-Berry
1015 That the Minutes of the Regular Meeting of City Council held Monday, March 4, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) DAVID BARNES - CREATION OF PROTECTED SPACES NETWORK

David Barnes appeared before City Council with respect to a proposal to establish a Protected Spaces Network to preserve unique and rare or threatened ecosystems inside city limits. He also requested City Council to endorse the use of permaculture as the rehabilitation protocol used to re-create healthy ecosystems on ecologically-diminished lands inside Protected Spaces. Mr. Barnes identified a 40-acre parcel of land near his home in the east end that could serve as an initial example of rehabilitating land into healthy food ecosystems.

Isleifson-Fawcett
1016 That the presentation of David Barnes urging the City of Brandon to create a Protected Spaces Network be referred to Administration for the formation of a working group comprised of all stakeholders inclusive of Mr. Barnes and subsequent report to City Council for its meeting to be held June 4, 2013. CARRIED.

PUBLIC HEARINGS:

(A) 2013 FINANCIAL PLAN

City Council sat to hear representation on the City of Brandon's 2013 Financial Plan.

Dean Hammond, General Manager of Corporate Services appeared before City Council and provided a power point presentation which contained highlights of the 2013 Financial Plan. Items highlighted included a review of the proposed operating and capital expenditures, the City's debt position, and the overall impact of the proposed 2013 budget on residential taxes. Mr. Hammond also noted that this evening's presentation and a copy of the financial plan were available for viewing on the City of Brandon's website.

Nate Andrews, President of the Brandon Chamber of Commerce appeared before City Council. He noted that the Chamber was pleased with the process of engagement during the budget process and the prioritization of spending. Mr. Andrews requested that City Council continue to require departments to find either more efficiencies or more revenues in their future budget submissions.

No further representation was put forward either in support of or in opposition to the Financial Plan.

Montague-Fawcett

1017 That the Public Hearing on the City of Brandon's 2013 Financial Plan be concluded. CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) BRANDON GENERAL MUSEUM AND ARCHIVES
VERBAL MARCH 18, 2013

March 18, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Berry reported that the Brandon General Museum and Archives had a new exhibit on display at the museum that was on loan from the 26th Field Regiment Museum. He noted that the exhibit was entitled "Serving King, Queen and Country" and focused on reservist soldiers who fought in various wars from World War I to present day. Councillor Berry advised that the exhibit would be on display through the month of April.

(B) BRANDON DOWNTOWN DEVELOPMENT CORPORATION
VERBAL MARCH 18, 2013

March 18, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Roberts reported on recent activities of Renaissance Brandon. He noted that there had been a solid increase in the use of its free downtown Wi-Fi service and its new downtown dining/landing page. Councillor Roberts added that the board continued to plan for the Global Market's 2013 summer season and the 2013 seasonal concert series – "Wednesdays by The Fountain". He also reported that information boards had also been refurbished and installed in the downtown HUB.

(C) BRANDON POLICE BOARD
VERBAL MARCH 18, 2013

March 18, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor McCrae updated City Council on the continued orientation of members of the new Brandon Police Board. He reported that while the board has not had its first formal meeting, it had been working with the City Clerk's Office to prepare for such. He also noted that Provincial legislation required the Police Board to meet a minimum of four times annually.

(D) POVERTY COMMITTEE
VERBAL

MARCH 18, 2013

March 18, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Chaboyer reported that the Poverty Committee had decided to defer hosting a Poverty Forum until the fall to allow for optimal attendance at "All Aboard", a provincially-organized roundtable on the topic of poverty. She noted that the public consultation would be held Tuesday evening, March 19, 2013 at the Assiniboine Community College North Hill Campus.

Harwood-Isleifson

1018 That the verbal reports from the Brandon General Museum and Archives Board, the Brandon Downtown Development Corporation, the Brandon Police Board, and the Poverty Committee be received. CARRIED.

ENQUIRIES:

(372) IMPACT OF RECENT SNOWSTORM ON SNOW REMOVAL BUDGET

Councillor Harwood requested an update on the status of the snow clearing budget given the recent heavy snowfall.

At the request of Her Worship the Mayor, the City Manager responded that as the clearing from the first storm had just been completed prior to the second storm, all costs had not been submitted as of yet. He advised that following the first storm, additional sand and salt had been ordered, a second bi-directional tractor had been rented, two extra snow blowers were running, and additional trucks had been rented to haul the snow away. He noted that a quick review indicated that the \$900,000 budget would be sufficient and agreed to update City Council when the final numbers were available. The City Manager added that having local contractors assist with the City-wide snow clearing efforts had been a huge success with 90 per cent of the City being plowed within 36 hours with the same process to start again Tuesday, March 19, 2013.

