

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, FEBRUARY 20TH, 2006 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

PRESENT: Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor M. Blight, Councillor L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice, Councillor B. Smale

ABSENT: Councillor E. Black

PRESENTATION:

(A) **MANITOBA GOOD ROADS ASSOCIATION AWARD – BEST HOME GROUNDS**

His Worship the Mayor presented the Burgess Shield Award for Best Home Grounds in 2005 from the Manitoba Good Roads Association to Ms. Helene Harder, 1129 – 26th Street, along with complimentary tickets to the Awards Banquet.

ADOPTION OF AGENDA:

Blight-Brown

1526 That the Agenda for the Regular Meeting of City Council to be held on Monday, February 20th, 2006 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Rice-Jessiman

1527 That the Minutes of the Regular Meeting of City Council held on Monday, February 6th, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) **JIM BRINKHURST – WHEAT CITY HORSE PARK PROPOSAL**

Jim Brinkhurst of Baymount Incorporated appeared before City Council to provide information on the harness racing industry and the proposed Wheat City Horse Park. He displayed a visual plan for the proposed park and shared a vision of what the proposal could be, including the positive annual financial impact for the community of \$10 million dollars. He requested a letter of support from the City for the proposal.

Jessiman-Paterson

1528 That the presentation by Jim Brinkhurst with respect to the Wheat City Horse Park proposal be received, and referred to Administration for preparation of a letter of support. CARRIED.

(B) **STEPHEN MONTAGUE – YOUTH REPRESENTATIVE ON CITY COUNCIL**

Stephen Montague of the Municipal Government Committee of the Community Strategic Plan appeared before City Council to review his written material dated February 20th, 2006 on the formation of a youth council whereby a member of that council would participate as a youth representative on City Council.

1529 Blight-Paterson
That the presentation by Stephen Montague with respect to having a youth representative on City Council be received. CARRIED.

(C) RICK BAILEY – PESTICIDE REVIEW PRESENTATION

Rick Bailey, Manager of Public Works and a representative of the Pesticide Review Committee, appeared before City Council to summarize the written material entitled: “Integrated Pest Management Plan” and “City of Brandon Pesticide Review”. He also provided information on pesticide strategies utilized by other municipalities.

1530 Paterson-Chrest
That the presentation by Rick Bailey with respect to pesticide use in the community be received. CARRIED.

PUBLIC HEARINGS:

(A) RECONVENED HEARING - VARIATION – 1540 AND 1550 – 21ST STREET (BOLES O/B/O 4120329 MANITOBA LIMITED)

It was noted that the Public Hearing with respect to the above noted application had been adjourned to reconvene on this date to allow for a neighbour meeting, which could not be arranged in time for this meeting.

1531 Campbell-Paterson
That the Public Hearing on the for the variation application by Harley Boles on behalf of 4120329 Manitoba Limited for 1540 and 1550 – 21st Street be adjourned to be reconvened at the meeting of City Council to be held March 6th, 2006, following a meeting between Administration, the applicant and area residents. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE REPORT FEBRUARY 17TH, 2006

Brandon, Manitoba
February 17th, 2006

The Mayor and Councillors
Brandon, Manitoba

Your PERSONNEL COMMITTEE at its meeting held this 17th day of February 2006 begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present: Committee Members:
 Mayor D. Burgess, Chairman
 Councillor R. Chrest
 Councillor D. Paterson

Resource Personnel:
Mrs. V. Fifi, Human Resources Director

Regrets: Councillor E. Black

City Manager Negotiations

As authorized by City Council, the Personnel Committee met with Brian D. MacRae to offer him the position of City Manager and to negotiate his employment contract. Following negotiations, Mr. MacRae indicated his acceptance of the position as offered, with a start date of April 3rd, 2006, subject to formal approval by City Council at its regular meeting to be held February 20th, 2006.

