

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
NOVEMBER 5, 2007 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION
BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black, Councillor M. Blight, Councillor M. Campbell, Councillor K. Fitzpatrick, Councillor J. Harwood, Councillor D. Jessiman, Councillor J. McCrae, Councillor D. Paterson, Councillor G. Rice, Youth Councillor Stephen Montague

ABSENT: Nil

ADOPTION OF AGENDA:

407 Harwood-Barletta
That the Agenda for the Regular Meeting of City Council to be held on Monday, November 5, 2007 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

408 Rice-Paterson
That the Minutes of the Regular Meeting of City Council held on Monday, October 22, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

409 Fitzpatrick-Jessiman
That the Minutes of the Special Meeting of City Council held on Tuesday, October 23, 2007 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) BY-LAW NO. 6887 - TO CLOSE AND CONVEY A PORTION OF THE EAST/WEST
COLLEGE AVENUE RIGHT-OF-WAY WEST OF 41ST STREET BETWEEN BLOCKS 12
AND BLOCK 13, PLAN 269 BLTO

His Worship the Mayor declared an interest in this matter as he is related to the applicant and left the Council Chamber without any further discussion to avoid a conflict.

City Council sat to receive representation on the above noted matter.

The General Manager of Development Services appeared before City Council in support of the application and to answer any questions. He stated the purpose of the closure was to allow an exchange of property to facilitate development.

City Council also considered a report from the Property Department dated October 24, 2007 with respect to the above.

No further representation was put forward either in support of or in opposition to the application.

410 Blight-McCrae
That the Public Hearing with respect to By-law No. 6887 to close and convey that portion of the East/West portion of College Avenue between Blocks 12 and 13, Plan 269, west of 41st Street, to Waverly Developments Ltd. be concluded. CARRIED.

Following the above motion being voted on, His Worship the Mayor re-entered the Council Chamber.

COMMUNICATION & PETITIONS:

(A) PETITION IN OPPOSITION TO SOLID WASTE MANAGEMENT PLAN

A forty (40) name petition was presented by Councillor Harwood from Brandon residents in opposition to the proposed solid waste management plan.

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE REPORT

OCTOBER 22, 2007

Brandon, Manitoba
October 22, 2007

The Mayor and Council
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held this 22 day of October, 2007, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present: Committee Members:
 Mayor Dave Burgess, Chairman
 Coun. M. Blight
 Coun. J. McCrae
 Coun. D. Paterson

Resource Personnel:
Mr. Brian MacRae, City Manager
Mrs. Vicki Fifi, Director of Human Resources
Fire Chief Brent Dane
Deputy Fire Chief Garry Bell

Contract Settlement - Brandon Professional Fire Fighters / Paramedics Association

The purpose of the meeting was to discuss the recent negotiations with the Brandon Professional Fire Fighters / Paramedics Association.

Councillor Paterson
That the agenda be accepted as presented.

Councillor McCrae
That the Committee resolve itself into a closed session. Carried unanimously.

Mrs. Fifi presented a summary of the negotiations and advised that these were to be presented for ratification by the membership in the near future as per the Memorandum of Settlement. The Committee members requested clarity on some issues related to the proposed settlement.

Highlights of the negotiated settlement include:

- Contract term - 24 months: January 1, 2007 to December 31, 2008
- Salary increases of:

3% on January 1, 2007
1% on July 1, 2007
3% on January 1, 2008; and
1% on July 1, 2008

- Vacation adjustment to 5 weeks after 16 years, effective January 1, 2008
- Language changes in existing clauses that afford cost savings to the department over the term of the contract.

It was unanimously agreed that the proposed settlement as presented be recommended to City Council as follows:

- That the City of Brandon enter into a new agreement with the Brandon Professional Fire Fighters/Paramedics Association as per the Memorandum of Settlement for the period January 1, 2007 to December 31, 2008 whereby wages shall be increased 3% on January 1, 2007, 1% on July 1, 2007, 3% on January 1, 2008, and 1% on July 1, 2008.

Councillor Paterson
That the meeting now adjourn. Carried.

Respectfully submitted,
"Dave Burgess"
CHAIRMAN

McCrae-Paterson

411 That the report of the Personnel Committee of its meeting held October 22, 2007 regarding the tentative settlement reached between the City and the Brandon Professional Fire Fighters/Paramedics Association be received. CARRIED.

