

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, AUGUST 13, 2018 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Jan Chaboyer, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Glen Parker, Councillor Lonnie Patterson

ABSENT: Nil

ADOPTION OF AGENDA:

Harwood-Parker  
1454 That the Agenda for the Regular Meeting of City Council to be held on Monday, August 13, 2018 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Chaboyer-Cullen  
1455 That the Minutes of the Regular Meeting of City Council held Monday, July 16, 2018 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) BRANDON UNIVERSITY STUDENTS' UNION – COMMUNITY EVENT STATUS, FALL ORIENTATION SOCIAL

Justin Shannon, president of Brandon University Students' Union (BUSU) appeared before City Council. Mr. Shannon stated BUSU will be hosting an outdoor social event at the Kavanaugh Courtyard, on the Brandon University grounds, Friday, September 14, 2018 and requested Community Event status for the event. Mr. Shannon also requested a gift-in-kind contribution from the City of Brandon in the provisions of garbage and recycling containers. Mr. Shannon advised that BUSU had secured fencing, washroom facilities and food for the event. In addition, BUSU would be in touch with area residents regarding the increase in noise.

Harwood-LoRegio  
1456 That the presentation by Justin Shannon with respect to the designation of the Brandon University Students' Union "Out of This World" social as a community event be received. CARRIED.

Harwood-LoRegio  
1457 That the Brandon University Students' Union (BUSU) "Out of This World" Social to be held September 14, 2018 in the Kavanaugh Courtyard on the Brandon University Campus be designated a Community Event in the City of Brandon. CARRIED.

PUBLIC HEARINGS:

- (A) BY-LAW NO. 7195 – TO AMEND SOUTHWEST BRANDON SECONDARY PLAN BY-LAW NO. 7080
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City Council sat to hear representation on the above noted matter.

Ryan Nickel, Chief Planner and Patrick Pulak, Director of Engineering Services provided an overview of the amending by-law. Mr. Nickel noted that the secondary plan was adopted to direct development in the southwest growth area and the purpose of amendments to the plan was to update the planning of infrastructure as per transportation and servicing studies.

Steve McMillan spoke on behalf of VBJ Developments and stated concerns with the policy outlining the process for requiring and approving oversized infrastructure improvements and the recovery of costs.

John Burgess, appeared on behalf of Waverly Developments Ltd. and also indicated concerns with the oversize improvement policy.

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

Berry-Parker

1458 That the Public Hearing with respect to By-law No. 7195 to amend Southwest Brandon Secondary Plan By-law No. 7080 be concluded. CARRIED.

- (B) BY-LAW NO. 7213 – TO DESIGNATE 1043 ROSSER AVENUE AS A MUNICIPAL HERITAGE SITE
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City Council sat to hear representation on the application for the above noted designation.

Ryan Nickel, Chief Planner provided an overview of the heritage designation application. He noted that the building already had Provincial Heritage Designation and the municipal designation would recognize the historical significance of the building to Brandon and allow the property owner to apply to the municipal Heritage Incentives Program for financial assistance in maintaining the heritage integrity of the building.

Carolyn Cancade, General Manager of the Brandon Chamber of Commerce appeared in favour of the designation of the building to compliment the provincial heritage designation.

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

Desjarlais-Harwood

- 1459 That the Public Hearing with respect to the proposed designation of the land and premises located at 1043 Rosser Avenue (Parts of Lots 24/26, Block 78, Plan 2 BLTO) as a municipal heritage site be concluded. CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(315) STATUS OF ASSINIBOINE RIVER WATER

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Councillor Chaboyer requested an update on the status of the Assiniboine River water, inclusive of whether or not there were sufficient quantities, if extra treatment was required with low water levels and if there was a water conservation plan in place.

At the request of His Worship the Mayor, the City Manager responded that staff continued to monitor river water levels at the Water Treatment Plant with water quality also monitored to ensure additional chemicals were added if necessary. He noted that Assiniboine River levels in the City of Brandon were primarily impacted by the flow out of the Shellmouth Dam and, as a member of the Shellmouth Dam Liaison Committee, City representatives continued to be vocal about the water needs for Brandon. The City Manager confirmed that a water conservation plan was in place and work had begun on a stand-alone drought plan for the City of Brandon.

