

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JUNE 16, 2014 AT 7:30 PM 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. Chaboyer, Councillor J. Fawcett, Councillor J. Harwood, Councillor L. Isleifson, Councillor J. LoRegio, Councillor S. Montague, Councillor C. Roberts

ABSENT: Nil

ADOPTION OF AGENDA:

1602 Harwood-Blight  
That the Agenda for the Regular Meeting of City Council to be held Monday, June 16, 2014 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1603 Roberts-Chaboyer  
That the Minutes of the Regular Meeting of City Council held on Tuesday, June 3, 2014 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) D. ASHAM, BRANDON MINOR BASEBALL - CANADA DAY CLASSIC BASEBALL TOURNAMENT

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Deb Asham, on behalf of Brandon Minor Baseball, appeared before City Council with respect to an application for Accommodation Tax funding to host the Canada Day Classic Baseball Tournament. She noted that this year's event included the addition of a Mosquito Division which would increase hotel stays and more bring in more revenue to the tournament. Ms. Asham noted that funding was needed to ensure that operating costs for the baseball park could be covered for the event.

1604 Berry-Blight  
That the presentation by Deb Asham of Brandon Minor Baseball with respect to Accommodation Tax funding for the Canada Day Classic Baseball Tournament to be held June 26 - 29, 2014 be received. CARRIED.

(B) R.A. HARDER, MANITOBA ARTS NETWORK - MANITOBA SHOWCASE

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Rose-Anne Harder, Director of the Manitoba Arts Network, appeared before City Council with respect to an application for Accommodation Tax funding for the Manitoba Showcase to be held in Brandon October 23 – 26, 2014. She advised that the event would bring members from all across Manitoba and featured professional development, live performances, networking, literary readings, and visual art exhibitions. Ms. Harder stated that approximately 100 delegates from around the province as well as over 50 performers were expected to attend the event and that several exhibitions would be open to the public. Further information on the event is available on the Manitoba Arts Networks website located at [www.manitobaartsnetwork.ca](http://www.manitobaartsnetwork.ca).

1605 Isleifson-Chaboyer  
That the presentation by Rose-Anne Harder of the Manitoba Arts Network with respect to Accommodation Tax funding for the Manitoba Showcase to be held October 23 - 26, 2014 be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE  
VERBAL

JUNE 16, 2014

June 16, 2014  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor LoRegio reported that the Keystone Centre Board of Directors had met recently and noted that there was still no agreement with the Arabian Horse Show for use of the Centre, the Board was still pursuing facility sponsorship, and the roof repairs had not begun yet. Councillor LoRegio also reported that Councillor Berry had been elected Vice-Chair of the Board at the meeting.

LoRegio-Berry

1606 That the verbal report of the Keystone Centre Board of Directors be received. CARRIED.

ENQUIRIES:

(575) EXPRESSIONS OF INTEREST - REC CENTRE BUILDINGS

Councillor Harwood requested an update on the status of the Expressions of Interest regarding the development of the buildings at the Rec Centre, inclusive of how many were received, who the successful bidder was, and when this issue was expected to be presented to City Council for a decision.

At the request of Her Worship the Mayor, the City Manager responded that one Expression of Interest had been received from which a Request for Proposal (RFP) had been developed and issued to the respondent. He advised that the Evaluation Committee had reviewed the submission with the recommendation expected to be presented to City Council in July.

(576) ODOUR OF TAP WATER

Councillor Berry noted that the tap water recently had a strong odour to it and enquired as to why this had happened and if citizens should be concerned.

At the request of Her Worship the Mayor, the City Manager responded that hydrants were being used by the Fire Department for events at the schools throughout the City of Brandon and that the impact to the distribution system caused sediment in the pipes to be disturbed. He advised that while the sediment imparted an odour and taste to the water for a brief period, it posed no health risk.

(577) PEDESTRIAN CROSSWALK - CORNER OF 34TH STREET AND LAKEVIEW DRIVE

Councillor Berry noted that the corner of 34th Street and Lakeview Drive was being used as a crosswalk by children attending school or the playground in the area and parents were concerned for their safety.

He enquired if a temporary pedestrian crosswalk could be considered at that location until such time as the development was finished and a more permanent solution could be sought.

At the request of Her Worship the Mayor, the City Manager responded that discussions were underway with the developer to have this corner completed in time for a crosswalk to be installed by September. He agreed to follow-up with the Engineering Department to have a temporary solution put in place as soon as possible.

(578) SPRAYING FOR MOSQUITOS WITHIN PESTICIDE USE BUFFER ZONES

Councillor LoRegio enquired if a homeowner residing within a Pesticide Use Buffer Zone was permitted to spray their property for mosquitos without penalty.

