

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, SEPTEMBER 16, 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. LoRegio, Councillor S. Montague, Councillor G. Rice, Councillor C. Roberts

ABSENT: Nil

ADOPTION OF AGENDA:

1233 Harwood-Rice
That the Agenda for the Regular Meeting of City Council to be held on Monday, September 16, 2013 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1234 Isleifson-Chaboyer
That the Minutes of the Regular Meeting of City Council held Tuesday, September 3, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) THE MARQUIS PROJECT - BRANDON FAIR TRADE TOWN

Mireille Saurette appeared before City Council on behalf of the Marquis Project to garner support for Brandon working towards becoming a "Fair Trade Town". Ms. Saurette outlined the criteria for such designation, noting that the Fair Trade movement centred on workers in developing parts of the world being paid a fair wage for their product. She advised that a steering committee has been established to move forward the idea of Brandon becoming a Fair Trade Town and requested a City of Brandon representative be appointed to the committee.

1235 Isleifson-Montague
That the presentation by Mireille Saurette on behalf of the Marquis Project with respect to support for Brandon becoming a Fair Trade Town be received. CARRIED.

1236 Decter Hirst-Chaboyer
That the presentation by the Marquis Project on Brandon working towards becoming Manitoba's next Fair Trade Town and the criteria for such be referred to Administration for the development of an implementation strategy for consideration by City Council. CARRIED.

(B) WARREN CHANDLER - CN RAIL SAFETY

Warren Chandler, CN Rail's Senior Manager of Public Affairs, appeared before City Council to update Council on the rail company's safety protocols and procedures, noting that the company recorded its best annual main track accident record with the Transportation Safety Board in 2012. He advised that CN Rail had a comprehensive rail flaw detection system and that \$1.1 billion had been directly invested in track infrastructure. Mr. Chandler also noted that the public views of railway safety had changed this summer following Quebec's tragic train derailment, and that, while it was a highly unusual incident, it had spurred on CN Rail's desire to have a conversation with the public on their respective safety procedures. He also noted that Brandon's first responders and emergency officials were able to receive information about what dangerous goods were being transported through the City, but there was a confidentiality agreement in place.

Steve Santelli, CN Rail's Dangerous Goods Officer for the Prairie Region, also spoke to City Council about TransCARE, the detailed dangerous goods protocol and training procedures.

Harwood-Rice

1237 That the presentation by Warren Chandler, Senior Manager of Public Affairs for CN Rail regarding rail safety be received. CARRIED.

(C) ERIN BROWN - ACCOMMODATION TAX APPLICATION FOR THE CANADIAN UNIVERSITY AND COLLEGE CONFERENCE ORGANIZERS ASSOCIATION 2014 WESTERN REGIONAL CONFERENCE

Erin Brown, on behalf of Brandon First appeared before City Council with regards to an accommodation tax funding application for the Canadian University and College Conference Organizers Association's 2014 Western Regional Conference. Ms. Brown reported that Brandon First wished to secure the Association's event for Brandon in January of 2014, drawing 25-30 participants from across Western Canada, and noted that the City's support in the form of the accommodation tax funding grant would augment Brandon First's bid for the event.

Isleifson-Rice

1238 That the presentation by Erin Brown of Brandon First with respect to the accommodation tax application for the Canadian University and College Conference Organizers Association 2014 Western Regional Conference be received. CARRIED.

PUBLIC HEARINGS:

(A) ROAD CLOSURE BY-LAW NO. 7074 - TO CLOSE A PORTION OF THE PUBLIC LANE NORTH OF VICTORIA AVENUE EAST BETWEEN PARK AND FRANKLIN STREETS

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

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

Chaboyer-Isleifson

1239 That the Public Hearing to close and convey a portion of the Public Lane in Block 4, Plan 4 BLTO, located north of Victoria Avenue East between Park and Franklin Streets, be concluded. CARRIED.

COMMUNITY QUESTION PERIOD:

RAY SITTER - RAIL SAFETY

Mr. Ray Sitter appeared before City Council and enquired if Federal Government Inspectors performed safety inspections to ensure that rail companies were adhering to regulations, and further, if copies of inspection reports were provided to the City of Brandon.

Her Worship the Mayor advised that every attempt would be made to ascertain what information was available and copies would be provided to City Council and Mr. Sitter.

BRADEN PILLING, RENAISSANCE BRANDON - DOWNTOWN PARKING

Mr. Braden Pilling, Downtown Development Specialist with Renaissance Brandon appeared before City Council and enquired if any feedback had been received from downtown businesses regarding the impact of potential changes to the parking configuration and loss of parking spots.