The City Manager advised that the City-wide snow clearing would be underway this week with the streets to be cleared from the outside of the City inward. He advised that plowing schedules were available on the website at www.brandon.ca and encouraged residents to move their vehicles off the streets when their areas were being plowed.

(373) UPDATE ON LEAD LEVELS IN WATER TESTING PROGRAM

Councillor Rice requested an update on the lead levels in the water testing program.

At the request of Her Worship the Mayor, the Deputy Director of Water Resources and Engineering Services, Mr. Patrick Pulak, responded that 320 samples had been tested so far with approximately 15% of same showing above the lead level guideline of .01 mg per litre. He noted that funds had been budgeted for replacement of the lead pipes and the data was being used by the City to determine the areas most in need of same.

The Deputy Director also noted that suggestions to improve the quality of drinking water were available on the City's website and ranged from running the tap for a few minutes every morning to replacing the lead services to the property with plastic. Mr. Pulak advised that the replacement costs were much lower than the estimated \$10,000 with the City paying a minimum of 50% of those costs. He further advised that to reduce costs and for safety reasons, the testing program had been run through the Engineering Office, however, the results were sent directly to the residents with staff assisting in the analysis of the reports if necessary.

Councillor Rice further enquired how long the program was expected to last.

At the request of Her Worship the Mayor, the Deputy Director responded that the testing program was ongoing, however the 50/50 cost share between the City and the affected property owners would only be available until the end of the 2013.

Councillor Chaboyer noted that the reports were complex to read and suggested that information on how to read the reports be provided with the reports when they were sent out to the residents.

(374) GRAFFITI TAGGING ACTIVITY IN THE SOUTH CENTRE WARD

Councillor Rice referred to the recent increase in graffiti tagging activity in the South Centre Ward and enquired how this problem could be addressed.

At the request of Her Worship the Mayor, the City Manager responded that the Brandon Police Service Youth Officer, Patrol Officers and School Resource Officers continued to work on resolving this issue with patrol officers in unmarked vehicles focusing on certain areas and possible suspects. He also advised that the area was being monitored closely by the Citizens on Patrol volunteers and this issue would be featured in an upcoming Crime Stoppers segment. The City Manager also noted that three youths had recently been arrested for tagging done on the Neelin High School building.

(375) SNOW PILES IN 4000 BLOCK OF ROSSER AVENUE

Councillor Rice advised that he had received a complaint from an area resident regarding a snow pile in the 4000 Block of Rosser Avenue and the potential for spring flooding. He enquired if same could be investigated.

At the request of Her Worship the Mayor, the City Manager responded that the landowner would be contacted in the near future and agreed to keep City Council updated on the situation.

(376) STATUS OF THE OUTSTANDING 2010 AND 2011 FINANCIAL STATEMENTS

Councillor Fawcett requested an update on the status of the outstanding 2010 and 2011 Financial Statements.

At the request of Her Worship the Mayor, the City Manager apologized for the delay and noted that, due to unforeseen circumstances, the commitment of completion of the 2010 Financial Statements by the end of December 2012 had not been achieved. He noted, however, that the auditors would be on-site this week and expected to have the 2010 Financial Statements completed in the very near future with the 2011 Statement to follow immediately after. At the request of Her Worship the Mayor, the General Manager of Corporate Services added his apologies and advised that the process was back on track and going well. He confirmed that the auditors were expected to complete their work this week and noted that most of the information for 2011 was being compiled at the same time as the 2010 so those statements could be completed very quickly following 2010. The General Manager committed to having the 2012 Financial Statements completed on time.

Councillor Blight enquired as to the penalties for not meeting the deadlines.

At the request of Her Worship the Mayor, the General Manager of Corporate Services responded that the only penalty was that the Province was withholding the gas tax payments.

Councillor Montague enquired what amount was currently being withheld and the interest income lost on same. He also enquired what the deadline was for completion of the 2012 Financial Statements.

The General Manager of Corporate Services responded that \$3.65 Million was being withheld and the interest rate for money in the bank was approximately 2%. He advised that the Financial Statements are normally submitted to the Province in June or July of each year.

Councillor Fawcett noted that a substantial amount of money was being withheld and enquired how the City had operated for two full years without access to those funds.

