

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY,
APRIL 7, 2015 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION
BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor Rick Chrest, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Jan Chaboyer, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Vanessa Hamilton, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Lonnie Patterson

ABSENT: Nil

ADOPTION OF AGENDA:

170 Hamilton-Chaboyer
That the Agenda for the Regular Meeting of City Council to be held on Tuesday, April 7, 2015 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

171 Harwood-Desjarlais
That the Minutes of the Regular Meeting of City Council held on Monday, March 16, 2015 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) LEN ISLEIFSON, CHAIR OF BRANDON ENVIRONMENT COMMITTEE -
ENVIRONMENTAL IMPACT OF BOTTLED WATER

Mr. Len Isleifson, Chair of the Brandon Environment Committee, appeared before City Council with respect to bottled water usage at City owned facilities. Mr. Isleifson urged City Council to consider the environmental impacts during the manufacturing process and land-fill sites when re-evaluating their current policy regarding bottled water. He noted that the Environment Committee was also concerned that a change in the City of Brandon's policy might cause citizens to question the safety of Brandon drinking water, which the Committee considered very safe. Mr. Isleifson also referenced previous communications that the Environment Committee had sent to City Council on the use of bottled water in City of Brandon facilities.

172 Harwood-Chaboyer
That the presentation by Len Isleifson, Chair of the Brandon Environment Committee with respect to the environmental impact of bottled water be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

- (A) RAE SMITH, BRANDON ENVIRONMENT COMMITTEE – HEALTH VS.
ENVIRONMENT ASPECTS TO BOTTLED WATER
-

Rae Smith, member of the Environment Committee, questioned how City Council was balancing the concerns regarding citizen's health versus the environmental impact of the use of bottled water. Ms. Smith encouraged City Council to keep the current policy in place and encourage citizens to use the already safe City water supply through reusable drinking containers.

COMMITTEE REPORTS:

- (A) CITIZEN ENGAGEMENT AD HOC COMMITTEE
VERBAL
-
- APRIL 7, 2015

April 7, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Desjarlais reported that the Citizen Engagement Ad Hoc Committee had recently met and had begun the process of consulting community groups. He noted that the Committee would be hosting a community public forum on Thursday, April 29, 2015 at the Cultural Center located in the A.R. McDiarmid Building, commencing at 7:00 p.m. and encouraged all interested members of the public to attend.

- (B) BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL
VERBAL
-
- APRIL 7, 2015

April 7, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fawcett gave a verbal report on the recent meeting of the Brandon Urban Aboriginal Peoples' Council (BUAPC) held on March 26, 2015. Councillor Fawcett reported that the BUAPC had received a presentation from six students from George Fitton School on the "Project of Heart" which was an art project based on the history of Aboriginal people during the time of residential schools.

- (C) KEYSTONE CENTRE
VERBAL
-
- APRIL 7, 2015

April 7, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Berry provided a report on the Keystone Centre Board of Directors meeting held on March 26, 2015. Councillor Berry reported that the roof construction project was progressing as planned and was within the set budget. He also reported that the Board of Directors had recently sold the naming rights to the Optimist Arena to Enns Brothers Ltd. and was continuing to negotiate with the Provincial Exhibition of Manitoba regarding the lease of land on the Keystone Centre grounds. Councillor Berry informed City Council that he had recently met with the City of Brandon Accommodation Tax Fund Review Committee to inform them of future needs of the Keystone Centre that could be assisted by the Accommodation Tax Fund.

Patterson-Cullen

- 173 That the reports of the Citizen Engagement Ad Hoc Committee, the Brandon Urban Aboriginal Peoples' Council, and the Keystone Centre be received. CARRIED.

ENQUIRIES:

- (51) REPAINTING OF CROSSWALK LINES, DIVIDING LINES AND DIRECTIONAL ARROWS ON CITY STREETS

Councillor Harwood enquired when the repainting of crosswalk lines, dividing lines and directional arrows on city streets would begin.

At the request of His Worship the Mayor, the City Manager responded that weather permitting, crews were expected to start painting mid-May with the crosswalk lines and directional arrows being painted first followed by the dividing lines.

- (52) INSTALLATION OF TRAFFIC LIGHTS AT THE 13TH STREET AND PARK AVENUE INTERSECTION

Councillor Patterson requested an update on the planned installation of traffic lights at the 13th Street and Park Avenue intersection.

At the request of His Worship the Mayor, the City Manager responded that the design was expected to be completed by the end of April, the tender awarded in May/June with construction to begin as soon as the contractor was available.