(316) PARKING AND TRAFFIC ISSUES ON DRIFTWOOD CRESCENT AND GARWOOD DRIVE

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Councillor Chaboyer advised that she had received complaints from residents on Driftwood Crescent and Garwood Drive with respect to employees of businesses in the Industrial Park parking on these streets all day while they were at work. She enquired if two-hour parking limits could be considered for this area.

Councillor Chaboyer also noted that the increased amount of large trucks travelling on residential streets in this area was a concern and enquired if this situation could be monitored.

At the request of His Worship the Mayor, the City Manager responded that the Engineering Department had canvassed the area and noted that while there was a concentration of parked vehicles in the area close to Park Avenue East, there was still adequate space for additional vehicles. He stated that these streets were wide enough to accommodate parking on both sides and all vehicles observed at that time were in compliance with the Traffic By-law provisions for on-street parking.

The City Manager advised that when permitted, parking on City streets was available and shared for all types of use. He advised that the process to limit on-street parking required a petition signed by all property owners on the block and encouraged residents to contact the Engineering Department for further information on this issue.

With respect to the increased amount of large truck traffic, the City Manager responded that Park Avenue East had recently been closed for watermain repairs and although truck traffic was instructed to detour via 1st Street and Richmond Avenue East, trucks may have used Elderwood Drive as an alternate route. The City Manager confirmed that "No Truck" signs were installed at the intersections of Elderwood Drive with Park Avenue East and Richmond Avenue East and agreed to have same installed at the Garwood Drive intersection as well.

(317) UPDATE ON RIDEAU PARK PAVILION AND POTENTIAL PERMANENT WASHROOM

Councillor Parker requested an update on the status of the Rideau Park Pavilion as well as the potential for an additional permanent washroom for the Park.

At the request of His Worship the Mayor, the City Manager responded that the Rideau Park Pavilion Project was being undertaken by the Kiwanis Club. He agreed to reach out to that group for an update on timelines. The City Manager noted that there were three buildings with washroom facilities already in Rideau Park, but agreed to have the possibility of an additional facility investigated.

(318) UPDATE ON BRAECREST CORRIDOR

Councillor Fawcett requested an update on the status of the Request for Proposals for the functional design of the Braecrest Corridor.

At the request of His Worship the Mayor, the City Manager responded that the submission deadline was August 10, 2018 with the submissions to be reviewed by the Evaluation Committee and the award being made in early September 2018.

(319) DECORATIVE LIGHT FIXTURES ON 10TH STREET BETWEEN PACIFIC AND ROSSER AVENUES

Councillor Desjarlais noted that the installation of decorative light fixtures on 10th Street between Pacific and Rosser Avenues had been approved in the 2018 City of Brandon Budget Deliberations and requested an update on the status of same.

At the request of His Worship the Mayor, the City Manager responded that due to the requirement for the posts and mantels to exactly match those installed in 2003, the estimated costs had come in at \$30,000, well over the budgeted amount of \$16,000. He acknowledged that current lighting in the 000 Block of 10th Street was not sufficient and advised that the Engineering and Operations Departments were working together on potential solutions. The City Manager confirmed that a decision whether to postpone the project until 2019 or amend

the specifications of the lights to come in on budget was expected to be made within two weeks. He agreed to keep City Council updated on this project.

(320) UPDATE ON PUBIC WASHROOM AT PRINCESS PARK

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Councillor Desjarlais noted that a public washroom for Princess Park was approved in the 2018 City of Brandon Budget Deliberations and requested an update on the status of same.

At the request of His Worship the Mayor, the City Manager responded that numerous City of Brandon Departments reviewed the Princess Park washroom capital project in early 2018. He confirmed that although there was value to this facility for downtown residents, the project had been put on hold for further review of the design, location and anticipated costs. He advised that City Council input would be sought as soon as a finalized design and location were established.