McCrae-Paterson

412 That the City of Brandon enter into a new agreement with the Brandon Professional Fire Fighters/Paramedics Association as per the Memorandum of Settlement for the period January 1, 2007 to December 31, 2008 whereby wages shall be increased 3% on January 1, 2007, 1% on July 1, 2007, 3% on January 1, 2008, and 1% on July 1, 2008. CARRIED.

(B) GENERAL MUSEUM ADVISORY COMMITTEE
VERBAL REPORT

NOVEMBER 5, 2007

Brandon, Manitoba
November 5, 2007

Mayor and Councillors
City of Brandon

Councillor Black provided a verbal report on the General Museum Advisory Committee whereby he advised that the Committee had been established on March 19, 2007 and outlined its mandate. He further reported that a progress report was to have been provided to City Council by October 31, 2007 with a final report to be provided prior to budget deliberations for 2008. He indicated that while verbal updates had been provided on several occasions, a formal progress report had not been submitted, apologized for the oversight and suggested the following.

Black-Paterson

413 That the requirement for the General Museum Advisory Committee to submit a report on its progress by October 31, 2007 be waived, the Committee's final report be submitted to City Council for its December 3, 2007 meeting and \$50,000 to defray the costs of the Committee securing technical advice (architects, structural engineers, museum planners, etc.) on a proposed museum be considered as part of the 2008 budget deliberations. CARRIED.

(C) WESTERN MANITOBA CENTENNIAL AUDITORIUM
VERBAL REPORT

NOVEMBER 3, 2007

Brandon, Manitoba
November 5, 2007

Mayor and Councillors
City of Brandon

Councillor Blight provided a verbal report on the Western Manitoba Centennial Auditorium and stated that a process had been agreed to with respect to an operational review, a Campaign Chair was required to oversee the replacement of the existing podium and an agreement had been reached with respect to wages for administrative staff.

(D) MANITOBA SMART NETWORK
VERBAL REPORT

NOVEMBER 5, 2007

Brandon, Manitoba
November 5, 2007

Mayor and Councillors
City of Brandon

Councillor Fitzpatrick provided a verbal summary of information provided to City Council on a committee that had been previously established, that being the Manitoba Smart Network Committee. He noted the committee was now going to be disbanded, with remaining funds being provided to the Assiniboine Community College and the Brandon Area Foundation.

Blight-Fitzpatrick

414 That the verbal reports from Councillors Black, Blight and Fitzpatrick with respect to the General Museum Advisory Committee, Western Manitoba Centennial Auditorium and the Manitoba Smart Network be received. CARRIED.

ENQUIRIES:

(258) MAKE WAY FOR YOUTH PROJECT

Councillor Paterson referred to an article on Pages 18 and 19 of the current Municipal Leader magazine with respect to the Make Way for Youth Project, which encouraged young persons to return to rural Manitoba. He noted the program was geared toward bilingual municipalities but enquired if Administration could check into the possibility of Brandon participating in or emulating said project.

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

(259) EMERGENCY ALARM AND REVERSE 911 TECHNOLOGY

Councillor Black reported that the emergency alarm in the Riverview Ward had been triggered the previous week and advised that he and many other residents of the Ward had not heard the alarm. He enquired if information could be obtained on why the alarm had been set off, and why so many people in the immediate vicinity had not heard same.

In conjunction with the above, Councillor Black enquired if Administration could investigate the use of “reverse 911” technology, which had apparently been utilized recently in California to alert residents of wildfires approaching their vicinity.

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

(260) PUBLIC WASHROOMS

Councillor Black referred to correspondence received from Reverend Idonije with respect to public facilities not having to provide public washrooms and denying members of the public access to the facilities provided for staff. The correspondence suggested a by-law be prepared to require public facilities to provide public washrooms or access to work place facilities. Councillor Black advised that at one time, the City of Brandon had provided public washrooms in the downtown area and he enquired if information on the closure of same and possible reinstatement could be provided.

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

(261) CLOSURE OR CONVEYANCE OF MANITOBA HYDRO COAL PLANT IN BRANDON

Councillor Black referred to the November 4th edition of the Winnipeg Free Press with respect to an issue on the Province of Manitoba meeting Kyoto goals. He indicated the article referenced Brandon regarding two issues, one being the capture of methane from landfill sites, which Administration was aware of, and the other with respect to the possible closure of the Manitoba Hydro coal plant.

