

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, DECEMBER 2, 2019  
AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON,  
MANITOBA**

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**PRESENT:** Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Shaun Cameron, Councillor Jan Chaboyer, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor John LoRegio, Councillor Bruce Luebke, Councillor Glen Parker

**ABSENT:** Councillor Barry Cullen

**ADOPTION OF AGENDA:**

464 Chaboyer-Luebke  
That the Agenda for the Regular Meeting of City Council to be held Monday, December 2, 2019 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

465 Cameron-Parker  
That the Minutes of the Regular Meeting held on November 18, 2019 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF PRESENTATIONS:**

Nil

**COMMUNITY COMMENTS/FEEDBACK:**

Nil

**HEARING OF DELEGATIONS:**

Nil

**PUBLIC HEARINGS:**

(A) BY-LAW NO. 7257 - TO CLOSE PART OF RIVER AVENUE, PART OF JOHN AVENUE, PORTIONS OF 19TH STREET TO 24TH STREET, PORTIONS OF THE PUBLIC LANE BETWEEN 18TH AND 24TH STREETS, AND PART OF MCGREGOR AVENUE

City Council sat to hear representation with respect to By-law No. 7257 to close part of River Avenue, part of John Avenue, portions of 19th Street to 24th Street, portions of the public lane between 18th and 24th Streets, and part of McGregor Avenue.

Ryan Nickel, Director of Planning provided information to Council on the closure of the roads in conjunction with the subdivision of property around the Canada Games Park.

No representation was received either in support of or in opposition to the road closure by-law.

Cameron-LoRegio

466 That the Public Hearing for By-law No. 7257 to close and convey a part of River Avenue, part of John Avenue, portions of 19th Street to 24th Street, portions of the public lane between 18th and 24th Streets, and part of McGregor Avenue be concluded. CARRIED.

(B) BY-LAW NO. 7259 - TO CLOSE PART OF JOHN AVENUE, PART OF RIVER ROAD, PART OF 14TH, 15TH AND 16TH STREETS NORTH, PART OF THE PUBLIC LANE LOCATED BETWEEN 14TH STREET NORTH AND 17TH STREET NORTH, AND PART OF THE PUBLIC LANE LOCATED BETWEEN 16TH STREET NORTH AND RIVER ROAD

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City Council sat to hear representation with respect to By-law No. 7259 to close part of John Avenue, part of River Road, part of 14th, 15th and 16th Streets North, part of the public lane located between 14th Street North and 17th Street North, and part of the public lane located between 16th Street North and River Road.

Ryan Nickel, Director of Planning provided information to Council on the closure of the roads in conjunction with the subdivision of property around Eleanor Kidd Park.

No representation was received either in support of or in opposition to the road closure by-law.

Desjarlais-Chaboyer

467 That the Public Hearing for By-law No. 7259 to close and convey part of John Avenue, part of River Road, part of 14th, 15th and 16th Street North, part of the public lane located between 14th Street North and 17th Street North, and part of the public lane located between 16th Street North and River Road, be concluded. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) BOARD OF REVISION NOVEMBER 20, 2019

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City Council considered a report from the Chairman of the Board of Revision dated November 20, 2019 with respect to the proceedings of the Board of Revision regarding applications for revision of the 2020 Property Assessment Roll and 2018/2019 Supplementary Tax Statements.

Parker-Cameron

468 That the report of the Board of Revision dated November 20, 2019 with respect to the 2020 Real Property Assessment Roll and 2018/2019 Supplementary Tax Statements be received. CARRIED.

(B) AUDIT AND FINANCE COMMITTEE VERBAL DECEMBER 2, 2019

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Councillor Fawcett provided a verbal report from the meeting of the Audit and Finance Committee held on November 21, 2019. He noted the main topic discussed was the October budget review, which was projecting an \$815,000 surplus in the General Fund and a \$493,000 surplus in the Utility Fund. He noted that in the event of an end of year surplus, said funds would be moved into reserve accounts which would assist the City's 2020 capital program.

(C) KEYSTONE CENTRE VERBAL DECEMBER 2, 2019

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Councillor Luebke provided a verbal report from the Annual General Meeting of the Keystone Centre held on November 28, 2019. He noted the topics discussed were the audited financial statements for 2019, and announcements from the Provincial Government. Councillor Luebke stated the audited financials in operations showed a loss of \$66,218 although there was a growth in banquet, concert and rental revenues.

