

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JULY 21, 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:

1639 Isleifson-Chaboyer
That the Agenda for the Regular Meeting of City Council to be held on Monday, July 21, 2014 be adopted as presented. CARRIED.

PRESENTATIONS AND RECOGNITION OF GUESTS:

(A) 2014 SPECIAL OLYMPICS CANADA SUMMER GAMES MEDAL WINNERS

On behalf of City Council, Her Worship the Mayor presented congratulatory certificates to the medal winners from the Westman Region who competed at the 2014 Special Olympics Canada Summer Games held July 8 - 12, 2014 in Vancouver, B.C. Mayor Decter Hirst acknowledged the accomplishments of Ashley Batt and Melvin Gensoirek, who both won Bronze medals in 10 Pin Bowling; Tammy Lumax, who won a Silver medal in Golf; Team Manitoba Comets, Silver medallist in Softball; and Team Manitoba Cougars, winners of the Gold medal in Soccer.

CONFIRMATION OF MINUTES:

1640 Chaboyer-Roberts
That the Minutes of the Regular Meeting of City Council held on Monday, July 7, 2014 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) R. O'CONNOR, PROVINCIAL EXHIBITION OF MANITOBA - DISPLAY BUILDING NO. II

Rob O'Connor, General Manager, and Gord Peters, Restoring the Glory Campaign Chair, appeared before City Council on behalf of the Provincial Exhibition of Manitoba to request further gift-in-kind services from the City of Brandon and a cash contribution from the Accommodation Tax Fund in support of the Restoring the Glory Project to renovate of Display Building No. II.

Mr. O'Connor updated City Council on the programs and services that the Provincial Exhibition operated and the fiscal contribution that these services provided to the City of Brandon and to the operation of Keystone Centre itself. He gave a brief history of the Dominion Fairs Display Building No. II and informed City Council about the future plans for use of the building which included an Agriculture Museum and office space for non-profit organizations. Mr. O'Conner provided an update on the progress of the Restoring the Glory Campaign. He stated that work on the exterior of the building had been completed and Phase Two of the project had started which focused on the interior of the building.

Mr. O'Connor stated that the Provincial Exhibition was requesting the City of Brandon to provide in-kind landscaping services, waive landfill tipping fees, and contribute an additional cash contribution of \$255,000 over the next three years. He highlighted that a contribution from the City would help leverage further funding requests to the Province of Manitoba, the Federal Government, and private donors. Mr. O'Connor acknowledged that the project was not eligible under the current application criteria for the Accommodation Tax Fund, however, he encouraged City Council to change the rules governing the Fund.

Mr. Peters spoke about the importance of this project to the City of Brandon and region and encouraged City Council to amend the Accommodation Tax By-law regulations to allow it to fund capital projects like restoring Display Building No. II.

Montague-Chaboyer

1641 That the presentation by Rob O'Connor, General Manager of the Provincial Exhibition of Manitoba and Gord Peters, Chair of the Restoring the Glory Campaign, with respect to the request for gift-in-kind services from the City of Brandon and a cash contribution from the Accommodation Tax Fund for the restoration of Display Building No. II be received. CARRIED.

Isleifson-Blight

1642 That the request to continue the gift-in-kind contribution to the Restoring the Glory Campaign from the City of Brandon in the form of landscaping, building permits, equipment, water bills and landfill fees be referred to Administration for review and report back to City Council for its meeting to be held August 18, 2014. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) BRANDON GENERAL MUSEUM & ARCHIVES INC.
VERBAL

JULY 21, 2014

July 21, 2014
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Berry updated City Council on Brandon General Museum and Archives' newest exhibition highlighting telecommunication history. He noted that Manitoba Telephone Services (MTS) had provided materials to the museum highlighting the history of MTS in Manitoba and focused on many communication early technological adoptions in the City of Brandon. Councillor Berry reported that this exhibited had been well attended during the Doors Open event held over the weekend.

(B) MUNICIPAL HERITAGE ADVISORY COMMITTEE
VERBAL

JULY 21, 2014

July 21, 2014
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Roberts reported on the Doors Open event that was very successful this past weekend with over 1980 visits, with an additional 170 plus attendees on the “Brandon’s Ghetto” walking tour. Overall the event was a huge success and a great event for Heritage in the City of Brandon.

