

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

Harwood-Chaboyer
318 That the Agenda for the Regular Meeting of City Council to be held on Monday, September 21, 2015 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Patterson-Chaboyer
319 That the Minutes of the Regular Meeting of City Council held Tuesday, September 8, 2015 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) VARIANCE APPLICATION - 38-16TH STREET (HIEBERT)

City Council sat to hear representation on the appeal of the Planning Commission's decision to reject the variance application of Kevin Hiebert for 38 - 16th Street.

Ryan Nickel, Principal Planner for the City of Brandon, provided City Council with an overview of the application whereby he noted that the variations requested for the project included increasing the density from six units to twelve units, reducing the side yard setback from 3 meters to 0 meters, and reducing the number of required parking spaces from 18 to 12.

Jared Kehler, appeared on behalf of the applicant and spoke in favour of the application. He indicated that the developer had agreed to reduce the units from 2 bedroom to 1 bedroom units with the intent to reduce parking implications in the area.

Brad Johnson, owner of the neighbouring business at 30 – 16th Street, appeared in opposition to the application. He stated concerns about the number of parking spots for the number of proposed apartment units being built. Mr. Johnson indicated that parking was already a major concern in the areas and was anxious about the impact it would have on his business.

Brent Fines, owner of the apartment complex at 25/29 – 16th Street appeared in opposition to the application, citing concerns with the parking congestion in the area.

Chad Martin, a local property developer, appeared in support of the application indicating that there was a significant need for one bedroom units in the community and that there was adequate parking available with 12 parking spots for 12 units.

Elisabeth Anning, Executive Director of the Downtown Brandon Development Corporation (Renaissance Brandon), appeared in support of the application stating that the project was well suited for the Downtown and supported her organization's goals in increasing residential development in the area.

At the request of City Council, Mr. Nickel confirmed that the parking requirements were based on the number of units in the development, not the size of the units, nor the number of bedrooms.

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

Harwood-Chaboyer

320 That the Public Hearing for Variance Application V-15-15-B for 38 - 16th Street be concluded. CARRIED.

Patterson-Hamilton

321 That Variance Application V-15-15-B to vary the minimum required side yard setback from 3m to 0m, to increase the maximum density from 6 units to 12 units, and to reduce the minimum required parking spaces from 18 spaces to 12 spaces for a property located at 38 - 16th Street (Lot 1/3, Block 84, Plan 2 BLTO) be approved in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachments A2, A3 & A4" and the attached site plan "Attachment B-2", subject to the owner or successor, prior to the issuance of a building permit:

1. submitting a floor plan identifying no more than one bedroom within each dwelling unit;
2. entering into a development agreement with the City of Brandon as attached to the report by the Community Planner dated September 3rd 2015, and submitting written confirmation to the City of Brandon Planning & Building Safety Department that the development agreement has been registered on the Title to the subject property;
3. submitting \$310.00 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes; and
4. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$1,701.00 as a cash-in lieu contribution for school purposes. CARRIED.

(B) VARIANCE APPLICATION - 832-19TH STREET (HORIZON BUILDERS /KOKONAS)

City Council sat to hear representation on the appeal of the Planning Commission's decision to approve the variance application of Horizon Builders on behalf of Agelo Kokonas for 832 - 19th Street.

Ryan Nickel, Principal Planner for the City of Brandon, addressed City Council on the particulars of the application noting that the variation requested for the project was to allow for front vehicle access on a site that had a serviceable back lane. Mr. Nickel indicated there was a mixture of front and rear parking accesses on the other properties on the street and that the applicant had worked with the Planning Department to implement a design that decreased the prominence of the garages by bringing forward the entrances to the residence.

Tristan Lepischuk, 828 – 19th Street, appeared in opposition to the application citing concerns with parking and street congestion in the area.

His Worship Mayor Chrest also referred to correspondence received from Ross Sumner of Horizon Builders in support of the application.