The article indicated the CEO of Manitoba Hydro, Mr. Bob Brennan, was undertaking studies to determine how best to accomplish closure or conveyance of the plant to natural gas. Councillor Black enquired if His Worship the Mayor could obtain additional information on the proposed closure or conveyance.

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

(262) PARTICIPATION IN YOUTH OFFENDERS OR FINE OPTION PROGRAM TO CLEAN UP GRAFFITI

Councillor Black referred to his previous enquiry with respect to graffiti and noted that the City of Winnipeg was going to participate in a Provincial young offenders or fine option program whereby persons convicted of non violent crimes, such as vandalism, could fulfill community work instead of paying a fine. He reported the City of Winnipeg would be responsible for providing transportation and safety equipment to participants, at an estimated cost of \$11,000 per year, but expected the labour received to enable clean up of graffiti in that city. He enquired if the City of Brandon could investigate participation in the Provincial program.

(263) TRAFFIC CONCERNS ON RICHMOND AVENUE IN THE VICINITY OF PARKDALE AND LINDEN DRIVES

Councillor Fitzpatrick advised that he had received concerns from residents with respect to accidents on Richmond Avenue in the vicinity of Parkdale and Linden Drives and enquired if an update on ways to improve the situation could be provided.

At the request of the Chair, the Manager of Property and Traffic advised that traffic counts were being scheduled in the area, to be conducted during peak periods. In conjunction with the traffic counts, pedestrian counts would also be taken to provide the data necessary to take corrective action. He advised a report would be provided to Council when the information was received.

(264) FIRE HALL ISSUE

Councillor Fitzpatrick referred to the recent decision of City Council with respect to the location of a fire hall at 18th Street and Princess Avenue and reports that members of the Executive of the Brandon Professional Fire Fighters/Paramedic Association were lobbying individual members of City Council for the establishment of two fire halls and their respective locations. He enquired if same was being done with the knowledge of senior administration and management of the Fire Department.

In addition to the above, Councillor Fitzpatrick advised that concerns had been expressed by members of the Association with respect to the lack of knowledge and/or communication regarding the proposed site at 18th Street and Princess Avenue and he requested clarification on what process had been undertaken prior to selection of the above noted site.

At the request of the Chair, the City Manager advised that neither senior administration nor management at the Fire Department were aware of any communications between the Association and individual members of City Council, nor was he aware of any discussions between the administration and members of the Association with respect to issues pertaining to the 18th Street and Princess Avenue location.

The City Manager further advised that he, other members of the senior administration and Fire management had met with the Association during the summer to discuss the progress being made to find a site for the new fire hall, inclusive of the consultant's findings regarding response times, which indicated the appropriateness of a location in the vicinity of 18th Street and Victoria Avenue. He reported the Executive of the Association stated its appreciation for the efforts being made. Administration's further efforts resulted in the proposed acquisition of property at 18th Street and Princess Avenue, which was discussed with the Association President prior to presentation to City Council. He concluded that the Association had ample opportunity to be involved and was kept apprised of the efforts being made.

In conjunction with the above, His Worship the Mayor indicated that in order to achieve positive results, all such matters should be dealt with in an open manner with Council as a whole.

ANNOUNCEMENTS:

SOUTH CENTRE WARD MEETING

Councillor Rice announced that he would hold a ward meeting on November 7, 2007 at 7:30 p.m. at Central Community Centre. He noted the items to be discussed would include the Transportation Study, taxes, protective services, proposed fire hall and any other ward issues. He encouraged interested individuals to attend.

SPECIAL ASSINIBOINE WARD MEETING

Councillor Paterson announced that he would hold a special ward meeting on Tuesday, November 13, 2007 at 7:30 p.m. at the Riverbank Discovery Centre to discuss the installation of stop signs on Kirkcaldy Drive between 1st and 18th Streets and McDonald Avenue west of 18th Street.

RIVERVIEW WARD MEETING

Councillor Black announced that he would hold a ward meeting at the East End Community Centre on November 6, 2007 at 7:00 p.m. He reported the items to be discussed would include the casino issue, Transportation Study, heavy trucks on 1st Street and Victoria Avenue and the upcoming budget. He invited interested individuals to attend.

