

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, APRIL 22, 2014 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 C. Roberts

ABSENT: Nil

ADOPTION OF AGENDA:

Harwood-Roberts
1544 That the Agenda for the Regular Meeting of City Council to be held on Tuesday, April 22, 2014 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Blight-Isleifson
1545 That the Minutes of the Regular Meeting of City Council held on Monday, April 7, 2014 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) FRED SAUNDERS - PRAIRIE OASIS SENIORS CENTRE

Mr. Fred Saunders appeared before City Council on behalf of Prairie Oasis Seniors Centre. Mr. Saunders provided an update on the Meals-On-Wheels program and other activities the drop-in centre offered for seniors in the community. He noted that they were looking for board members to provide leadership for the Seniors Centre and encouraged City Council and the wider community to support the Centre's initiatives. Mr. Saunders stated that anyone interested in more information could contact Prairie Oasis Centre at 204-727-6641.

Harwood-Chaboyer
1546 That the presentation by Fred Saunders of the Prairie Oasis Seniors Centre with respect to support for the Senior Centre be received. CARRIED.

PUBLIC HEARINGS:

(A) CONDITIONAL USE APPLICATION - 1700 MCGREGOR AVENUE (FORTIER)

City Council sat to hear representation on the appeal of the Planning Commission's decision to approve the conditional use application of Daniel Fortier to allow for an outdoor recreational facility at 1700 McGregor Avenue.

Waleed Albakry, Community Planner appeared before City Council with respect to the proposed conditional use for "Paintball at the Station", an outdoor recreational facility that would offer paintball and baseball activities. He noted that the nearby property owner, Canadian Pacific Railway (CPR) had initially registered its opposition to the application as it felt the new business would create traffic and safety concerns on its land, however, CPR now felt that an upgrade to the rail crossing in the area would alleviate that concern. Mr. Albakry confirmed that Administration was recommending the application be approved, subject to the owner accepting potential liability for the business being located in the flood plain and compensating CPR for any cost it might bear to upgrade the rail crossing.

Daniel Fortier, the applicant, appeared before City Council in support of his application, and provided a brief presentation on his proposed business. He suggested that the business would help keep youth off the streets, would employ student workers, bring in out of town patrons and could facilitate charity fundraising events.

Don Ditchfield, owner of the property, appeared in support of the application, although he expressed concerns with the objection raised by Canadian Pacific Railway.

Bernie Whetter, owner of the neighbouring Green Spot Nursery, also spoke in favour of the proposal, noting that nearly 50,000 of his customers crossed the railway in question each year and although it was a high-traffic area, the trains made their presence well known in the area.

No further written or verbal representation was put forward either in support of or in opposition to the application.

Isleifson-LoRegio

1547 That the Public Hearing for Conditional Use Application C-03-14-B for 1700 McGregor Avenue be concluded. CARRIED.

Isleifson-LoRegio

1548 That Conditional Use Application C-03-14-B to allow for an outdoor recreational facility located at 1700 McGregor Avenue (Pt. NW 1/4 19-10-18 WPM West of Assiniboine River Exc.: Rly Right of Way Plan 50 BLTO and 50' wide strip of land on South side of and adjoining said Right of Way) in the OS Open Space Zone be approved subject to the owner or successor entering into the development agreement with the City of Brandon as attached to the report of the Community Planner dated April 3, 2014. CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(545) TREES/BRANCHES IN DRAINAGE DITCH - BEECH BOULEVARD

Councillor LoRegio advised that someone had cut down a tree and thrown the debris on the edge of the drainage ditch behind Beech Boulevard. He enquired if same could be cleaned up as soon as possible, and further, whether or not the person responsible could be charged for the clean-up costs should they be identified.

At the request of Her Worship the Mayor, the City Manager responded that the debris would be cleaned up immediately and that the matter was being investigated by the Brandon Police Service. The City Manager encouraged anyone who observed this type of behaviour to contact the Brandon Police Service immediately.

(546) UPGRADES TO VICTORIA AVENUE - 1ST TO 18TH STREETS

Councillor LoRegio requested an update on the status of the upgrades to Victoria Avenue from 1st to 18th Streets.