(C) BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL
VERBAL

JULY 21, 2014

July 21, 2014
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fawcett gave a report on the activities of the Brandon Urban Aboriginal Peoples' Council, including the community meeting held on July 15, 2014 at City Hall. He noted that although the turnout was small, there was very good and meaningful discussion about the relationship between the City of Brandon and its Aboriginal citizens. Councillor Fawcett stated that the information from the session would be used in developing the BUAPC Strategic Plan for 2015 onward.

(D) BRANDON & AREA PLANNING DISTRICT
VERBAL

JULY 21, 2014

July 21, 2014
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Blight gave a report of the recent meeting of the Brandon & Area Planning District and spoke to the changes in the personal plan for the organization including hiring an Executive Director, Rural Planner, and Building Inspector. Her Worship Mayor Decker-Hirst commented on the ongoing focus on the growth strategy of Brandon and its neighbours.

Harwood-Blight

1643 That the reports from Brandon General Museum and Archives Inc., Brandon Municipal Heritage Advisory Committee, Brandon Urban Aboriginal Peoples' Council, and the Brandon & Area Planning District be received. CARRIED.

ENQUIRIES:

(582) STATUS OF FOGGING BUDGET AND STANDARDS FOR FOGGING

Councillor LoRegio requested an update on the status of the funds budgeted for fogging and whether or not same should be increased for next year. He also requested information on the standards used in determining the need to spray. He noted that the City of Winnipeg's threshold to trigger spraying was 25 mosquitos per trap, however, the City of Brandon's was much higher at 1,000 per trap.

At the request of Her Worship the Mayor, the Acting City Manager responded that the City of Brandon had spent approximately \$18,800 for a complete fog, which included 2 sprays. He advised that with the budgeted amount being \$18,000, should another round of fogging be necessary, funds would need to be transferred from another area of the budget. He stated that allocated budget amounts were typically based on previous years and to his knowledge, the City of Brandon had never fogged for nuisance mosquitos more than once, hence the \$18,000 allocation.

With respect to the mosquito counts, the Acting City Manager responded that, the trigger to spray in Winnipeg was 100 and taking into account that the traps in Brandon collected 10 times more mosquitos than those in Winnipeg, the trigger to spray was the same at 1,000.

(583) WATER POOLING AT 20TH STREET AND RICHMOND AVENUE

Councillor LoRegio advised that water pooling between 20th and 21st Street on Richmond Avenue continued to be a problem and area residents were concerned about potential overland flooding or sewer back-up. He enquired if this issue could be addressed in the near future.

At the request of Her Worship the Mayor, the Acting City Manager responded that the Engineering Department was aware of this issue and was working with a consultant to develop a Drainage Master Plan for the City of Brandon. He advised that the study was expected to be complete in the near future with work to commence by late 2015.

Councillor Montague noted that, as per his request, \$300,000 had been included in the 2015 Capital Projects Budget for this project.

(584) SUCCESS OF FOGGING EFFORTS

Councillor Chaboyer advised that she had received complaints from residents who stated that the fogging efforts had not been as effective as previous years and enquired as to the potential reasons for same.

At the request of Her Worship the Mayor, the Acting City Manager responded that different areas of the City of Brandon may see more mosquitos than others, with the average adulticiding rate being approximately 55%. He advised that the trap counts remained in the high range and it was highly likely that another round of spraying would take place in the near future.

Councillor Chaboyer enquired if information was available with respect to the percentage of the City that had been sprayed.

At the request of Her Worship the Mayor, the Acting City Manager responded that, with approximately 70 buffer zones within the City of Brandon, he estimated the percentage of the City sprayed at over 75%. He agreed to provide City Council with the exact percentage as soon as possible.

(585) CONDITION OF DURUM DRIVE BETWEEN FIFE BAY AND MARQUIS CRESCENT

Councillor Berry advised that Durum Drive between Fife Bay and Marquis Crescent remained in poor condition. He noted that this issue had been ongoing for some time and enquired if the roadway could be repaired as soon as possible.