The General Manager of Corporate Services responded that, knowing the funds were coming eventually, the operating and capital needs had been self-funded for 2011 and 2012.

(377) UPDATE ON THE FLOOD FORECAST

Councillor Fawcett requested an update on the flood forecast.

At the request of Her Worship the Mayor, the City Manager responded that Mr. Brian Kayes, Director of Risk and Emergency Management, had attended the 2013 Provincial Flood Preparedness Seminar and advised that there was nothing new to report until after the updated Provincial Flood Forecast was released early next week. He noted that with information from the United States and Saskatchewan included in this report, it would be easier to predict the flood risk for Southern Manitoba. The City Manager also advised that the effect of the recent heavy snow falls on the moisture levels was not yet available, however he was confident that the Provincial Flood Forecasters and Manitoba Emergency Measures Office would be contacting Mr. Kayes if they were concerned. He assured Her Worship the Mayor and Councillors that they would be kept apprised of any information as soon as it became available.

(378) CONCERNS WITH THE FUTURE OF GREEN ACRES LODGE

Councillor Chaboyer advised that she was still receiving calls from concerned residents regarding the future of Green Acres Lodge and enquired if area residents could be kept updated on what was happening with this property.

At the request of Her Worship the Mayor, the City Manager responded that the Director of Economic Development continued to work with the property owner on potential solutions, however, as this was private property, the final decision rested with the owner.

(379) COST OF USE OF OPERATING LINE OF CREDIT

Councillor Berry noted that it was sometimes necessary to access the City of Brandon's operating line of credit while awaiting final approval of the budget and enquired as to the cost of same over the past few years.

At the request of Her Worship the Mayor, the General Manager of Corporate Services responded that the interest costs were minimal when considered against the \$90 million budget: \$1,648 in 2010, \$967 in 2011, \$5,400 in 2012 and \$2,198 so far in 2013.

Councillor Berry then enquired as to the effect of the Province of Manitoba withholding the Gas Tax Revenue on the need to access the line of credit.

At the request of Her Worship the Mayor, the General Manager of Corporate Services responded that receipt of those funds may have negated the need to access the line of credit.

ANNOUNCEMENTS:

BRANDON FIREFIGHTERS' ROOFTOP CAMPOUT FOR MUSCULAR DYSTROPHY - KICK-OFF BARBEQUE

Councillor Harwood announced that he and Councillor Isleifson as well as the City Manager had attended the Brandon Firefighters' Rooftop Campout for Muscular Dystrophy Kick-Off Barbeque on March 13, 2013 at the No. 2 Fire Hall. He advised that firefighters Mike Lang, Bob Smith, Trevor Falk and Sheldon Reynolds camped out on the roof of the Fire Hall from March 13 to 16, 2013 and between the barbeque, the campout and the steak supper on Saturday evening, they raised over \$24,000 for Muscular Dystrophy.

BRANDON CHAMBER OF COMMERCE BUSINESS PERSON OF THE YEAR

Councillor Fawcett congratulated Kerry Campbell, President of C & C Construction Company Ltd., who was recently named the Brandon Chamber of Commerce Business Person of the Year. Councillor Fawcett also announced that Webber Printing and Alternative Landscaping were recognized by the Chamber for their work in the community.

ST. PATRICK'S DAY DINNER

Councillor Berry announced that he had been pleased represent Her Worship the Mayor and Councillors at the St. Patrick's Day Dinner hosted by the United Commercial Travellers on March 15, 2013 at the Royal Canadian Legion No. 3 where the guest speaker was Doug Brown of the Winnipeg Blue Bombers.

CD LAUNCH BY PATRICK CARREBRÉ

Her Worship Mayor Decter Hirst announced that she had been pleased to attend the Winnipeg Symphony Orchestra Concert and CD Launch by Patrick Carrebré of the Winnipeg Symphony Orchestra. She noted that the launch was one of the first projects funded by the Brandon Arts Council.