At the request of Her Worship the Mayor, the City Manager responded that Manitoba Infrastructure and Transportation had held public consultations, the tender had been issued and work was expected to commence mid-summer.

(547) UPDATE ON ASSINIBOINE RIVER LEVELS

Councillor Fawcett requested an update on the Assiniboine River levels.

At the request of Her Worship the Mayor, the City Manager responded that the current river level was fluctuating between 1172 and 1173 feet above sea level. He advised that ice blocks which had been influencing the river levels had now moved on, however, water from several creeks as well as the Little Saskatchewan River was expected to add to the flow over the next while. The City Manager confirmed that the Province of Manitoba had issued a flood watch for the area as the levels had already reached the flood stage of 1172 feet above sea level. He noted, however, that an additional 2 feet of freeboard had been added to the dike, the response plan had been adjusted to manage levels of 1174 feet and the City was prepared to respond with pumps and closing of outflows if necessary.

(548) STATUS OF GLENDALE TRAILER PARK

Councillor Fawcett advised that he had received enquiries from residents regarding the future of Glendale Mobile Home Park. He advised that there had been an error on the map that had been printed in the Brandon Sun and assured residents that the current owner had confirmed with him that the mobile home park would remain unchanged for many years to come.

(549) UPDATE ON THE BROWN BLOCK AND FORMER BRANDON INN SITE

Councillor Roberts requested an update on the status of the development of the Brown Block and the former Brandon Inn site, inclusive of whether or not grass would be planted there this year.

At the request of Her Worship the Mayor, the City Manager responded that the results of the Phase 2 Environmental Study on the former Brandon Inn site were expected by the end of April. He advised that grass seed would be planted on the site once it had been determined that no further remediation was necessary.

With regards to the Brown Block, the City Manager responded that the demolition permit for 137 - 10th Street remained open to ensure that the existing 10' wall which provided support for the existing Strand Theatre remained structurally sound. The City Manager advised that typically land owners were required to have the property landscaped within six months of the demolition, however, in this case the ground was still settling and could not be compacted for fear of it adversely affecting the existing wall.

Councillor Roberts then enquired as to the potential tax increases for the vacant property in accordance with the City of Brandon Vacant and Derelict Building By-law No. 7007.

At the request of Her Worship the Mayor, the City Manager responded that By-law No. 7007 only applied to properties with buildings.

(550) DAMAGE TO CURBS DURING SNOW REMOVAL

Councillor Roberts noted that many curbs had been damaged by snow removal equipment in the winter months and enquired as to the time line for repairs to same. He also noted that along Louise Avenue and 16th Street, small chunks of concrete had broken off and could easily be used by vandals to cause further damage and enquired if this area could be cleaned up as soon as possible.

At the request of Her Worship the Mayor, the City Manager responded that areas damaged throughout the winter would be repaired over the summer months. He encouraged residents who noticed loose debris from the damages to either throw it in the waste disposals in the area or report same to Public Works at (204) 729-2285 for clean-up by city crews. He confirmed that the area identified by Councillor Roberts would be cleaned up in the very near future.

(551) CONDITION OF TENNIS COURTS AT STANLEY PARK

Councillor Roberts enquired if maintenance of the tennis courts at Stanley Park, inclusive of painting the lines, was planned for this spring.

At the request of Her Worship the Mayor, the City Manager responded that the repairs and maintenance would be completed as soon as weather permitted.

(552) DRAINAGE ISSUES ON COTTONWOOD CRESCENT AND GARWOOD DRIVE

Councillor Chaboyer advised that responses to previous enquiries regarding drainage issues on Cottonwood Crescent and Garwood Drive had indicated that these issues would be addressed as part of the overall capital improvements for the area. She enquired if further information on this issue was available.

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

(553) CONDITION OF 1ST STREET SOUTH OF CROCUS PLAINS SCHOOL

Councillor Chaboyer noted that a large dip in the road on 1st Street just south of Crocus Plains School was causing safety concerns. She enquired if the condition of 1st Street in this area could be looked at and improvements made as soon as possible.