- (53) DRESS CODE AT SPRAY PARKS

Councillor Patterson enquired as to the dress code policy for families attending the paddle pools and spray parks throughout the City of Brandon.

At the request of His Worship the Mayor, the City Manager responded that for hygiene reasons, appropriate swimwear was required at all City of Brandon pools, spray parks and paddling pools however, a t-shirt over a swimsuit was acceptable. He explained that the House Rules were posted at all spray parks and paddling pools. The City Manager noted that the rules in the City of Brandon were the same as in the City of Winnipeg in that paddling pools were for children under the age of 12 years with a requirement for children under 5 years of age to be accompanied by a responsible caregiver over the age of 12.

(54) REPAIR OF INLAID TILES IN DOWNTOWN SIDEWALKS

Councillor Cullen advised that many of the inlaid tiles with the wheat sheath design on them that had been installed in the downtown sidewalks were in disrepair. He enquired if there was a supply of extra blocks for on-going maintenance and if so, the time line for the replacement of same.

At the request of His Worship the Mayor, the City Manager responded that although the original blocks had been installed by the former Downtown Brandon Business Improvement Area, the stamp and the molds had been located and staff were able to produce the blocks as needed. He advised that the area was being reviewed and the damaged blocks would be replaced as soon as possible.

(55) NO PARKING SIGNS AT GREEN ACRES DEVELOPMENT

Councillor Chaboyer reported that parking was an ongoing concern and safety hazard for pedestrians and vehicles in the vicinity of the housing development in the 500 Block of Queens Avenue East. She noted that vehicles were parking too close to the intersections of streets in the area and enquired if this matter could be investigated and No Parking signs installed as necessary.

At the request of His Worship the Mayor, the City Manager responded that the area had been inspected and changes were warranted. He advised that No Parking signs would be installed to increase the sight lines and corner clearances at the intersections of Queens Avenue East and Driftwood and Cottonwood Crescents. He also advised that parking restrictions would be implemented along the west side of Driftwood Crescent in the vicinity of the Green Acres Development to ensure adequate roadway width. The City Manager noted that existing driveways in the area would also be evaluated and additional restrictions implemented as necessary.

(56) STATUS ON CLOSURE OF KIRKCALDY DRIVE

Councillor Fawcett requested an update on the status of the closure of Kirkcaldy Drive.

At the request of His Worship the Mayor, the Director of Engineering Services and Water Resources responded that work on the gas line was complete, the concrete work was to be completed by the end of the week with the road to be re-opened Monday, April 13, 2015.

(57) UPDATE ON 2015 SPRING FLOOD FORECAST

Councillor Fawcett requested an update on the 2015 Spring Flood Forecast.

At the request of His Worship the Mayor, the Director of Engineering Services and Water Resources responded that the spring melt was complete, the Assiniboine River had peaked, and the water levels were well below those of Summer 2014. The Director advised that the increased out-flow from the Shellmouth Reservoir was expected to increase the flow in Brandon and potentially create a second peak however, with the river levels currently 11 feet below those of last summer, the potential increase would have little impact on the City of Brandon.

ANNOUNCEMENTS:

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Councillor Harwood announced that National Public Safety Telecommunications Week would take place April 13-18, 2015. He noted that Brandon's E911 Telecommunications Section had been in operation since 1996 and provided emergency 911 service to most of Manitoba outside the City of Winnipeg. Councillor Harwood thanked the staff for their hard work and dedication to the residents of not just Brandon but all of Manitoba. His Worship Mayor Chrest echoed Councillor Harwood's comments and noted that the 911 Ambulance Dispatchers for Manitoba were also located in Brandon and thanked them for their service and dedication as well.

BRANDON GENERAL MUSEUM OPEN HOUSE

Councillor Harwood invited everyone to an Open House hosted by the Brandon General Museum and Archives and the Brandon Hills Model Railway Club on Saturday, April 11, 2015 from 10:00 a.m. to 5:00 p.m. at the Museum located at 19-9th Street.

"ON THE EDGE" - BRANDON'S ASSINIBOINE RIVER STORY

Councillor Fawcett announced that the Brandon Emergency Support Team and the City of Brandon were presenting "On the Edge" - Brandon's Assiniboine River Story on Monday, April 13, 2015 at 7:00 p.m. at the Western Manitoba Centennial Auditorium (WMCA). He advised that tickets were available at the WMCA at a cost of \$10 and encouraged everyone to come out and hear how all community members became part of Brandon's Emergency Response Team during the events of 2011 and 2014.