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

Harwood-Chaboyer

322 That the Public Hearing for Variance Application V-16-15-B for 832 - 19th Street be concluded. CARRIED.

LoRegio-Harwood

323 That Variance Application V-16-15-B to vary Note 7 to Table 11: Residential Bulk and Siting Requirements under Section 35 of the City of Brandon Zoning By-law to allow front vehicle access for a site that abuts a public lane in the RLD Residential Low Density Multiple Family Zone be approved at 832 - 19th Street (Lots 29 & 30, Block 31, Plan 720 BLTO) in accordance with the intent of the application “Attachment A-1”, the attached letter of intent “Attachment A-3” and the attached site plan “Attachment B-2” and elevation plan “Attachment B-4”. CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE
VERBAL SEPTEMBER 21, 2015

September 21, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Hamilton provided a verbal report to City Council on the recent meeting of the Municipal Heritage Advisory Committee (MHAC). Councillor Hamilton stated that the MHAC continued to work on its strategic plan and hoped to have it completed for November, 2015. Councillor Hamilton also reported that MHAC continued to work with the Veterans Memorial Wall Sub-Committee with the intent to have the project completed by December 1, 2015.

(B) BRANDON GENERAL MUSEUM AND ARCHIVES INC.
VERBAL SEPTEMBER 21, 2015

September 21, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Harwood provided a verbal report to City Council on the activities of the Brandon General Museum and Archives Inc. (BGMA). Councillor Harwood informed City Council that Brandon General Museum had a busy summer with over 300 attendees visiting their new exhibit "The Flats", a display on early life in the North End of Brandon.

(C) BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL
VERBAL SEPTEMBER 21, 2015

September 21, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Desjarlais reported on the recent meeting of the Brandon Urban Aboriginal Peoples' Council (BUAPC). Councillor Desjarlais informed City Council that BUAPC had received additional funding of \$138,000 bringing the total amount received from the Urban Aboriginal Strategy up to \$284,000 for 2015/2016. He noted that the funding would be focused on a needs and gaps analysis and strategic planning to addresses economic challenges facing urban Aboriginal people in the City of Brandon.

Harwood-LoRegio

324 That the reports of the Municipal Heritage Advisory Committee, Brandon General Museum and Archives Inc., and the Brandon Urban Aboriginal Peoples' Council be received. CARRIED.

ENQUIRIES:

(117) WHEELCHAIR RAMP AT CANADA GAMES SPORTSPLEX

Councillor Desjarlais raised concerns over the slope of the wheelchair ramp at the Sportsplex, questioning its ability to meet safety standards and requested an update on solutions to reduce the risk of injury.

At the request of His Worship the Mayor, the Acting City Manager responded that several options had been explored and although carpeting was esthetically pleasing, it would deteriorate quickly with high traffic. He noted that tiling would be ideal for long term resilience but carried a cost of approximately \$50,000, whereby the most economical solution would be to repaint the ramps using a flat paint and applying new coats on a regular cycle. The Acting City Manager advised that with swimming pool renovations currently taking precedence until the Fall, a solution would be selected prior to the pool re-opening in 2016. It was noted that the grading of the ramp was built to 1978 building codes with no requirement or plans to upgrade same.

Councillor Desjarlais suggested that Administration consult with the Mobility and Accessibility Committee prior to any decision being made.

His Worship the Mayor agreed to take the matter under advisement.

(118) IMPROVEMENTS TO STREET AND PATH LIGHTING

Councillor Desjarlais stated that the installation of the new LED streetlights was expanding throughout the city and would likely resolve some of the past grievances over burned out lighting, however several areas throughout the city could be significantly improved. He enquired as to the process to initiate discussions with Manitoba Hydro prior to budget deliberations, given that any new streetlights would have to be included in the 2016 budget.

At the request of His Worship the Mayor, the Acting City Manager responded that Manitoba Hydro would replace a total of 3000 LED light standards in 2015, of which a number were still outstanding. He noted the balance would be replaced in early Spring of 2016. The Acting City Manager confirmed that if the City identified locations where light levels may be insufficient, Manitoba Hydro's specialist would evaluate and make recommendations including cost estimates for the City's consideration.

Councillor Chaboyer enquired as to the total number of streetlights in the City of Brandon and the estimated life expectancy of the new LED technology.

At the request of His Worship the Mayor, the Acting City Manager responded that the current number was 3000, with more to be completed in 2016. He was unaware of an exact life expectancy, but noted the comparison of at least five to ten times the lifespan as the current high pressure sodium, while using a fraction of the energy.

Councillor LoRegio enquired as to the cost savings for the City of Brandon in terms of electricity.

At the request of His Worship the Mayor, the Acting City Manager responded that although the City paid a flat rate, there was an understanding that Manitoba Hydro would incur the capital cost of replacement with a review in the next few years to re-evaluate the City rates based on true consumption.