(321) UPDATE ON THE COST OF THE DOWNTOWN FIRE

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Councillor Desjarlais requested an update on the costs incurred for the downtown fire that occurred on May 19, 2018, inclusive of emergency services, hotels, and water.

At the request of His Worship the Mayor, the City Manager provided the following summary of costs:

Overtime	\$60,456.36
Accommodations and Meals for Evacuees	\$66,123.09
Site Security	\$6,080.40
Other	\$1,211.58
TOTAL TO DATE	\$133,871.43

(322) UPDATE ON COUNCIL PAY STRUCTURE

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Councillor Desjarlais noted that some municipalities had made changes to the Council pay structures in preparation for the discontinuation of the tax exemption portion forecasted in the 2019 Federal Budget and enquired if the City of Brandon had examined the impact of same on upcoming budgets.

At the request of His Worship the Mayor, the City Manager responded that the City of Brandon was advised by the Association of Manitoba Municipalities that the Federation of Canadian Municipalities had been lobbying the Federal Government with respect to the legislative change to eliminate the 1/3 tax exemption for non-accountable expense allowances paid to Elected Officials. He advised that to date, there had been no movement by the Federal Government to change this measure which is set to become effective January 1, 2019. The City Manager noted that the City of Brandon was currently seeking clarification on what was included in the "non-accountable expense allowances" and how municipal budgets would be effected by this elimination. He confirmed that an update to City Council would be provided as soon as more information became available.

ANNOUNCEMENTS:

2018 ROYAL CANADIAN LEGION NATIONAL YOUTH TRACK AND FIELD CHAMPIONSHIPS

Councillor Patterson announced that the 2018 Royal Canadian Legion National Youth Track and Field Championships held August 10-12, 2018 at the Canada Games Sportsplex was a great success with 650 athletes aged 14-17 years from across Canada competing.

She issued accolades to Mrs. Barb Andrew, Chair of the local Organizing Committee on a job well-done. Councillor Patterson thanked Sergeant Cameron and the Troops from CFB Shilo for all their help in the set up and take down, as well as the City of Brandon staff who worked hard to ensure the venue was in the best shape to showcase this event.

His Worship Mayor Chrest echoed Councillor Patterson's comments and thanked everyone for all their hard work in making this event so successful. Mayor Chrest advised that he had spoken with many of the National Legion Representatives who all stated that the City of Brandon was one of the best hosts they've had for the games with great support from local media, the business community and volunteers. He noted that City Council would be provided an opportunity to thank Barb Andrew in person when she provided an update on the event at a future City Council meeting. His Worship also thanked Councillor Patterson and Councillor Berry for all their time spent working as volunteers to ensure the event's success.

"STORIES FROM THE LAND" EVENT AT ASSINIBOINE FORREST

Councillor Desjarlais announced that the Brandon Urban Aboriginal Peoples' Council had partnered with the Assiniboine Food Forest to host the "Stories of the Land" Event to be held from 7:00 p.m. to 9:00 p.m. at the Assiniboine Food Forest on August 15, 2018. Councillor Desjarlais advised that stories would be shared throughout the evening by local Dakota, Anishinabe and Metis Knowledge Keepers and invited everyone to come out and listen to these important stories of the history of our land.

NATIONAL ARABIAN AND HALF-ARABIAN HORSE SHOW

Mayor Rick Chrest announced that the National Arabian and Half-Arabian Horse Show was currently underway at the Keystone Centre. Mayor Chrest advised that this annual event that showcased Arabian and Half-Arabian horses brought participants and visitors from all across North America to Brandon. He advised that the shows were open to the public and invited everyone to head down to the Keystone Centre to take in the shows and tour the barns.

GENERAL BUSINESS:

(A) BROOKWOOD SOUTH NEIGHBOURHOOD PLAN

City Council considered a report from the Chief Planner dated August 2, 2018 with respect to the above.