JOINT WARD MEETING - GREEN ACRES, RIVERVIEW, RICHMOND AND SOUTH CENTRE WARDS

Councillor Chaboyer announced that the Green Acres, Riverview, Richmond and South Centre Wards would be holding a Joint Ward Meeting on Tuesday, April 21, 2015 in the Cafeteria at Crocus Plains School starting at 7:00 p.m.

Councillor Chaboyer further announced that a Public Open House entitled "Growing Our Existing Neighbourhoods Together" would take place at 6:00 p.m. prior to the Joint Ward Meeting and invited citizens to come out and share their thoughts on issues surrounding infield developments and their effects on the neighbourhoods.

GENERAL BUSINESS:

(A) ELIMINATION OF BAN ON SALE OF BOTTLED WATER IN CITY OWNED/OPERATED FACILITIES

City Council considered a report from Councillor Vanessa Hamilton dated March 23, 2015 with respect to the above and in accordance with her notice of motion given at the regular meeting of City Council held March 16, 2015.

Hamilton-Cullen

174 That the ban on the sale and distribution of bottled water from any city owned/operated facilities be removed. CARRIED.

(B) 2015 FINANCIAL PLAN OF THE CITY OF BRANDON

Submitted for consideration was a report from the Director of Finance dated March 18, 2015 with respect to the above.

Harwood-Fawcett

175 That the 2015 Financial Plan of The City of Brandon dated March 16, 2015, as set out in the form approved by the Minister of Local Government be amended by replacing pages 1, 8 and 9 contained in the copy of said plan attached to the report of the Director of Finance dated March 18, 2015 and said plan be so adopted;

and further, that the operating and capital estimates outlined in said plan be incorporated in and form part of the 2015 Tax Levy By-law. CARRIED.

(C) TENDER - CONTRACT A ROADBUILDING WORKS

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 discussion.

Considered was a report from the Director of Engineering and Water Services dated March 27, 2015 with respect to the above.

Desjarlais-LoRegio

176 That the low bid from Ballingall Brothers Ltd. to carry out the Contract A – Roadbuilding Works as per tender and specifications at a cost of \$591,380.00 (exclusive of GST) be accepted. CARRIED.

(D) TENDER - CONTRACT D CONCRETE WORKS

City Council considered a report from the Director of Engineering & Water Services dated March 27, 2015 with respect to the above.

Harwood-Chaboyer

177 That the low bid from Zenith Paving Ltd. to carry out Contract D – Concrete Works as per tender and specifications at a cost of \$392,045.90 (exclusive of GST) be accepted. CARRIED.

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

(E) THE DOWNEY LANDS NEIGHBOURHOOD CONCEPT PLAN

Submitted for consideration was a report from Planning & Building Safety dated March 13, 2015 with respect to the above.

Berry-LoRegio

178 That the Downey Lands Neighbourhood Plan attached to the report of the Community Planner dated March 13, 2015 be adopted. CARRIED.

(F) APPLICATION TO SUBDIVIDE - 1901 AND 1955 - 34TH STREET

Considered was a report from Planning & Building Safety dated March 13, 2015 with respect to the above.

Berry-LoRegio

179 That the application to subdivide 1901 & 1955 – 34th Street (Pt. SW 1/4 10-10-19 WPM) to create fifty (50) lots and a public road in the AG80 Agricultural General Zone be approved subject to the owner or successor:

1. entering into a development agreement with the City of Brandon attached to the report by the Community Planner dated March 13, 2015;
2. providing written confirmation to the City of Brandon Planning & Building Safety Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements satisfactory to Council have been made;
3. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$14,175.00 as a cash-in lieu contribution for school purposes;
4. 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; and
5. submitting written confirmation to the City of Brandon Planning & Building Safety Department that a Water Rights Act License has been obtained from Manitoba Conservation and Water Stewardship. The permit will not be required should servicing drawings demonstrate that drainage from the site is accommodated into the existing City drainage network to the north and east of the site. CARRIED.

(G) APPLICATION TO SUBDIVIDE - 2105 BRANDON AVENUE

City Council considered a report from Planning and Building Safety dated March 30, 2015 with respect to the above.