BRANDON AND AREA ENVIRONMENTAL COMMITTEE MOVIE "TOXIC TRESPASS - HOW SAFE ARE YOUR CHILDREN"

Councillor Black announced that the Brandon and Area Environmental Committee would show a film entitled: "Toxic Trespass - How Safe Are Your Children" on November 25, 2007 at 7:00 p.m. in Lecture Theatre "B" in the Brody Science Building at the Brandon University. He advised the movie had received great reviews and noted admission was free.

CAREER AND EMPLOYMENT YOUTH SERVICES - NATIONAL CAREER WEEK

Councillor Blight announced that on behalf of City Council, he had attended the kick off of National Career Week at Career and Employment Youth Services to acknowledge Brandon's participation in preparing youth for the future.

INFORMATION MEETING REGARDING FIRE HALL REPLACEMENT

His Worship the Mayor announced that an informal meeting would be held in late November with respect to the replacement of the fire hall. The purpose of the meeting would be to provide information from the Administration and to allow Council input.

BIRTHDAY GREETINGS TO COUNCILLOR CAMPBELL

His Worship the Mayor announced that Councillor Campbell was celebrating her birthday and extended best wishes to her.

GENERAL BUSINESS:

(A) REQUEST FOR FINANCIAL ASSISTANCE FOR THE INAUGURAL MANITOBA HERITAGE TATTOO

Submitted for consideration was a report from the General Manager of Corporate Services dated October 23, 2007 with respect to the above.

McCrae-Paterson

415 That the request of Augustfest Brandon Inc. to carry over the \$17,500 grant to 2008 be referred to the Grants Review Committee for consideration and report at the November 19, 2007 City Council meeting. CARRIED.

(B) MEDIATION WITH CANADIAN PACIFIC RAILWAY AND CANADIAN NATIONAL RAILWAY

Considered was a report from the Emergency Coordinator dated October 25, 2007 in conjunction with his verbal presentation with respect to the above.

Blight-Paterson

416 That appropriate City departments be made aware of the results of the mediation held on September 26, 2007 involving representatives from Canadian Pacific Railway and the City of Brandon with a view to implementing, where practicable, the points that were agreed to in this mediation. CARRIED.

(C) ENVIRONMENTAL STRATEGIC PLAN

City Council considered a report from Operational Services dated October 11, 2007 with respect to the above.

Rice-Black

417 That Brandon's Environmental Strategic Plan be received as information and that it be debated at the next regular Council Meeting on November 19, 2007. CARRIED.

(D) SOLID WASTE MANAGEMENT PLAN APPROVAL

Submitted for consideration was a report from Operational Services dated October 10, 2007 with respect to the above.

Black-Paterson

418 That the Solid Waste Management Plan dated October 2007 be adopted and the recommendations contained therein be implemented. CARRIED.

(E) EVENT OF LOCAL SIGNIFICANCE - X-FEST

Considered was a report from the City Clerk dated October 22, 2007 with respect to the above.

Barletta-Black

419 That City Policy No. 004 designating Events of Local Significance be amended by adding: "X-Fest". CARRIED.

(F) EXPENDITURE FROM RESERVE

Submitted for consideration was a report from the General Manager of Development Services dated October 12, 2007 with respect to the above.

Fitzpatrick-Blight

420 That \$19,250 be expended from the Parks Reserve for the purchase and installation of trees in the Waverly, Brookwood and Woodlands subdivisions. CARRIED.

(G) CANCELLATION OF ADDITIONAL FEES FOR BUILDING PERMITS IN RAILWAY OVERLAY ZONE - COUNCILLOR PATERSON

Considered was a report from Councillor D. Paterson dated October 23, 2007 with respect to the above in accordance with his notice of motion filed at the October 22, 2007 meeting of City Council.

Paterson-Barletta

421 That Administration draft the necessary motion or by-law to cancel the need for citizens in the Railway Overlay Zone to pay \$350 extra for building permits, to add to their dwellings. LOST.

Prior to the above motion being voted on, the following amendment was put forward.

Paterson-McCrae

422 That the above motion be amended by deleting the words: "building permits" and substituting therefor the words: "variation application". CARRIED.

(H) FIRE HALL LOCATIONS - COUNCILLOR BARLETTA

City Council considered a report from Councillor V. Barletta dated October 23, 2007 with respect to the above in accordance with his notice of motion filed at the October 22, 2007 meeting of City Council.

Barletta-Black

That Council provide direction to Administration on the matter of new fire hall locations whereby a report be prepared that would see one fire station located on or near Victoria Avenue west of 18th Street and another station at or near a site at 1st Street and Kirkcaldy Drive. NOT VOTED ON.