Her Worship the Mayor advised Mr. Pilling that this issue would be addressed later in the meeting.

COMMITTEE REPORTS:

(A) POVERTY COMMITTEE
VERBAL

SEPTEMBER 16, 2013

September 16, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Chaboyer reported on the recent meeting of the Poverty Committee held September 10, 2013. Councillor Chaboyer noted that the committee had recently met to review the findings of a Provincial report on poverty, which touched on the need for affordable housing and affordable, healthy food choices. She advised that the Province of Manitoba had mandated a maximum rent increase for 2014 of 2%, and that the committee was still waiting a solution on a subsidized bus pass partnership with the Province. Councillor Chaboyer also updated Council on the committee's intent to run a Poverty Forum in conjunction with the Association of Manitoba Municipalities annual convention, which would be held in Brandon from November 25 - 28, 2013.

(B) GRANTS REVIEW COMMITTEE
VERBAL

SEPTEMBER 16, 2013

September 16, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Chaboyer provided a report on the meeting of the Grants Review Committee held September 11, 2013. She noted that 43 applications had been received from community groups and organizations, and that the committee would be meeting again on October 3, 2013.

Chaboyer-Rice

1240 That the verbal reports of the Poverty Committee and the Grants Review Committee be received.
CARRIED.

ENQUIRIES:

(460) CONDITION OF CANADIAN PACIFIC RAILWAY CROSSING AT 26TH STREET

Councillor Harwood noted that the Canadian Pacific Railway crossing at 26th Street was in poor condition and enquired if repairs to same were expected in the near future.

At the request of Her Worship the Mayor, the City Manager responded that the repairs, inclusive of replacing the asphalt with concrete, were expected to be completed in early October 2013.

(461) DRAINAGE SYSTEM IN THE CITY OF BRANDON

Councillor Harwood noted that many discussions had taken place in recent months with regard to the drainage systems in the City of Brandon and enquired if a report could be provided on their operation.

At the request of Her Worship the Mayor, the City Manager agreed to have a presentation to City Council provided by staff of the Development Services Division.

(462) REIMBURSEMENT OF BID APPLICATION FEES FOR THE 2017 CANADA SUMMER GAMES

Councillor Montague requested an update on the status of the request to the Province of Manitoba for reimbursement of the application fees paid by the City of Brandon in their bid for the 2017 Canada Summer Games.

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

(463) POSTING ELECTED OFFICIALS' EXPENSES AND PER DIEM CLAIMS ONLINE

Councillor Montague enquired if consideration could be given to posting City Council's expenses and per diem claims on the City of Brandon website.

Her Worship the Mayor responded that work was currently underway to have this information available on the website in the near future. The City Manager confirmed that meetings were taking place the current week regarding this issue.

(464) PARAGON LOFTS PARKING LOT

Councillor Roberts referred to previous discussions between himself and Administration regarding the Paragon Lofts parking lot and enquired if he could be provided with an update on same.

At the request of Her Worship the Mayor, the City Manager agreed to follow up on this issue.

(465) STREET LIGHTS OUT - RICHMOND AVENUE FROM 3RD TO 6TH STREETS

Councillor Chaboyer advised that the street lights were not working on Richmond Avenue between 3rd and 6th Streets and enquired if same could be reported to Manitoba Hydro for repairs.

At the request of Her Worship the Mayor, the City Manager agreed to follow up on this issue.

ANNOUNCEMENTS:

MEADOWS WARD MEETING - SEPTEMBER 19, 2013

Councillor LoRegio announced that a Meadows Ward meeting would take place on Thursday, September 19, 2013 at 7:00 p.m. at the Colonial Inn at which the 2014 Budget, flooding, drainage and any other city and ward issues would be discussed.

PUBLIC CONSULTATIONS - 2014 CITY OF BRANDON BUDGET

Councillor Isleifson announced that the public consultations regarding the 2014 City of Brandon Budget would take place on Wednesday, September 25, 2013 at 7:00 p.m. at Crocus Plains Regional Secondary School and encouraged residents to come out and share their thoughts on this important issue.

PAINTING OF LINES ON NEWLY RESURFACED VICTORIA AVENUE

Councillor Harwood announced that the lines had now been painted on the newly resurfaced Victoria Avenue and he thanked Manitoba Infrastructure and Transportation for their quick response to this request.