(119) CRACK-FILLING OF RESIDENTIAL STREETS IN RICHMOND WARD

Councillor Brown enquired when crack filling of streets in the newer areas of the Richmond Ward including Hawthorn Crescent, Magnolia, Woodland and Sycamore Drives, and 9th Street would be done prior to winter.

At the request of His Worship the Mayor, the Acting City Manager advised that the Streets and Roads Section had planned for crack-filling in the 2015 summer maintenance schedule. He stated that due to staff shortages, they were unable to complete the maintenance work in 2015 and the work would be implemented in 2016, including the areas specified by Councillor Brown.

(120) ROAD CONSTRUCTION ON PARKDALE DRIVE

Councillor Berry requested clarification on the full scope of work being done, and the timeline for road construction along Parkdale Drive.

At the request of His Worship the Mayor, the Acting City Manager advised that the Parkdale Drive road rehabilitation would require three to four more weeks of construction and included curb, gutter and driveway approach replacement as well as the rehabilitation of the road base and asphalt surface. He advised that the work did not require removal of the entire boulevard sod on either side of Parkdale however, there would be some excavation requiring sod repairs.

(121) REPAIR OF FROST BOILS ON CANADA CRESCENT

Councillor Cullen enquired as to whether permanent repair or asphalt replacement would be done on the spring frost boils along Canada Crescent prior to winter.

At the request of His Worship the Mayor, the Acting City Manager responded that there were 11 frost boils requiring repairs in 2015. Seven of these had been fixed with four outstanding, including one on Canada Crescent. He advised that the Streets and Roads Section would have repairs completed within the next two weeks, weather permitting.

(122) REMOVAL OF TREES WITH DUTCH ELM DISEASE

Councillor Harwood enquired as to when the removal of trees marked with Dutch Elm disease around the city would begin and if diseased trees on city property would be replaced with new trees.

At the request of His Worship the Mayor, the Acting City Manager responded that following the Province of Manitoba marking Dutch Elm trees with orange spray paint, the City removed same and a new one was planted in the spring or fall of the following year. He noted that in cases where a tree was removed from private property, it was up to the property owner whether or not to replace it. The Acting City Manager confirmed that removal was anticipated in late November.

(123) SPEED OF TRAFFIC ON PARK AVENUE BETWEEN 26TH STREET AND 34TH STREET

Councillor Harwood advised he had received concerns from residents regarding vehicle speeds along Park Avenue, west of 26th Street. He enquired if additional monitoring could be implemented in an effort to slow the speed of traffic.

At the request of His Worship the Mayor, the Acting City Manager responded that the Brandon Police Service would set up speed monitoring along Park Avenue in the area in question. He noted that resources were currently focused on the School Zone areas however, in the next few weeks attention would be given to Park Avenue whereby an update would be forwarded to the area Councillor and City Administration.

(124) SAFETY CONCERNS WITH TREES ON WEST SIDE OF 13TH STREET BETWEEN LORNE AND LOUISE AVENUES

Councillor Desjarlais noted that there were a few trees along the west side of 13th Street between Lorne Avenue and Louise Avenue that looked ready to fall over, and enquired if there were any safety concerns and if removal and replacement were possible solutions.

At the request of His Worship the Mayor, the Acting City Manager responded that following inspection by Parks staff, two of the smaller trees on the west side of 13th Street would be removed as they may have become a safety issue for motorists, however the rest were deemed healthy. He advised that placement of the new trees would be in the same area, but not the same location as there were large trees that were causing smaller trees to arc towards the sun and over the road.

(125) REMOVAL OF JERSEY BARRIERS ON 9TH STREET

Councillor Desjarlais noted that in the City Manager's Infrastructure Update, confirmation was given that the cement jersey barriers located on 9th Street would be removed and replaced with more permanent structures. He requested a proposed timeline for completion.

At the request of His Worship the Mayor, the Acting City Manager responded that Zenith Paving had indicated that curb extensions on 9th Street at Rosser and Princess Avenues would be constructed in early October in conjunction with the sidewalk construction at the former Fire Hall located at 637 Princess Avenue.

ANNOUNCEMENTS:

BRANDON GENERAL MUSEUM & ARCHIVES ANNUAL FUNDRAISING DINNER

Councillor Harwood announced that the Brandon General Museum & Archives' Annual Fundraising Dinner would be held Thursday, October 15, 2015 at the Sokol Hall and would be saluting the history of the North End of Brandon. He noted that tickets were \$40 and available through the museum by calling 204-717-1514.