At the request of Her Worship the Mayor, the Acting City Manager responded that the area would be assessed as soon as possible and the scope of the work required would determine whether or not it could be completed in the 2014 Construction Season or deferred to the 2015 Season.

(586) CUTTING OF GRASS ON LAKEVIEW DRIVE

Councillor Berry noted that the grass on the meridians along Lakeview Drive needed cut; however, there was confusion as to whether the Developer or the City was responsible for cutting the grass. He enquired if whomever was responsible could be requested to take care of this issue as soon as possible.

At the request of Her Worship the Mayor, the Acting City Manager responded that the City was responsible for the portion of Lakeview Drive from 34th Street to Brookwood Drive and maintenance crews had been assigned to the area. He advised that the Developer was responsible for the area west of Brookwood Drive and would be contacted immediately and requested to clean up the area as soon as possible.

(587) REVIEW OF BUFFER ZONE POLICY

Councillor Blight advised that he had been approached by a resident whose property had not been sprayed due to a buffer zone and requested a review of the policy on buffer zones as soon as possible. Councillor Blight stated that he too had concerns with the policy and enquired if a review, inclusive of the requirement for a medical certificate and consultations with the Province of Manitoba, be conducted as soon as possible.

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

(588) STATUS OF 1ST STREET

Councillor Fawcett requested an update on the status of 1st Street.

At the request of Her Worship the Mayor, the Acting City Manager responded that 1st Street would be inspected by Manitoba Infrastructure and Transportation as soon as the water receded with remediation efforts to follow as required. He advised that 1st Street was not expected to be open until the first part of August, however, given that it was a Provincial Highway, that decision was in the hands of the Province.

(589) STATUS OF HERITAGE COORDINATOR POSITION

Councillor Roberts advised that he had recently learned that Senior Administration had halted the process to replace the Heritage Coordinator who had left her position with the City of Brandon in May 2014. He noted that, while there was a summer student in place who had organized the recent Doors Open Brandon Event, her term was ending in the next few weeks leaving an entire City Department vacant. He expressed concern that many other heritage projects, inclusive of new designations, the development of the former Fire Hall No. 1, and ensuring standards are being maintained for current designated heritage sites would fall by the wayside.

Councillor Roberts commented that at a time when the City of Winnipeg was increasing its commitment to heritage, the City of Brandon appeared to be abandoning same due to budgetary constraints. Councillor Roberts also advised that he had spoken with the Director of Heritage for the Province of Manitoba who had also expressed concern that the position continued to remain vacant and may wish to schedule a meeting with City Council to further discuss the vacancy and the detriment to potential and existing heritage properties in the City of Brandon. He stated that City Council had not been advised that there was a freeze on hiring staff, and referred to other vacant positions within the City of Brandon that were being filled as needed. Councillor Roberts requested a full report to City Council on this issue as soon as possible.

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

(590) UPDATE ON AFFORDABLE HOUSING PROJECTS

Councillor Roberts requested an update on the affordable housing projects happening in the City of Brandon.

Her Worship the Mayor responded that a report would be provided by the Economic Development Officer at a City Council meeting in the near future.

(591) COST OF FOGGING

Councillor Isleifson requested clarification on the costs of fogging for mosquitos, in particular, the estimated salary costs of \$10,000.

At the request of Her Worship the Mayor, the Acting City Manager responded that within the City of Brandon, funds, inclusive of salary costs, were allocated to a specific project, in this case fogging efforts. He noted that normal daily operations still needed to be maintained with fogging taking place at night, hence overtime costs were often incurred as part of the fogging efforts.

(592) STATUS/PLANS FOR REMEDIATION OF WHEAT CITY GOLF COURSE

Councillor LoRegio requested an update on the remediation plans for the Wheat City Golf Course, inclusive of the costs and who was responsible for those costs. He further enquired where the remediation efforts fell in the list of priorities for the City of Brandon staff in relation to other flood and storm damage clean-up.

At the request of Her Worship the Mayor, the Acting City Manager responded that the Wheat City Golf Course was part of the City of Brandon's Disaster Financial Assistance (DFA) claim to the Province of Manitoba along with all other amenities located along the Assiniboine River Corridor with the costs of same borne by the DFA claim. He advised that a decision would be made regarding remediation efforts once the water could be pumped off, with the work to be completed by an outside contractor as regular City of Brandon staff wages were not eligible to be claimed with the DFA Program.