At the request of Her Worship the Mayor, the City Manager responded that there were currently 8 properties within the City of Brandon who qualified under the Pesticide Use Buffer Zone and property owners within a 30 meter radius had been notified in writing of the restrictions. He confirmed that, while the City of Brandon was required to give residents the opportunity to have 90 metre buffer zone when spraying for mosquitos, there were no restrictions for private property owners located outside of the Pesticide Use Buffer Zones.

(579) MOSQUITO TRAP COUNTS AND SPRAYING

Councillor LoRegio noted that City Council had recently approved the guidelines for fogging mosquitos based on the trap count numbers and enquired how the numbers had been set and whether or not same could be adjusted to be lower.

At the request of Her Worship the Mayor, the City Manager responded that the numbers used to set the guidelines had been based on previous years' trap counts when spraying had taken place. He advised that the numbers could be adjusted at any time at the request of City Council however, he cautioned that spraying was only effective if the temperature at night was above 16 degrees with no wind.

Further to this issue, Councillor Montague enquired if the City of Brandon was prepared to spray if necessary.

At the request of Her Worship the Mayor, the City Manager confirmed that the City was fully prepared to spray on short notice.

(580) KEYSTONE CENTRE CAPITAL FUNDING REQUEST

Councillor Berry, on behalf of the Keystone Centre Board of Directors, requested information regarding the 2014 Budget deliberations with respect to the capital funding request from the Keystone Centre.

At the request of Her Worship the Mayor, the City Manager responded that at the 2014 Budget deliberations, a motion by Councillor Garth Rice to allocate an additional \$1,000,000 to the Keystone Centre had been defeated. He noted that the General Manager of the Keystone Centre had appeared before City Council in March of 2014 with a request for the additional funding, at which time City Council adopted a resolution that the request by the Keystone Centre for additional funding of \$1,000,000 annually for the years 2014-2018 inclusive be denied. He advised that he had a complete package of all communication between the Province of Manitoba, the City of Brandon and the Keystone Centre with respect to this issue and agreed to provide copies of same to Councillor Berry.

(581) TRAFFIC FLOW COMPARISON - 10TH STREET AND PARK AVENUE VERSUS 1ST STREET AND PARK AVENUE

Councillor Blight announced that following an enquiry from an area resident, he had requested a traffic flow analysis be completed for the intersection of 10th Street and Park Avenue, with same to be compared with that of 1st Street and Park Avenue. He agreed to share the results as soon as they were available.

ANNOUNCEMENTS:

SCHOOL TAX REBATES FOR SENIOR CITIZENS

Councillor Fawcett announced that senior citizens 65 years or older who owned their own home were eligible to apply for a rebate of up to \$235 through the new Manitoba Seniors' School Tax Rebate. He encouraged residents to contact the Province of Manitoba at (204) 945-7555, 1-855-893-8266 or online at [www.manitoba.ca/seniorsrebate](http://www.manitoba.ca/seniorsrebate) for further information or to apply.

CONGRATULATIONS TO SCHOOL PATROLS

Councillor Berry congratulated all the School Patrols in the City of Brandon for their hard work throughout the year in getting children to and from school safely. He further congratulated Linden Lanes School on having been recognized as the Outstanding School Patrol for the 2013-2014 School Year.

CONGRATULATIONS TO DARREN GRANGER - STANLEY CUP CHAMPION AND OLYMPIC GOLD MEDALIST

Councillor Fawcett congratulated former Brandonite Darren Granger on being part of the Los Angeles Kings Stanley Cup Champions as well as a member of the 2014 Team Canada Olympic Gold Medal Hockey Team.

WORLD ELDER ABUSE AWARENESS DAY - JUNE 15, 2014

Councillor Isleifson announced that members of City Council were wearing purple ribbons for the month of June in recognition of World Elder Abuse Awareness Day on June 15, 2014.

GENERAL BUSINESS:

(A) ACCOMMODATION TAX EVENT FUNDING REQUEST - MANITOBA ARTS NETWORK, MANITOBA SHOWCASE

City Council considered a report from the Director of Economic Development dated June 2, 2014 with respect to the above.

Chaboyer-Isleifson

1607 That a grant of \$4,000 be provided to the Manitoba Art Network to host the 2014 Manitoba Showcase, October 23 to 26, 2014 in Brandon with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(B) ACCOMMODATION TAX EVENT FUNDING REQUEST - BRANDON MINOR BASEBALL CANADA DAY CLASSIC BASEBALL TOURNAMENT

Submitted for consideration was a report from Director of Economic Development dated May 29, 2014 with respect to the above.