Barletta-Paterson

423 That the matter of providing direction to Administration on fire hall locations be referred to a special meeting of City Council, to be held at the call of the Chair, at which time the general issue of location of fire halls may be debated. CARRIED.

(I) SPECIAL MEETING REGARDING FIRE HALL LOCATIONS - COUNCILLOR BLACK

Submitted for consideration was a report from Councillor E. Black dated October 23, 2007 with respect to the above in accordance with his notice of motion filed at the October 22, 2007 meeting of City Council.

Black-Campbell

That a special meeting be called to discuss the fire hall situation, determine process and provide direction to the Administration. NOT VOTED ON.

Paterson-Blight

424 That the matter of providing direction to Administration on fire hall locations be referred to a special meeting of City Council, to be held at the call of the Chair, at which time the general issue of location of fire halls may be debated. CARRIED.

Prior to the above noted referral motion being put forward, discussion took place with respect to the type of meeting to be held and the representation that would be received.

(J) 3-WAY STOP SIGNS AT KIRKCALDY AND KNOWLTON DRIVES - COUNCILLOR PATERSON

This item was scheduled to appear on the agenda for the first regular meeting of City Council held following receipt of the Brandon Area Road Network Development Plan, however at the request of Councillor Paterson, same will be dealt with at the November 19, 2007 meeting.

(K) 4-WAY STOP SIGNS AT MCDONALD AVENUE IN THE VICINITY OF 19TH TO 22ND STREETS - COUNCILLOR PATERSON

This item was scheduled to appear on the agenda for the first regular meeting of City Council held following receipt of the Brandon Area Road Network Development Plan, however at the request of Councillor Paterson, same will be dealt with at the November 19, 2007 meeting.

BY-LAWS:

NO. 6880 - TO REZONE PROPERTY LOCATED AT 3000 RICHMOND AVENUE EAST (PT. NE 1/4 7-10-18 WPM) FROM DR DEVELOPMENT RESERVE ZONE TO MG INDUSTRIAL GENERAL ZONE (BOBIAK O/B/O CUMMING AND BRADLEY)
2ND READING AND ABEYANCE OF 3RD READING

It was noted this by-law had received first reading at the September 10, 2007 meeting of City Council.

425 Jessiman-Harwood
That By-law No. 6880 to rezone 3000 Richmond Avenue East (Pt. NE 1/4 7-10-18 WPM) from DR Development Reserve Zone to MG Industrial General Zone be read a second time;

and further, that City Council hold third reading of the by-law in abeyance pending the execution of a development agreement between the City of Brandon and the applicant. CARRIED.

NO. 6887 - TO CLOSE AND CONVEY A PORTION OF COLLEGE AVENUE LOCATED WEST OF 41ST STREET BETWEEN BLOCKS 12 AND 13 PLAN 269 TO WAVERLY DEVELOPMENTS LTD.
2ND AND 3RD READINGS

His Worship the Mayor declared an interest in this matter as he is related to the applicant and left the Council Chamber without any further discussion to avoid a conflict.

It was noted that this by-law had received first reading at the October 22, 2007 meeting of City Council.

426 Blight-Jessiman
That By-law No. 6887 to close and convey a portion of College Avenue located west of 41st Street between Blocks 12 and 13 Plan 269 to Waverly Developments Ltd., be read a second time. CARRIED.

427 Blight-Fitzpatrick
That this by-law be read a third and final time. CARRIED.

<u>FOR</u>	<u>AGAINST</u>
Deputy Mayor Paterson	Nil
Councillor Barletta	
Councillor Black	
Councillor Blight	
Councillor Campbell	
Councillor Fitzpatrick	
Councillor Harwood	
Councillor Jessiman	
Councillor McCrae	
Councillor Rice	

Following the above motions being voted on, His Worship the Mayor re-entered the Council Chamber.

NO. 6888 - TO AMEND FEE SCHEDULE BY-LAW NO. 6852 TO INCLUDE FEES FOR 2008-2010
1ST READING

Considered was a report from the General Manager of Corporate Services dated October 24, 2007 with respect to the above.

428 Jessiman-Fitzpatrick
That By-law No. 6888, to amend Fee Schedule By-law No. 6852 to include fees for 2008-2010, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Jessiman-Black
That the meeting do now adjourn. (10:02 p.m.). CARRIED.

MAYOR

CITY CLERK