(592) AMOUNT OF DISASTER FINANCIAL ASSISTANCE FROM PROVINCE OF MANITOBA

Councillor LoRegio enquired if the Province of Manitoba could be requested to provide the amount of disaster financial assistance funding to be provided for Western Manitoba.

Her Worship the Mayor agreed to send a letter to the Province of Manitoba requesting this information as soon as possible.

(593) REMOVAL OF BUFFER ZONES

Further to Councillor Blight's enquiry above, Councillor Berry enquired if consideration could be given to removing the option of a buffer zone from the mosquito fogging policy with the exception of the City of Brandon being provided with a medical certificate.

At the request of Her Worship the Mayor, the Acting City Manager responded that the Province of Manitoba had rejected a request by the City of Brandon to have the buffer zones reduced; however, the zones had been reduced to 90 metres across the Province. The Acting City Manager suggested that this issue be raised with the Association of Manitoba Municipalities (AMM) to be discussed at the annual conference in the fall.

Her Worship the Mayor confirmed that City Council had adopted a resolution at a previous meeting to have this issue brought forward as a resolution for debate at the annual AMM Conference in November. Her Worship advised that the Provincial rules stated that no medical certificate was required however, she agreed to enquire if the City of Brandon could be exempted from that rule.

(594) FOGGING PROCESS AND IMPACT

Councillor Berry requested an update on the processes followed for fogging, inclusive of the speed of the trucks, the strength of the product used and the perception in the community that the fogging was not as effective this year as in previous years.

At the request of Her Worship the Mayor, the Acting City Manager responded that when the sprayers were on, the trucks travelled at approximately 24 km/hr with the minimum speed for the machines to work being 6 km/hr and the maximum speed being 32 km/hr. He confirmed that the malathion had been tested to ensure it remained at an effective strength. He noted that there had been 3 times the rainfall this year compared to last year and hence, there was a lot more standing water for the mosquitos to use as breeding grounds. Her Worship the Mayor reminded everyone that the City's larviciding efforts had increased this year, however, properties on the outer boundaries of the City would be affected by standing water in the surrounding municipalities.

(595) CLEAN UP OF TREE BRANCHES

Councillor Berry enquired when the trees branches along the walking paths were expected to be cleaned up.

At the request of Her Worship the Mayor, the Acting City Manager responded that clean-up from the July 5, 2014 windstorm was ongoing with priority being given to those areas where safety was an issue. He advised that clean-up of branches in the greenspaces was expected to be completed within the next 3 weeks.

ANNOUNCEMENTS:

LOCAL DISASTER FINANCIAL ASSISTANCE OFFICE

Councillor Roberts announced that the inspectors from the Disaster Financial Assistance Program currently had an office set up in the Fire College on Victoria Avenue East and inspections were being conducted throughout the City.

COMMUNITIES IN BLOOM - JUDGES' VISIT

Councillor Berry announced that he had been pleased to bring greetings on behalf of City Council to the two Communities in Bloom judges during their recent visit. He advised that the judges, who were from Quebec and Nova Scotia, were extremely impressed with the city given the recent weather related events and flood situation.

Councillor Roberts announced that he had taken the judges on a tour of downtown, inclusive of the YMCA, the Skateboard Plaza and other indoor and outdoor facilities as well as showcasing the hanging baskets along the streets. He also noted that the judges were very impressed by Brandon and thanked all the staff and volunteers who worked so hard to keep the city beautiful.

THANK-YOU TO CITY STAFF FOR THEIR EFFORTS DURING RECENT FLOODING

Councillor LoRegio thanked the City of Brandon staff for all their efforts and hard work during the recent flooding, high water and weather related events.

GENERAL BUSINESS:

(A) ACCOMMODATION TAX EVENT FUNDING REQUEST - BRANDON MINOR BASEBALL PEEWEE AND BANTAM DIVISIONS AAA PROVINCIALS

City Council considered report from the Director of Economic Development dated July 12, 2014 with respect to the above.