Councillor Luebke further reported the Province announced that the Keystone Centre's new governance structure had been approved. He also noted that the Province would be providing the Keystone Centre with \$375,000 in operating funding for this year and that dialogue with the Province continued on 2019-2020 capital funding and on reaching a long-term funding agreement.

Luebke-Berry

469 That the report of the Audit and Finance Committee and the Keystone Centre be received. CARRIED.

ENQUIRIES:

(86) UPDATE ON TREE PLANTING IN CITY OF BRANODN

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Councillor Luebke referred to the City of Brandon Corporate Scorecard and noted that the goal of planting 400+ trees in 2019 had fallen short. He enquired as to the reasons for same and whether or not the short fall was expected to be made up in 2019 or 2020.

At the request of His Worship the Mayor, the Acting City Manager responded that the goal of planting 400+ trees would not be met due to grant funding not being received from the Toronto Dominion Bank (TD) and Canadian National Railway (CN). Mr. Hammond explained that the funds received from these grants in the past had covered the costs of planting approximately 200 trees, however CN was not offering the program in 2019 and the grant request to TD Bank had been unsuccessful.

Further to this issue, Councillor Desjarlais enquired as to the impacts of Emerald Ash Bore Beetles, Dutch Elm Disease and flooding on Brandon's trees. He requested an update on the impact of the loss of funding dollars on tree planting, and further, that consideration be given to allocating funds for same during the 2020 Budget Deliberations.

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

(87) CORPORATE SCORECARD

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Councillor Luebke noted that there appeared to be some discrepancies on the Corporate Scorecard with what appeared on the front page with respect to the target goal differing from the numbers that appeared on the page containing the goal itself. He used the Brandon Transit ridership goal as an example, noting that the front page listed a target of 897,000, however the current progress listed was 943,432 and the target for the year was listed as 1,017,000. He enquired if an explanation for same could be provided.

At the request of His Worship the Mayor, the Acting City Manager explained that the Corporate Scorecard was designed to allow members of the public to track the city's progress as well as to allow city staff to track goals from various departments and services within the city. With respect to Transit, Mr. Hammond explained that the front page showed the current ridership progress (943,432) compared to the estimated target to the end of October (897,000). He advised that the details page for Transit contained the current progress of 943,432 compared with the year-end goal of 1,017,000. He agreed that the system would be reviewed for 2020 and efforts made to show the information in a less confusing way going forward.

(88) WALKWAY FENCE ON WAVERLY DRIVE

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Councillor LoRegio advised that the fence recently installed between 72 Waverly Drive and 76 Waverly Drive to prevent pedestrians from crossing the train tracks had been removed by an area resident within 24 hours of installation. He advised that he had requested a stronger fence be installed and enquired if the Brandon Police Service could be requested to conduct surveillance in this area prior to and right after school as it appeared the removal of the fence was happening during those times.

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

(89) VANDALISM OF CITY PROPERTY

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Councillor LoRegio enquired if statistics were compiled on instances of vandalism to city property and costs associated with same, and further, if charges had ever been laid and costs recouped from the perpetrators.

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

ANNOUNCEMENTS:

PASSING OF TWO PROMINENT WESTMAN RESIDENTS

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Councillor Fawcett regretfully announced that two prominent Westman Residents had passed away in the past week - Don Penny, a local businessman who had grown his accounting company to prominence across Canada with beginnings in Brandon, and Archie Londry, a decorated Veteran and a dedicated volunteer of the Commonwealth Air Training Plan Museum.

UNIVERSITY AND VICTORIA WARDS JOINT WARD MEETING

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Councillor Cameron announced that he and Councillor Cullen would be hosting a Joint Ward meeting of the University and Victoria Wards on Tuesday, December 10, 2019 from 7:00 to 9:00 p.m. in the Lecture Theatre of Vincent Massey High School. Councillor Cameron directed residents to the City website and social media pages for more information.

GENERAL BUSINESS:

(A) 2020 CITY OF BRANDON BORROWING

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City Council considered a report from the Finance Department dated November 2, 2019 with respect to the above.