PROCLAMATION - INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

Her Worship Mayor Decter Hirst read the following proclamation:

WHEREAS on March 21, 1960, peaceful anti-apartheid demonstrators were wounded and killed by police in Sharpeville, South Africa. In 1966, Canada supported the United Nations General Assembly resolution to honour the victims of the Sharpeville massacre by designating March 21 as the International Day for the Elimination of Racial Discrimination;

AND WHEREAS Citizenship and Immigration Canada's vision is "A society free from racism. More than a matter of principle, this is Canada's vision. It brings together people of all backgrounds - ethnic, racial, and religious - to build a society where one's heritage is a source of pride and inspiration.";

AND WHEREAS the purpose of the Brandon Cultural Awareness Network is to create awareness of the cultural diversity and understanding of cultural differences in the City of Brandon;

AND WHEREAS it is everyone's duty to work towards the elimination of racism and discrimination to achieve a civil society where we all have the right to live in conditions of dignity, respect and peace;

AND WHEREAS March 21 has been declared the International Day for the Elimination of Racial Discrimination by the United Nations General Assembly;

NOW THEREFORE, I, Shari Decter Hirst, Mayor of the City of Brandon, in the Province of Manitoba, DO HEREBY proclaim March 21, 2013, to be "International Day for the Elimination of Racial Discrimination" in the City of Brandon.

GENERAL BUSINESS:

(A) WHEAT CITY LIONS ACCOMMODATION TAX EVENT FUNDING REQUEST

City Council considered a report from the Director of Economic Development dated February 12, 2013 with respect to the above.

Montague-Berry

1019 That the City of Brandon provide a grant of \$5,000 to Wheat City Lions Club for the February 21 - 23, 2014 mid-winter convention with said funds to be transferred from the Accommodation Tax Reserve to operating funds. CARRIED.

(B) AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN CITY OF BRANDON AND 5651795 MANITOBA LTD. FOR 1324 AND 1330 - 1ST STREET NORTH

Submitted for consideration was a report from the General Manager of Development Services dated February 25, 2013 with respect to the above.

Fawcett-Rice

1020 That the City of Brandon enter into an amending development agreement with 5651795 Manitoba Ltd. to further amend the development agreement dated February 12, 2008 made between the City of Brandon and Karen Johanne Swanson, Darlene Ann Stanger and Swanson Holdings Limited with respect to 1324 and 1330 - 1st St North (Lots 6/9, Block 1, Plan 848 BLTO). CARRIED.

(C) LAND ACQUISITION OF 400 PETERS AVENUE

Considered was a report from the General Manager of Development Services dated February 28, 2013 with respect to the above.

Roberts-Harwood

1021 That 400 Peters Avenue (Lots 25/28, Block 1, Plan 327 BLTO) be acquired from Stephen and Laurice Kovach, or their designate, for the sum of \$4,200.00 for the purpose of the dike redevelopment and future flood water management measures whereby said funds shall be expended from the Dike and Flood Control Reserve. CARRIED.

(D) 2013 APPOINTMENT TO THE POVERTY COMMITTEE

City Council considered a report from the City Clerk dated March 13, 2013 with respect to the above.

1022 Chaboyer-Isleifson
That Vanessa Hamilton be hereby appointed to the Poverty Committee with term of office to expire December 31, 2013. CARRIED.

(E) APPOINTMENTS TO MUNICIPAL HERITAGE ADVISORY COMMITTEE

Submitted for consideration was a report from the City Clerk dated March 14, 2013 with respect to the above.

1023 Roberts-Harwood
That the following appointment of citizen representatives be and are hereby made to the Brandon Municipal Heritage Advisory Committee, with terms of office to expire December 31, 2014:

Derek Ford - Assiniboine Community College
Greg Hutsal - Citizen-at-Large
CARRIED.

BY-LAWS:

NO. 7045 TO CLOSE AND CONVEY A PORTION OF 19TH STREET, NORTH OF BRANDON AVENUE

Considered was a report from the General Manager of Development Services dated February 12, 2013 with respect to the above.

1024 McCrae-Isleifson
That By-law No. 7045 to close and convey a portion of 19th Street located north of Brandon Avenue to the property owner of 1020 - 18th Street (Lots 1/9 & 20/30, Block 1, Plan 202 BLTO and Lots 1/10 & 27/33, Block 2, Plan 202 BLTO [proposed Parcel D]) at a total purchase price of \$2,900.00 plus G.S.T. be read a first time. CARRIED.

NO. 7050 TO RE-ESTABLISH AN EAST/WEST LANE LOCATED NORTH OF MCDONALD AVENUE BETWEEN 19TH AND 21ST STREETS

City Council considered a report from the General Manager of Development Services dated February 12, 2013 with respect to the above.

1025 Harwood-Roberts
That By-law No. 7050 to open an East/West lane north of McDonald Avenue between 19th and 21st Streets be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer
That the meeting do now adjourn (9:53 p.m.) CARRIED.

MAYOR

CITY CLERK