JOINT WARD MEETING - GREEN ACRES AND RICHMOND WARDS

Councillor Chaboyer announced that a Joint Green Acres and Richmond Ward meeting would take place on Wednesday, October 2, 2013 at 7:00 p.m. at École Harrison. She advised agenda items included the impact of new developments, the 2014 City of Brandon Budget and any other city and ward issues.

OPEN HOUSE - NORTH GATEWAY SECONDARY PLAN

Councillor Fawcett announced that the North Gateway Secondary Plan Open House would take place on Tuesday, September 17, 2013 from 5:00 p.m. to 8:00 p.m. in the Main Foyer of City Hall. He encouraged residents to come out and provide their input.

GENERAL BUSINESS:

(A) ACCOMMODATION TAX FUNDING REQUEST - CROCUS PLAINS HIGH SCHOOL HOCKEY

City Council considered a report from the Director of Economic Development dated September 10, 2013 with respect to the above.

Berry-Montague

1241 That the City of Brandon provide a grant of \$10,000 to Crocus Plains High School for the December 5 - 8, 2013 Victoria Inn Hockey Tournament with said funds to be transferred from the Accommodation Tax Reserve to operating funds. CARRIED.

(B) ACCOMMODATION TAX EVENT FUNDING REQUEST - CANADIAN UNIVERSITY AND COLLEGE ORGANIZERS ASSOCIATION

Submitted for consideration was a report from the Director of Economic Development dated September 10, 2013 with respect to the above.

Rice-Blight

1242 That a grant of \$1,250 be provided to the Canadian University and College Conference Organizers Association for the January 29 - 31, 2014 annual regional meeting of its western members with said funds to be transferred from the Accommodation Tax Reserve to operating funds. CARRIED.

(C) ACCOMMODATION TAX CAPITAL GRANT EVALUATION MATRIX AND GUIDING PRINCIPLES

Considered was a report from the Director of Economic Development dated September 6, 2013 with respect to the above.

Isleifson-Blight

1243 That the Accommodation Tax Capital Funding guiding principles and evaluation matrix as outlined in the report of the Director of Economic Development dated September 6, 2013 be adopted. CARRIED AS AMENDED.

AMENDMENT

1244

Montague-Berry

That the above motion be amended by:

- (a) adding after the date: "September 6, 2013", the words: "be revised by deleting paragraph 1 in its entirety and substituting the following therefor:

"1. The request for capital enhancements must be directly related to a need identified in order to successfully host a specified event, and the specified event must generate new "event based overnight stays", or maintain existing overnight stays generated by the specified event."; and

- (b) deleting the words: "be adopted" and substituting therefor, the words: "and said principles and matrix be so adopted". CARRIED.

AMENDMENT

1245

Montague-Berry

That the above main motion be further amended by adding after the words: "the specified event", the words: "and be further revised by deleting paragraph 2 in its entirety and substituting the following therefor:

"2. The applicant must provide written proof that the capital enhancements are part of a bid requirement and/or that with the addition of the capital asset, a specific event will be hosted/retained in Brandon." CARRIED

- (D) AFFORDABLE HOUSING GRANT TO WESTMAN YOUTH FOR CHRIST FOR POCKET HOUSING AT 139 - 5TH STREET

City Council considered a report from the Director of Economic Development dated August 30, 2013 with respect to the above.

Roberts-Chaboyer

1246

That a grant in the amount of \$75,000 be provided to Youth For Christ for the construction of an 8-plex pocket housing complex at 139 - 5th Street with said funds to be transferred from the Affordable Housing Reserve to the Affordable Housing Grants operating account;

and further, that a 20 (twenty) year tax offsetting grant equal to 50% of the municipal taxes payable be approved for the property whereby year one of the tax offsetting grant will be the year in which the new structure is added to the City of Brandon tax role. CARRIED.

- (E) APPLICATION TO SUBDIVIDE - 1215 & 1225 PATRICIA AVENUE AND 2051 TRACEY STREET

Submitted for consideration was a report from the Planning Department dated August 29, 2013 with respect to the above.

Montague-Berry

1247

That the application to subdivide 1215 & 1225 Patricia Avenue and 2051 Tracey Street (Parcels A/B, Plan 47782 and Lot 5, Plan 45570 BLTO) to create fifteen (15) lots in the RMD Residential Moderate Density Multiple Family Zone and RSF Residential Single Family Zone be approved subject to the owner or successor:

- 1) submitting written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department (Department) that arrangements have been made for cross-access agreements for the proposed multi-family lots, and registering the cross-access agreements in series immediately following registration of the subdivision;
- 2) entering into a development agreement amendment with the City of Brandon as attached to the report of the Community Planner dated August 29, 2013, and registering the development agreement amendment in series immediately following registration of the subdivision;
- 3) submitting written confirmation to the Department that arrangements have been made for an easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision; and
- 4) submitting written confirmation to the Department that the Brandon School Division has received \$12,352.50 as a cash-in lieu contribution for school purposes. CARRIED.