Chaboyer-Parker

470 That pursuant to Section 173(1) of The Municipal Act, the borrowing of funds from the Bank of Montreal, for general operating expenses, not exceeding \$10,350,000 be authorized, and further that these funds only be used for general operating expenses in the 2020 fiscal year and all sums borrowed pursuant to this resolution be supported by a charge upon the whole of the revenues of the municipality. CARRIED.

(B) AD HOC DOWNTOWN PARKING COMMITTEE - DOWNTOWN PARKING RECOMMENDATIONS

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Submitted for consideration was a report from the Executive Director of the Brandon Downtown Development Corporation on behalf of the Ad Hoc Downtown Parking Committee dated November 24, 2019 with respect to the above.

Desjarlais-LoRegio

471 That the following recommendations from the Ad Hoc Downtown Parking Committee be received:

1. Maintain current parking meter rates as long as it is feasible to do so.
2. Continue with free parking after 4:00 p.m. on weekdays and all day on weekends.
3. Change less utilized parking meters located on the periphery of downtown to 10-hour parking to accommodate staff parking needs.
4. Provide more angle parking in the downtown.
5. Explore a means to facilitate smart technology payment for parking.
6. Explore where in the downtown (location and receptivity from business owners) the temporary removal of parking spaces could facilitate outdoor patios during the summer months.
7. Explore the cost versus benefit ratio of installing signage that informs visitors' distances from free parking to key downtown destinations.
8. Further consult with downtown business owners regarding extending the maximum time one can park at meters on Rosser Avenue. While the public was strongly in favour of this change, downtown business owners were not.

9. Develop a publicly available process to enable downtown businesses and the public the use of municipally-owned parking lots outside of standard business hours.
10. Explore cost effective ways to enhance the aesthetics of the municipally-owned free surface parking lot at 1201 Pacific Avenue.
11. Explore the feasibility of creating a Parking Benefit District in the downtown, whereby the parking meter revenue generated in downtown would stay in the neighbourhood and be used towards public realm improvements in downtown;

and further, that the Ad Hoc Downtown Parking Committee be dissolved and that the Brandon Downtown Development Corporation, in partnership with relevant City of Brandon Departments, work collaboratively to implement said recommendations. CARRIED.

BY-LAWS:

NO. 7237 TO AMEND FIRE PREVENTION BY-LAW NO. 7200 REGARDING POLICY AND REGULATION

It was noted that this by-law received first reading on November 18, 2019.

Luebke-Cameron

472 That By-law No. 7237, to amend Fire Prevention By-law No. 7200 for the purpose of updating provisions with regard to Regulations, be read a second time. CARRIED.

Luebke-Chaboyer

473 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. 7237 third reading.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Ron W. Brown  
Councillor Shaun Cameron  
Councillor Jan Chaboyer  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor John LoRegio  
Councillor Bruce Luebke  
Councillor Glen Parker

AGAINST

Nil

NO. 7256      TO REZONE PROPERTY LOCATED AT 235 GLEN AVENUE (LOT 1 BLOCK 4, PLAN 925 BLTO)

Submitted for considered was a report from the Planning & Buildings Department dated November 18, 2019 with respect to the above.

Fawcett-Parker

474      That By-law No. 7256 to rezone property located at 235 Glen Avenue (Lot 1 Block 4, Plan 925 BLTO) from Commercial Arterial (CAR) to Residential Mobile/Modular Home (RMH) zone, be read a first time. CARRIED.

NO. 7257      TO CLOSE PART OF RIVER AVENUE, PART OF JOHN AVENUE, PORTIONS OF THE PUBLIC LANE BETWEEN 18TH AND 24TH STREETS, AND PART OF MCGREGOR AVENUE

It was noted that this by-law received first reading on October 21, 2019.

Cameron-LoRegio

475      That By-law No. 7257 to close part of River Avenue, part of John Avenue, portions of 19th to 24th Street, portions of the Public Lane between 18th and 24th Streets, and part of McGregor Avenue be read a second time. CARRIED.