Berry-Blight

1608 That a grant of \$10,000 be provided to Brandon Minor Baseball for the Canada Day Classic Baseball Tournament to be held June 26 to 29, 2014 in Brandon with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(C) ACCOMMODATION TAX EVENT FUNDING REQUEST - BRANDON UNIVERSITY ATHLETICS CANADA WEST UNIVERSITIES ATHLETIC ASSOCIATION ANNUAL GENERAL MEETING

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Considered was a report from Director of Economic Development dated June 6, 2014 with respect to the above.

Harwood-Montague

1609 That a grant of \$3,500 be provided to Brandon University Athletics to host the 2015 Canada West Universities Athletic Association Annual General Meeting, May 4 - 7, 2015 in Brandon with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(D) CITY MANAGER - STAFFING REPORT

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The City Manager provided a power point presentation on proposed staffing changes for the Clerk's Department.

Isleifson-Roberts

1610 That the verbal report and presentation of the City Manager with respect to the proposed staffing changes for the Clerk's Department be received. CARRIED.

(E) TRANSFER OF FUNDS FROM THE AFFORDABLE HOUSING RESERVE FOR LAND INVENTORY APPRAISALS

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City Council considered a report from the Director of Economic Development dated June 3, 2014 with respect to the above.

LoRegio-Roberts

1611 That \$2,550.00 be transferred from the Affordable Housing Reserve to the Housing Initiatives operating account for the costs to complete appraisals on the two parcels of land designated as surplus affordable housing land, consisting of 2105 Brandon Avenue and the parcel comprised of 244-7th Street, and 705 & 709 Lorne Avenue. CARRIED.

(F) TENDER - CONTRACT C PAVING WORKS

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Councillor Berry declared a conflict of interest in the above matter and the following tender due to his employment with a potential bidder and left the Council Chamber prior to any discussion.

Submitted for consideration was a report from Director of Engineering and Water Services dated June 6, 2014 with respect to the above.

Harwood-Montague

1612 That the bid of Maple Leaf Construction Ltd. to carry out the Contract C Paving Works as per tender and specifications at a cost of \$1,274,605.00 (exclusive of GST) be accepted. CARRIED.

Councillor J. LoRegio abstained from voting on the above motion as he disagreed with the inclusion of a specific project on the paving list.

(G) TENDER - CONTRACT D CURB & SIDEWALK WORKS

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Considered was a report from the Director of Engineering and Water Services dated June 16, 2014 with respect to the above.

Isleifson-Blight

1613 That the bid of Zenith Paving Ltd. to carry out the Contract D - Curb & Sidewalk Works as per tender and specifications at a cost of \$429,050.20 (exclusive of GST) be accepted. CARRIED.

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

(H) TENDER - NEW MOTOR GRADER

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City Council considered a report from the Director of Transportation Services dated June 3, 2014 with respect to the above.

Blight-Roberts

1614 That the bid from Toromont Cat to supply one (1) new Motor Grader as per tender and specifications, including the five year complete warranty, for a total price of \$305,845.30 (net of GST) be accepted. CARRIED.

(I) LAND SALE OF SURPLUS CITY OWNED PROPERTY LOCATED AT 741 - 9TH STREET

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Submitted for consideration was a report from the Property Administrator dated June 4, 2014 with respect to the above.

Isleifson-Chaboyer

1615 That 741 - 9th Street (Lots 22/26, Block 57, Plan 8 BLTO) be disposed of to the adjacent property owner of 727 - 9th Street for the sum of \$1,500.00 plus G.S.T, whereby the adjacent property owner shall consolidate the parcel with their existing property, and shall register said Transfer of Land provided by the City of Brandon within two (2) months of receiving same. CARRIED.

(J) PUBLIC WALKWAY LOCATED EAST OF CORNWALLIS CRESCENT BETWEEN BALRMORAL BAY AND MCLEOD DRIVE

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Considered was a report from the Property Administrator dated June 4, 2014 with respect to the above.

Chaboyer-Montague

1616 That an approximate 3,100 square foot portion of the walkway in Plans 1608 & 1913 BLTO be disposed of to the property owner of 42 Balmoral Bay (Lot 7 Block 3 Plan 1608 and Parcel B, Plan 25680 BLTO) at a total purchase price of \$4,000.00 plus G.S.T.; and an approximate 2,200 square feet portion of the walkway in Plans 1608 & 1913 BLTO be disposed of to the property owner of 320 Cornwallis Crescent (Lot 10 Block 1 Plan 1913) at a total purchase price of \$2,838.00 plus G.S.T. whereby the adjacent property owners shall consolidate the parcels with their existing properties and all applicable application costs shall be cost shared between the Purchasers;

and further, all costs associated with the relocation of the community mailbox and the removal of the pavement and placement of sod/seed, will be borne by the City whereby such costs shall be expended from the operating budget;

and further, that the Administration proceed with the walkway closure process in accordance with The Municipal Act. CARRIED.