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

(554) REVIEW OF THE 2013 CHIP SEAL PROGRAM

Councillor Blight noted that area residents had not been pleased with the 2013 Chip Seal Program completed in the Victoria Ward and enquired if a review of same had taken place.

At the request of Her Worship the Mayor, the Director of Engineering and Water Services responded that there was a one year warranty on the products used, therefore, the area would be reviewed in the near future.

ANNOUNCEMENTS:

RETIREMENT OF CON ARVISAIS, CITY CLERK

Her Worship Mayor Decter Hirst announced that the City Clerk, Con Arvisais was retiring after over 37 years of service with the City of Brandon, with nearly two decades of those years as the City Clerk. On behalf of past and present members of City Council, Mayor Decter Hirst thanked Mr. Arvisais for his dedication over the years and wished him all the best in his retirement. She advised that the Deputy City Clerk, Heather Ewasiuk would be the Acting City Clerk for the foreseeable future.

JOINT WARD MEETING - SOUTH CENTRE AND RIVERVIEW WARDS

Councillor Isleifson announced that he and Councillor Chaboyer would be holding a Joint South Centre and Riverview Ward Meeting on May 14, 2014 at 7:00 p.m. at Central Community Centre.

Items to be discussed included the upgrades to Victoria Avenue, the Rideau Park Recreation Hub, speed limits in school zones, crime statistics and any other city or ward issues.

ASSINIBOINE WARD MEETING

Councillor Fawcett announced that an Assiniboine Ward Meeting would take place on May 7, 2014 at 5:30 p.m. at the Riverbank Discovery Centre. Items to be discussed included dike construction, school zones, construction in the area and any other city and ward issues. Councillor Fawcett advised that Mark Sefton, Chair of the Brandon School Division Board of Trustees, would be in attendance and had agreed to respond to any school division related questions.

EARTH DAY ACTIVITIES

Councillor Isleifson announced that Earth Day Celebrations would take place on April 27, 2014 from 12:00 p.m. to 4:00 p.m. at Princess Park. He advised that the Brandon Environment Committee had sponsored 4 awards at the recent Westman Science Fair and the winning projects were currently displayed in the Main Foyer of City Hall. Councillor Isleifson encouraged residents to stop by and take a look at these impressive displays.

ART GALLERY OF SOUTH WESTERN MANITOBA FUNDRAISER GALA

Councillor Roberts announced that the Art Gallery of Southwestern Manitoba's Annual Fundraiser Gala would take place on May 8, 2014 from 6:00 p.m. to 11:00 p.m. and encouraged residents to contact the Art Gallery for tickets to the event.

GREEN ACRES WARD MEETING

Councillor Chaboyer announced that a Green Acres Ward Meeting would take place on April 29, 2014 at 7:00 p.m. at Green Acres School. She advised that items included on the agenda would include drainage, roads and infrastructure, urban design standards and any other city and ward issues.

GENERAL BUSINESS:

(A) PUBLIC-RAIL SAFETY WEEK

City Council considered a report from the Deputy City Clerk dated April 14, 2014 with respect to the above.

Harwood-Blight

1549 WHEREAS Public-Rail Safety Week is to be held across Canada from April 28 to May 4, 2014;

AND WHEREAS it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens;

AND WHEREAS Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness;

AND WHEREAS Operation Lifesaver has requested the Council of the City of Brandon to adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities including our municipality;

NOW THEREFORE BE IT RESOLVED that the City of Brandon supports national Public-Rail Safety Week to be held from April 28 to May 4, 2014. CARRIED.

(B) APPLICATION TO SUBDIVIDE - 1910 BELL AVENUE (WAVERLY DEVELOPMENTS LTD.)

Submitted for consideration was a report from the Planning and Building Safety Department dated February 26, 2014 with respect to the above.

Fawcett-Montague

1550 That the application to subdivide 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) to create 20 lots and a public road in the RSF Residential Single Family Zone be approved subject to the owner or successor:

- 1) entering into a development agreement with the City of Brandon;
- 2) submitting written confirmation to the City of Brandon Planning and Building Safety Department that the Brandon School Division has received \$5,670 as a cash-in lieu contribution for school purposes; and
- 3) submitting written confirmation to the City of Brandon Planning and Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group. CARRIED.