Berry-Blight

1644 That a grant of \$5,625 be provided to Brandon Minor Baseball for the August 1 - 3, 2014 Pee Wee and Bantam AAA Baseball Provincials to be held in Brandon with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(B) APPLICATION FOR THE PROVINCIAL TERRITORIAL INFRASTRUCTURE COMPONENT OF THE NEW BUILDING CANADA FUND - BRANDON AIRPORT TERMINAL

Considered was a report from the Director of Transportation Services dated July 9, 2014 with respect to the above.

Harwood-Roberts

1645 That the City of Brandon support this application as a priority for funding under the Provincial - Territorial Infrastructure Component (PTIC) of the New Building Canada Fund for the Brandon Municipal Airport Redevelopment project and the related municipal funding shares as outlined in the report of the Director of Transportation Services dated July 9, 2014. CARRIED.

(C) PROPOSAL - DESIGN AND BUILD OF ABOVE GROUND FUELING STATION

Submitted for consideration was a report from the Director of Transportation Services dated July 15, 2014 with respect to the above.

Isleifson-Chaboyer

1646 That the proposal from Chad Enterprises Inc. for the design and build of an Aboveground Fueling Station as per tender and specifications, at a total cost of \$318,425.00 (net of GST) be accepted. CARRIED.

(D) AMENDMENT TO SUBDIVISION CONCEPT PLAN - BROOKWOOD PARK NEIGHBOURHOOD

City Council considered a report from Planning and Building Safety dated July 17, 2014 with respect to the above.

Berry-Blight

1647 That the subdivision concept attached to the Brookwood Park Neighbourhood Plan be repealed and replaced with the subdivision concept "Revised Neighbourhood Plan" attached to the report of the Community Planner dated July 17, 2014. 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 had received second reading at the June 16, 2014 meeting of City Council.

Chaboyer-Isleifson

1648 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 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. 7089 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. 7090 TO REZONE PROPERTY LOCATED AT 1660 - 34TH STREET FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE, PR PARKS AND RECREATION ZONE AND OS OPEN SPACE ZONE

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

Berry-Montague

1649 That By-law No. 7090 to rezone 1660 - 34th Street (Pt. NE1/4 9-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone, PR Parks and Recreation Zone and OS Open Space Zone be read a second time. CARRIED.

Berry-Montague

1650 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. 7090 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. 7100 TO AMEND PLANNING COMMISSION BY-LAW NO. 6843 - GENERAL HOUSEKEEPING
AMENDMENTS

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

Isleifson-Roberts

1651 That By-law No. 7100 to amend Planning Commission By-law No. 6843 with respect to the design appeal, special meeting requests and the removal of a commission member be amended by deleting Section 1.(c) in its entirety and substituting the following therefor:

“(c) adding the following as Section 27.1:

“Removal of Member

27.1 City Council may remove a member(s) of the Planning Commission for cause at any time. Any fact(s) which, in the discretion of Council is deemed to adversely affect the public interest, including but not limited to gross misconduct, neglect of duty, conflict of interest, ineligibility or disqualification from office, or continuous unexcused absence from more than three (3) regular meetings of the Planning Commission within a one (1) year period, may constitute cause. The existence of cause shall be reviewed and discussed by Council at an in-camera executive session. Removal of a member(s) for cause shall be by a majority vote of Council, in an open public session, and if majority of Council votes in support of removal of a member(s) of the Planning Commission, a vacancy for such position(s) shall be declared, without there being a statement of the reason(s) for cause." CARRIED.

Isleifson-Roberts

1652 That the by-law, as amended, be read a second time. CARRIED.

Isleifson-Roberts

1653 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. 7100 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

GIVING OF NOTICE:

(A) SUPPORT FOR ESTABLISHMENT OF ASSINIBOINE RIVER BASIN COMMISSION

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Her Worship Mayor Decter Hirst gave notice of her intent to introduce at the August 18, 2014 meeting of City Council, a motion to support the establishment of the Assiniboine River Basin Commission.

ADJOURN:

Chaboyer-Berry

That the meeting do now adjourn. (9:43 p.m.) CARRIED.

MAYOR

CITY CLERK