(K) PROTECTED SPACES NETWORK CONSERVATION AGREEMENTS - 201-17TH STREET EAST, 500 & 600 RIVER AVENUE AND 575 & 685 ALEXANDER STREET NORTH

City Council considered a report from the Property Administrator dated June 4, 2014 with respect to the above.

Isleifson-Roberts

1617 That a Conservation Agreement be entered into with the Manitoba Habitat Heritage Corporation for the City-owned lands located at 500 & 800 River Avenue and 575 & 685 Alexander Street North (Lots 3/6, Plan 86 BLTO) and 201-17th Street East (Pt. SW ¼ 19-10-18 WPM);

and further, that a Lease Agreement be entered into with Assiniboine Food Forest Inc. for the management, restoration and preservation of 201-17th Street East (Pt. SW ¼ 19-10-18 WPM) as a natural habitat, inclusive of walking trails, eco-tourism, educational usage, research, bio-tourism, dark sky activities and similar uses in accordance with their Concept. CARRIED.

(L) APPLICATION TO SUBDIVIDE 1910 BELL AVENUE/1910 HAMILTON AVENUE (WAVERLY DEVELOPMENTS LTD.)

Submitted for consideration was a report from the Planning and Building Safety Department dated May 28, 2014 with respect to the above.

Fawcett-Blight

1618 That the application to subdivide 1910 Bell Avenue and 1910 Hamilton Avenue (Lot 72, Plan 48868 BLTO & Pt. NE 1/4 34-10-19 WPM) to create 18 lots and a public road in the RSF Residential Single Family Zone and the "A" Agricultural Zone be approved subject to:

1. the site being rezoned from "A" Agricultural Zone to RSF Residential Single Family Zone; and
2. the owner or successor
  - a. entering into a development agreement with the City of Brandon;
  - b. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$5,103.00 as a cash-in lieu contribution for school purposes; and
  - c. submitting written confirmation to the City of Brandon Planning & 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.

BY-LAWS:

NO. 7089 TO REZONE PROPERTY LOCATED AT 947 - 1ST STREET FROM RSF RESIDENTIAL SINGLE FAMILY ZONE TO RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE

It was noted that this by-law received first reading at the March 18, 2014 meeting of City Council.

Chaboyer-Isleifson

1619 That By-law No. 7089 to rezone 947 - 1st Street (Sly 4', Lot 12, Block 33, Plan 9 BLTO & Lots 13/15, Block 33, Plan 9 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone be read a second time. CARRIED.

Chaboyer-Isleifson

1620 That third reading of the by-law be held in abeyance pending the execution of a development agreement between the City of Brandon and the owner/successor attached to the report of the Community Planner dated May 26, 2014, pursuant to Section 150 of The Planning Act. CARRIED.

NO. 7091 TO CLOSE PUBLIC RESERVE IN PLAN 148 BLTO (2105 BRANDON AVENUE)

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

LoRegio-Berry

1621 That By-law No. 7091 to close the Public Reserve in Plan 148 BLTO (2105 Brandon Avenue [Lot 52, Block 2, Plan 148 BLTO]) located east of 22nd Street and north of Brandon Avenue, be read a second time. CARRIED.

LoRegio-Berry

1622 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. 7091 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 Roberts

AGAINST

Nil

NO. 7097 TO REZONE PROPERTY LOCATED AT 1660 - 34TH STREET FROM DR DEVELOPMENT RESERVE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (PHASE VIII)

City Council considered a report from Planning and Building Safety Department dated May 28, 2014 with respect to the above.

Berry-Montague

1623 That By-law No. 7097 to rezone property located at 1660 - 34th Street (Part of NE ¼ 9-10-19 WPM) from DR Development Reserve to RSF Residential Single Family and OS Open Space zoning districts be read a first time. CARRIED.

NO. 7098 TO OPEN 866 - 9TH STREET (LOT 21, BLOCK 44, PLAN 16 BLTO) AS PARK AVENUE

Submitted for consideration was a report from Property Administration dated June 4, 2014 with respect to the above.

Isleifson-Harwood

1624 That By-law No. 7098 to open 866 - 9th Street (Lot 21, Block 44, Plan 16, BLTO) as Park Avenue be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Chaboyer-Berry

That the meeting do now adjourn (9:31 p.m.). CARRIED.

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MAYOR

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CITY CLERK