Berry-LoRegio

1460 That the Brookwood South Neighbourhood Plan attached to the report of the Chief Planner dated August 2, 2018 be adopted, subject to the following subsections being amended prior to the City of Brandon approving any rezoning or subdivision applications in the Brookwood South Neighbourhood Plan area:

1. Section 7.1, by amending Figure 20 to show a future water connection at the intersection of Patricia Avenue and the Lakeview Drive extension; and
2. Section 7.2, by amending the text and Figure 21 to direct all wastewater generated within the Brookwood South Neighbourhood Plan area towards the future lift station at the northwest corner of 34th Street and Patricia Avenue. CARRIED.

(B) POTENTIAL CANNABIS TAXATION

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Submitted for consideration was a report from the Manager of Corporate Policy dated August 8, 2018 with respect to the above.

Patterson-Parker

1461 That the following resolution be submitted to the Association of Manitoba Municipalities for consideration at the 2018 November Annual Convention:

WHEREAS the provincial government indicated in its Budget 2018 speech that it would sign on to the federal excise duty framework for cannabis, whereby 75% of excise tax revenues would be given to the Province of Manitoba to share with municipalities; and

WHEREAS the provincial government intends to apply additional price-per-gram markups and a Social Responsibility Fee (SRF) on total annual revenues from the sale of recreational cannabis to be paid by all provincially-licensed cannabis retailers to ensure they share in the social responsibility costs of cannabis legalization; and

WHEREAS the legalization and regulation of recreational cannabis will pose substantial costs on Manitoba municipalities; and

WHEREAS FCM estimates municipal administration and local policing costs will total \$3-4.75 million per 500,000 residents, representing a range of approximately \$210-335 million per year in costs incurred by municipalities across Canada; and

WHEREAS FCM recommends that one-third (33%) of total annual excise tax revenue collected on cannabis sales be allocated to municipal governments to address municipal administration and policing costs; and

WHEREAS municipalities must be meaningful participants in revenue-sharing conversations while a revenue-sharing model must be co-developed that respects municipal authority; and

WHEREAS a Probe Research poll indicated that 59% of Manitobans believe that municipalities should receive between one-half and all of the revenue from the sale of cannabis;

NOW THEREFORE BE IT RESOLVED THAT the Association of Manitoba Municipalities lobby the Province of Manitoba to provide to Manitoba Municipalities at least one-third (1/3) of total annual excise tax revenues collected on cannabis sales;

AND FURTHER BE IT RESOLVED THAT the Association of Manitoba Municipalities lobby the Province of Manitoba to establish additional funding mechanisms in the event costs incurred by Municipalities exceeds their share of excise revenues. CARRIED.

(C) SUPPLY OF ONE (1) FORD POLICE INTERCEPTOR UTILITY VEHICLE

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Considered was a report from the Director of Transportation Services dated August 8, 2018 with respect to the above.

Parker-Cullen

1462 That the purchase of one (1) 2019 Ford Police Interceptor Utility vehicle from Kelleher Ford Sales for a total price of \$53,879.04 (net of GST) be approved;

and further, that the required funds of \$78,879.04 be expended from the Police Vehicles Reserve. CARRIED.

(D) TENDER – VALLEYVIEW RECREATION HUB

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City Council considered a report from the Manager of Parks Operations dated August 9, 2018 with respect to the above.

Harwood-Brown

1463 That the bid from Premier Commercial Builders Ltd. to carry out the Valleyview Recreation Hub as per the tender and specifications at a cost of \$1,008,614.92 (exclusive of GST) be accepted and that the additional funding requirement of \$350,000 be approved to be expended from the Gas Tax Reserve. CARRIED.

(E) WHEAT CITY GOLF COURSE MASTER PLAN

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Submitted for consideration was a report from the Chief Planner dated August 3, 2018 with respect to the above.

Harwood-Cullen

1464 That the Wheat City Golf Course Master Plan dated April 18, 2018, attached to the report of the Chief Planner dated August 3, 2018, be adopted. CARRIED.

ALTERATION – ORDERS OF THE DAY:

Cullen-Harwood

- 465 That pursuant to Section 59 of Procedure By-law No. 6634, the Orders of the Day be altered whereby City Council shall resolve itself into the Order of By-laws to consider By-law No. 7188 to rezone property located at 3500 McDonald Avenue from Agricultural and Parks & Recreation Zone to CAR Commercial General Zone. CARRIED.