(C) INTERIM APPOINTMENT OF CITY COUNCIL MEMBERS TO BOARDS AND COMMITTEES

Considered was a report from the City Clerk dated April 10, 2014 with respect to the above.

Isleifson-Harwood

1551 That in accordance with Subsection 15(c) of Organizational By-law No. 6650, the following appointments be and are hereby made to the following Council Committees with terms of office to commence April 23, 2014 and expire October 23, 2014:

Audit and Finance Committee

Councillor Len Isleifson

Taxi Appeal Committee

Councillor John LoRegio

CARRIED.

Isleifson-Harwood

1552 That in accordance with Subsection 15(d) of Organizational By-law No. 6650, the following appointments be and are hereby made to the following other committees and boards with terms of office to commence April 23, 2014 and expire October 23, 2014:

Brandon & Area Planning District Board

Councillor Corey Roberts (Alternate)

Building Standards Committee

Councillor Jan Chaboyer

Keystone Agricultural & Recreational Centre Board

Councillor Shawn Berry

CARRIED.

(D) THE CITY OF BRANDON MOSQUITO ABATEMENT PROGRAM

City Council considered a report from the Director of Community Services dated April 7, 2014 with respect to the above.

- 1553 Montague-Isleifson
That the report from the Director of Community Services dated April 7, 2014 regarding changes to the Mosquito Abatement Guidelines be received as information with the understanding that Administration shall be implementing said changes for the 2014 mosquito season. CARRIED.

(E) ALLOCATION OF SURPLUS FUNDS TO RESERVES FUNDS

Submitted for consideration was a report from the City Treasurer and General Manager of Corporate Services dated April 10, 2014 with respect to the above.

- 1554 Montague-Berry
That Administration's report on City Council rather than Administration appropriating surplus funds to reserve funds be dealt with by City Council at its meeting to be held May 5, 2014. CARRIED.

BY-LAWS:

NO. 7080 TO ADOPT THE SOUTHWEST BRANDON SECONDARY PLAN

It was noted that this by-law had received second reading at the March 17, 2014 meeting of City Council.

- 1555 Berry-LoRegio
That By-law No. 7080 to adopt the Southwest Brandon Secondary Plan 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. 7080 third reading.

<u>FOR</u>	<u>AGAINST</u>
Her Worship Mayor Decter Hirst	Nil
Councillor Berry	
Councillor Blight	
Councillor Chaboyer	
Councillor Fawcett	
Councillor Harwood	
Councillor Isleifson	
Councillor LoRegio	
Councillor Montague	
Councillor Roberts	

NO. 7085 2014 TAX LEVY BY-LAW

It was noted that this by-law had received first reading at the April 7, 2014 meeting of City Council.

- 1556 Fawcett-Chaboyer
That By-law No. 7085 to impose and levy property taxes for the fiscal year 2014 be read a second time. CARRIED.

- 1557 Fawcett-Chaboyer
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. 7085 third reading.

FOR

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

AGAINST

Councillor Montague

NO. 7092 TO CLOSE AND CONVEY THE PUBLIC WALKWAY NORTHEAST OF MADISON CRESCENT IN PLAN 952 BLTO

Considered was a report from Property Administration dated April 9, 2014 with respect to the above.

1558 Chaboyer-Isleifson
That By-law No. 7092 to close and convey the Madison Crescent walkway located in the north east corner of Madison Crescent (Plan 952 BLTO) to the property owner of 153 and 155 Madison Crescent (Lots 182 and 183, Plan 952 BLTO) at a total purchase price of \$16,669.20 plus G.S.T. be read a first time. CARRIED.

NO. 7093 TO REZONE 1340 - 1ST STREET NORTH FROM CAR COMMERCIAL ARTERIAL ZONE TO CG COMMERCIAL GENERAL ZONE

City Council considered a report from Planning and Building Services dated March 25, 2014.

1559 Fawcett-Roberts
That By-law No. 7093 to rezone 1340 - 1st Street North (Lot 5, Block 1, Plan 848 BLTO) from CAR Commercial Arterial Zone to CG Commercial General Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

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

MAYOR

CITY CLERK