PUBLIC CONSULTATION ON 2016 BUDGET

Councillor Chaboyer announced that in preparation for the 2016 budget deliberations, a public consultation would be held Wednesday, September 30, 2015 from 7:00 p.m. - 9:00 p.m. at Crocus Plains School (1930 - 1st Street) in the cafeteria. She noted that the format would be informal with display panels demonstrating existing revenue and expenses, as well as items from the Strategic Plan in hopes to hear from the residents of the City on their priorities for the 2016 budget. Councillor Chaboyer advised that refreshments would be provided and all of City Council as well as some members of Administration would be in attendance.

PARTNERSHIP WITH MANITOBA ARTS COUNCIL

Councillor Patterson announced the recent partnership between the City of Brandon Community Development Department and the Manitoba Arts Council at the A.R. McDiarmid Civic Complex. She noted that the Arts Council would have regular hours of operation in Brandon on the third Thursday of each month from 1:00 p.m. to 4:30 p.m. and the following Friday from 9:00 a.m. to 1:30 p.m.

GENERAL BUSINESS:

(A) ACCOMMODATION TAX FUNDING REQUEST - BRANDON FIRST CURLING STRATEGY

City Council considered a report from the Director of Economic Development dated September 9, 2015 with respect to the above.

Desjarlais-Patterson

325 That a grant of \$7,450 be provided to Brandon First, to recover additional expenses incurred to date as a result of implementing the curling strategy, with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

Patterson-Desjarlais

326 That a grant of \$300,000 be provided to Brandon First to be used towards hosting fees of a major Curling Canada event, as part of the curling strategy, with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(B) APPLICATION TO SUBDIVIDE - 507-42ND STREET (KELLER/6733540 MANITOBA LTD.)

Submitted for consideration was a report from Planning and Building Safety Services dated August 26, 2015 with respect to the above.

Cullen-Fawcett

327 That the application to subdivide 507 - 42nd Street (Parcel A, Plan 37524 BLTO) to create six (6) parcels and a parcel containing the amenity and the parking areas within the subdivision in the RMD Residential Moderate Density Multiple Family Zone be approved subject to the owner or successor:

1. 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;
2. 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.; Westman Communications Group and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision; and

3. submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for postal service to the satisfaction of Canada Post. CARRIED.

BY-LAWS:

NO. 7120 TO AMEND ACCOMMODATION TAX BY-LAW NO. 7014 - FUNDING OF NON-EVENT SPECIFIC CAPITAL ENHANCEMENTS AND ALLOCATIONS TO RESERVES

Considered was a report from the City Clerk dated September 13, 2015 with respect to the above.

Patterson-Berry

- 328 That By-law No. 7120 to amend Accommodation Tax By-law No. 7014 with respect to funding of non-event specific capital enhancements and allocations to reserves, be amended by adding in Clauses 1) (a), (b) and (d), the words: “undertaken by the Keystone Centre” immediately following the words: “non-event capital projects”. CARRIED.

Patterson-Berry

- 329 That By-law No. 7120, as amended, be read a second time. CARRIED.

Patterson-Berry

- 330 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. 7120 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. 7121 TO AMEND BY-LAW NO. 7063 TO PROVIDE FOR THE BORROWING OF FUNDS FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO THE KEYSTONE CENTRE FOR ROOF REPAIRS

City Council considered a report from the City Clerk dated September 13, 2015 with respect to the above.

Berry-Desjarlais

331 That By-law No. 7121, to amend By-law No. 7063, to provide for the borrowing of funds by the issue and sale of debentures in the amount of \$2,975,000 to provide financial assistance to the Keystone Centre for roof repairs be amended by deleting Clause 1.(a) in its entirety and renumbering Clauses 1. (b) and (c) as Clauses 1. (a) and (b). CARRIED.

Berry-Harwood

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

Berry-Harwood

333 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. 7121 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. 7130

TO AMEND ACCOMMODATION TAX RESERVE BY-LAW NO. 7016 AND LARGE EVENT ACQUISITION RESERVE BY-LAW NO. 7020

It was noted that this by-law had been read a first time at the September 8, 2015 meeting of City Council.

Patterson-Desjarlais

334 That By-law No. 7130, to amend Accommodation Tax Reserve By-law No. 7016 and Large Event Acquisition Reserve By-law No. 7020, be read a second time. CARRIED.

Patterson-Desjarlais

335 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. 7130 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

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Hamilton

That the meeting do now adjourn (10:18 p.m.) CARRIED.

MAYOR

CITY CLERK