BY-LAWS:

NO. 7188 TO REZONE 3500 MCDONALD AVENUE FROM AGRICULTURAL AND PARKS AND RECREATION ZONE TO COMMERCIAL GENERAL ZONE

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It was noted that this by-law received second reading at the July 16, 2018 meeting of City Council.

Harwood-Cullen

- 1466 That By-law No. 7188 to rezone part of the property located at 3500 McDonald Avenue (Pt. N 1/2 Sec 21, Twp. 10, Range 19 WPM & Parcel F, Plan 31788 BLTO) from Agriculture (A) and Parks & Recreation (PR) Zones to Commercial General (CG) 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. 7188 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 Jeff Harwood  
Councillor John LoRegio  
Councillor Glen Parker  
Councillor Lonnie Patterson

AGAINST

Nil

ALTERATION - ORDERS OF THE DAY:

Harwood-Patterson

- 1467 That the Orders of the Day be altered and City Council resolve itself back to the Order of General Business. CARRIED.

GENERAL BUSINESS:

(F) APPLICATION TO SUBDIVIDE - 3500 MCDONALD AVENUE

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Considered was a report from the Chief Planner dated August 3, 2018 with respect to the above.

Cullen-LoRegio

1468 That the application to subdivide 3500 McDonald Avenue (Pt. N ½ 21-10-19 WPM & Parcel F Plan 31788 BLTO) to create two (2) lots in the Commercial General (CG) Zone be approved subject to the owner or successor

1. Submitting written confirmation to the satisfaction of the City of Brandon Planning & Buildings Department that arrangements have been made for a private sewer and water agreement for proposed Lot 1 of this subdivision, and registering the agreement in series with the plan of subdivision;
2. Submitting \$4,654.96 to the City of Brandon Planning & Buildings Department as a cash-in lieu contribution for public reserve purposes;
3. Registering the development agreement, required under the associated application to rezone the proposed lots from the Parks and Recreation (PR) and Agricultural (A) Zones to the CG Zone, as a caveat no later than in series with the plan of subdivision;
4. Submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received \$20,412.00 as a cash-in lieu contribution for school purposes; and
5. Submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and BellMTS, and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision. CARRIED.

NO. 7195 TO AMEND BY-LAW NO. 7080 – SOUTHWEST BRANDON SECONDARY PLAN

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City Council considered a report from Property and Buildings dated August 7, 2018 with respect to the above.

Berry-Parker

1469 That consideration of third reading of By-law No. 7195 to amend the Southwest Secondary Plan By-law No. 7080 be deferred to the October 1, 2018 meeting of City Council. CARRIED.

NO. 7213 TO DESIGNATE 1043 ROSSER AVENUE AS A MUNICIPAL HERITAGE SITE

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It was noted that this by-law received first reading on July 16, 2018.

Desjarlais-Harwood

1470 That By-Law No. 7213 to designate 1043 Rosser Avenue (Parts of Lots 24/16, Block 78, Plan 2 BLTO) as a municipal heritage site be read a second time. CARRIED.

Desjarlais-Harwood

1471 That this 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. 7213 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 Jeff Harwood	
Councillor John LoRegio	
Councillor Glen Parker	
Councillor Lonnie Patterson	

NO. 7215 TO ESTABLISH THE A.R. MCDIARMID BUILDING RESERVE

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It was noted that this by-law received first reading on July 16, 2018.

Desjarlais-Chaboyer

1472 That By-law No. 7215 to establish the A. R. McDiarmid Building Reserve for significant repairs or capital improvements to the building known as the A. R. McDiarmid Building located at 638 Princess Avenue, be read a second time. CARRIED.

Desjarlais-Chaboyer

1473 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. 7215 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 Jeff Harwood	
Councillor John LoRegio	
Councillor Glen Parker	
Councillor Lonnie Patterson	

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (9:40 p.m.) CARRIED.

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MAYOR

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CITY CLERK