Cameron-LoRegio

476      That the by-law be read a third and final time. CARRIED.

In accordance with Section 139 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7257 third reading.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Ron W. Brown  
Councillor Shaun Cameron  
Councillor Jan Chaboyer  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor John LoRegio  
Councillor Bruce Luebke  
Councillor Glen Parker

AGAINST

Nil



NO. 7259 TO CLOSE PART OF JOHN AVENUE, PART OF RIVER ROAD, PART OF 14TH, 15TH AND 16TH STREETS NORTH, PART OF THE PUBLIC LANE LOCATED BETWEEN 14TH STREET NORTH AND 17TH STREET NORTH, AND PART OF THE PUBLIC LANE LOCATED BETWEEN 16TH STREET NORTH AND RIVER ROAD

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It was noted that this by-law received first reading on October 21, 2019.

Desjarlais-Luebke

477 That By-law No. 7259 to close part of John Avenue, part of River Road, part of 14th, 15th and 16th Streets North, part of the public lane located between 14th Street North and 17th Street North, and part of the public lane located between 16th Street North and River Road be read a second time. CARRIED.

Desjarlais-Luebke

478 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 third reading to By-law No. 7259.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Ron W. Brown  
Councillor Shaun Cameron  
Councillor Jan Chaboyer  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor John LoRegio  
Councillor Bruce Luebke  
Councillor Glen Parker

AGAINST

Nil

NO. 7258 NEW BUILDING BY-LAW

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Submitted for consideration was a report from Planning and Buildings dated November 21, 2019 with respect to the above.

Fawcett-Parker

479 That By-law No. 7258, to establish the new Building By-law and repeal By-law No. 6018 be amended by deleting Section 29 in its entirety and substituting the following therefor:

"29. The Authority Having Jurisdiction may create, update and discontinue Regulations supplemental to this by-law for the purpose of establishing rules and processes deemed necessary and appropriate in accordance with the Legislative Standards By-law." CARRIED.

Fawcett-Cameron

480 That By-law No. 7258, as amended, be read a second time. CARRIED.

Fawcett-Desjarlais

481 That the by-law be given third and final reading. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7258 third reading.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Ron W. Brown  
Councillor Shaun Cameron  
Councillor Jan Chaboyer  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor John LoRegio  
Councillor Bruce Luebke  
Councillor Glen Parker

AGAINST

Nil

REGULATIONS - BUILDING BY-LAW NO. 7258

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City Council considered a report from Planning and Buildings dated November 15, 2019 with respect to the above.

Fawcett-Desjarlais

482 That the regulations for Signs, Retaining Walls, Steel Piles, Residential Garage Separations, Residential Wood Burning Appliances, and Pressure Testing of Plumbing Systems to support Building By-law No. 7258 be approved. CARRIED.

NO. 7260 ANNUAL SCHEDULE OF FEES

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Considered was a report from the Director of Finance dated November 21, 2019 with respect to the above.

Fawcett-Cameron

483 That By-law No. 7260, to adopt the Annual Schedule of Fees for services, activities or things provided by the City of Brandon for the year 2020, be amended by deleting on Page 11 of Schedule A to the by-law, under the heading SEASON PASS, the words: "February 1 to March 31" and substituting therefor the words: "Prior to March 31".  
CARRIED.

Parker-Cameron

484 That the by-law be further amended by deleting on Page 5 of Schedule A to the by-law, under the heading RESIDENTIAL TIPPING FEES - Refuse/Entrance Fees the words:

"Up to 100 kilograms                      \$5.00  
110 kilograms to 250 kilograms    \$10.00"

in their entirety, and substituting therefor the words:

"Up to 250 kilograms                      \$5.00".

CARRIED.

Fawcett-Cameron

485 That By-law No. 7260, as amended, be read a second time. CARRIED.

Fawcett-Parker

486 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. 7260 third reading.

FOR

AGAINST

Mayor Rick Chrest

Nil

Councillor Shawn Berry

Councillor Ron W. Brown

Councillor Shaun Cameron

Councillor Jan Chaboyer

Councillor Kris Desjarlais

Councillor Jeff Fawcett

Councillor John LoRegio

Councillor Bruce Luebke

Councillor Glen Parker

NO. 7261

TAX DISCOUNT BY-LAW

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Submitted for consideration was a report from the Director of Finance dated November 20, 2019 with respect to the above.

Fawcett-Berry

487 That By-law No. 7261, to establish property tax prepayment discount rates and to repeal By-law No. 6440, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (8:22 p.m.) CARRIED.

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MAYOR

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CITY CLERK