(F) INCREASE TO MOVING ALLOWANCE UNDER THE RESIDENTIAL TENANCIES ACT

Considered was a report from Her Worship Mayor Decter Hirst dated September 10, 2013 with respect to the above and in accordance with her notice of motion given at the regular meeting of City Council held September 3, 2013.

Prior to discussion on the above matter, Her Worship Mayor Decter Hirst excused herself from the Chair in order to fully participate in the debate, and requested Deputy Mayor Isleifson to take over as Chair for this portion of the meeting.

Decter Hirst-LoRegio

1248 That the Provincial Government be requested to increase the moving allowance and other benefits provided under Section 98 of The Residential Tenancies Act and Section 17 of Regulation 71/2010 to more accurately reflect the costs borne by owners of mobile homes when facing eviction. CARRIED.

Following the vote on the above motion, Her Worship Mayor Decter Hirst resumed the Chair.

(G) TENDER - CONTRACT B TRACEY STREET CONSTRUCTION

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

City Council considered a report from the General Manager of Development Services dated September 10, 2013 with respect to the above.

Montague-LoRegio

1249 That the bid of Allan & Bolack Excavating Ltd. to carry out the Contract B - Tracey Street Construction as per tender and specifications at a cost of \$879,354.49 (excluding GST) be accepted and that the funding requirements of \$300,000 be expended from the Capital Development Reserve (\$220,000) and the Water Distribution Reserve (\$80,000). CARRIED.

(H) TENDER - DIKE WORKS 18TH STREET NORTH AND GRAND VALLEY ROAD

Submitted for consideration was a report from the General Manager of Development Services dated September 3, 2013 with respect to the above.

Fawcett-Roberts

1250 That the low bid from H. Baudry Construction (1980) Ltd. for the construction of the 18th Street North and Grand Valley Road Dike as per tender and specifications at a cost of \$995,080.00 (net of GST) be accepted and further that the additional funds required in the amount of \$375,080.00 be expended from the Diking and Flood Control Reserve. CARRIED.

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

(I) DOWNTOWN ANGLE PARKING - 9TH AND 10TH STREETS

Considered was a report from the General Manager of Development Services dated September 11, 2013 with respect to the above.

Roberts-Berry

1251 That the Downtown Angle Parking in the 000 - 100 Blocks of 9th and 10th Streets be referred to Renaissance Brandon for review and recommendation for consideration by City Council at its meeting to be held October 21, 2013. CARRIED.

BY-LAWS:

NO. 7074 TO CLOSE A PORTION OF THE PUBLIC LANE NORTH OF VICTORIA AVENUE EAST BETWEEN PARK AND FRANKLIN STREETS

It was noted that this by-law received first reading the August 19, 2013 meeting of City Council.

Isleifson-Harwood

1252 That By-law No. 7074 to close the public lane in Block 4, Plan 4 BLTO located north of Victoria Avenue East between Park and Franklin Streets be read a second time. CARRIED.

Isleifson-Harwood

1253 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. 7074 third reading.

FOR

Her Worship Mayor Decter Hirst
Councillor Berry
Councillor Blight
Councillor Chaboyer
Councillor Fawcett
Councillor Harwood
Councillor Isleifson
Councillor LoRegio
Councillor Montague
Councillor Rice
Councillor Roberts

AGAINST

Nil

GIVING OF NOTICE:

(A) RAIL SAFETY CONCERNS

In accordance with City Council's Procedure By-law No. 6634, Councillor Blight gave notice of his intent to introduce at the October 7, 2013 meeting of City Council, the following motion:

"That the Federation of Canadian Municipalities (FCM) be advised that the Council of the City of Brandon is as well extremely concerned with rail safety throughout Canada and is therefore, most definitely supportive of FCM's efforts and initiatives to address rail safety issues."

(B) REIMBURSEMENT OF BID APPLICATION FEE FOR 2017 CANADA SUMMER GAMES

In accordance with City Council's Procedure By-law No. 6634, Councillor Montague gave notice of his intent to introduce at the October 7, 2013 meeting of City Council, the following motion:

"That the City of Brandon request reimbursement of the bid application fee for the 2017 Canada Summer Games from the Province of Manitoba."

ADJOURN:

Berry-Roberts

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

MAYOR

CITY CLERK