LoRegio-Harwood

180 That the application to subdivide 2105 Brandon Avenue (Lot 52, Block 2, Plan 148 BLTO) to create two (2) new lots and to consolidate these lots with the eastern two (2) lots located at 2025 Brandon Avenue and 1040 - 20th Street respectively, subject to:

1. The future owner of the lot to be consolidated with 2025 Brandon Avenue (Lot 1, Plan 40975), entering into a development agreement with the City of Brandon attached to the report of the Community Planner dated March 30, 2015.
2. The future owner of the lot to be consolidated with 1040 - 20th Street (Lot 3, Plan 40975), entering into a development agreement with the City of Brandon attached to the report of the Community Planner dated March 30, 2015.
3. The owner or successors submitting \$736.32 to the City of Brandon Planning & Building Safety Department as a cash-in-lieu contribution for public reserve purposes.
4. The owner or successors 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 Westman Communications Group. CARRIED.

BY-LAWS:

NO. 7112 TO REZONE PROPERTY LOCATED AT 1901 & 1955 - 34TH STREET FROM AG AGRICULTURAL GENERAL ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE

It was noted that this by-law had received first reading at the January 19, 2015 meeting of City Council.

Berry-LoRegio

- 181 That By-law No. 7112 to rezone 1901 & 1955 – 34th Street (Pt. SW¼ 10-10-19 WPM) from AG80 Agricultural General Zone under the RM of Cornwallis Zoning By-law No. 1558/09/99 to RSF Residential Single Family Zone under the City of Brandon Zoning By-law No. 6642 be read a second time. CARRIED.

Berry-LoRegio

- 182 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. 7112 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Ron W. Brown
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Vanessa Hamilton
Councillor Jeff Harwood
Councillor John LoRegio
Councillor Lonnie Patterson

AGAINST

Nil

NO. 7113 TO REZONE PROPERTY LOCATED AT 2105 BRANDON AVENUE FROM PR PARKS AND RECREATION ZONE TO CG COMMERCIAL GENERAL ZONE

It was noted that this by-law received first reading at the February 17, 2015 meeting of City Council.

183 LoRegio-Harwood
That By-law No. 7113 to rezone the property located at 2105 Brandon Avenue (Lot 52, Block 2, Plan 148 BLTO) from PR Parks and Recreation Zone to CG Commercial General Zone be read a second time. CARRIED.

184 LoRegio-Harwood
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. 7113 third reading.

<u>FOR</u>	<u>AGAINST</u>
Mayor Rick Chrest	Nil
Councillor Shawn Berry	
Councillor Ron W. Brown	
Councillor Jan Chaboyer	
Councillor Barry Cullen	
Councillor Kris Desjarlais	
Councillor Jeff Fawcett	
Councillor Vanessa Hamilton	
Councillor Jeff Harwood	
Councillor John LoRegio	
Councillor Lonnie Patterson	

NO. 7115 2015 TAX LEVY BY-LAW

Considered was a report from the Director of Finance dated March 18, 2015 with respect to the above.

185 Hamilton-Chaboyer
That By-law No. 7115 to impose and levy property taxes for the fiscal year 2015 be read a first time. CARRIED.

NO. 7118 TO AMEND TAXI FARE BY-LAW NO. 6924 TO INCLUDE A CONVENIENCE FEE FOR USE OF DEBIT AND CREDIT CARDS FOR PAYMENT OF FARES

It was noted that this by-law had received first reading at the March 16, 2015 meeting of City Council.

186 Patterson-LoRegio
That By-law No. 7118 to amend Taxi Fare By-law No. 6924 to include a maximum convenience fee for the use of debit and credit cards for payment of fares be read a second time. CARRIED.

Patterson-LoRegio

187

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. 7881 third reading.

FOR

AGAINST

Mayor Rick Chrest

Nil

Councillor Shawn Berry

Councillor Ron W. Brown

Councillor Jan Chaboyer

Councillor Barry Cullen

Councillor Kris Desjarlais

Councillor Jeff Fawcett

Councillor Vanessa Hamilton

Councillor Jeff Harwood

Councillor John LoRegio

Councillor Lonnie Patterson

NO. 7119

TO NAME THE ROADS LOCATED IN THE SE ¼ AND SW ¼ 1-11-19 WPM LOCATED NORTH OF MIDDLETON AVENUE FROM PTH NO. 10 WEST TO DEER RIDGE ROAD

City Council considered a report from the Manager of Property Administration dated March 16, 2015 with respect to the above.

Fawcett-Brown

188

That By-law No. 7119 to name the roads located in the SE ¼ 1-11-19 WPM located north of Middleton Avenue from PTH No. 10 west to Deer Ridge Road and to repeal By-law No. 7087 be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

MAYOR

CITY CLERK