Councillor Chrest

It is hereby recommended to City Council that the City enter into an Employment Contract with Brian D. MacRae for the position of City Manager subject to the following requirements:

1. the contract shall be for a minimum term of five (5) years, commencing April 3rd, 2006, with possible extension(s) upon approval of City Council;
2. the salary for the first year shall be established at \$135,000 with future adjustments being made in accordance with the City's non-union pay administration program;
3. a vehicle allowance of \$500 per month will be provided to cover vehicle and transportation costs, or an alternative cost equivalent arrangement by mutual consent;
4. two (2) weeks vacation will be provided in 2006 with subsequent annual vacation leave of four (4) weeks until sufficient time has elapsed to earn additional vacation time in accordance with City policy;
5. a one-time moving allowance of \$10,000 will be paid with an established pay back provision should the employee terminate the employment contract early; and
6. other employment related issues set out in existing City policies with regard to items such as benefits, leaves, payroll, performance management, and conduct.

Councillor Paterson

That the meeting now adjourn. Carried.

Respectfully submitted,

“Mayor Burgess”

Chairman

Chrest-Paterson

1532 That the report of the Personnel Committee meeting held February 17th, 2006 be received. CARRIED.

Chrest-Barletta

1533 That the City of Brandon enter into an Employment Contract with Brian D. MacRae for the position of City Manager subject to the following requirements:

- (1) the contract shall be for a minimum term of five (5) years, commencing April 3rd, 2006, with possible extension(s) upon approval of City Council;
- (2) the salary for the first year shall be established at \$135,000 with future adjustments being made in accordance with the City's non-union pay administration program;
- (3) a vehicle allowance of \$500 per month will be provided to cover vehicle and transportation costs, or an alternative cost equivalent arrangement by mutual consent;

- (4) two (2) weeks vacation will be provided in 2006 with subsequent annual vacation leave of four (4) weeks until sufficient time has elapsed to earn additional vacation time in accordance with City policy;
- (5) a one-time moving allowance of \$10,000 will be paid with an established pay back provision should the employee terminate the employment contract early; and
- (6) other employment related issues set out in existing City policies with regard to items such as benefits, leaves, payroll, performance management, and conduct. CARRIED.

At the request of the Chair, a recorded vote was taken on the above motion.

FOR
His Worship Mayor Burgess
Councillor Barletta
Councillor Blight
Councillor Brown
Councillor Campbell
Councillor Chrest
Councillor Jessiman
Councillor Paterson
Councillor Smale

AGAINST
Councillor Rice

ENQUIRIES:

(615) STATUS OF NORTH HILL DEVELOPMENTS

Councillor Paterson enquired if a status report could be provided on the development of the former Mental Health Centre property, known now as North Hill Developments.

His Worship the Mayor advised that a report should be available in the next few weeks, however to date, the City had not been approached as to its wants, nor had any requirements from the City been outlined.

(616) REVISION OF ANIMAL CONTROL BY-LAW

Councillor Smale referred to the review of the existing Animal Control By-law and enquired if the review could consider such issues as a 12 month license from the date of purchase, to replace the current January to December license, the range of fees and penalties for licensing additional animals, as well as if it was necessary to license animals at all.

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

(617) VICTORIA WARD ISSUES

Councillor Blight advised that he had received the following enquires and referred them to the respective departments for response: 18th Street North; Fleming school issues; tot lot on Waterloo Crescent; involvement in the City's 125th Celebrations; and animal control regarding off-leash dogs.

(618) ABILITY TO INFORM RESIDENCE OF DANGEROUS SITUATIONS

Councillor Jessiman referred to a letter he had received from a resident in the vicinity of Green Acres School with respect to getting information delivered out in water bills to people that are living in or near school zones when dangerous situations occur. Councillor Jessiman provided a copy of the letter to the Acting City Manager and enquired if a response to the resident could be provided.

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

(619) UPDATE ON FLOOD SITUATION

Councillor Brown enquired if the mayors and reeves from the surrounding area were still working together to encourage support from senior levels of government for victims of the summer flood.

His Worship the Mayor advised that the mayors and reeves were still working together and now that the Federal election was over and new Ministers appointed, the group could continue their efforts.

GENERAL BUSINESS:

(A) 2006 CITIZEN APPOINTMENTS TO THE WESTERN MANITOBA REGIONAL LIBRARY BOARD

Considered was a report from the City Clerk's Office dated February 13th, 2006 with respect to the above.

Smale-Brown

1534 That Maureen Cobb be appointed to the Western Manitoba Regional Library Board for a two year term of office to expire December 31st, 2007. CARRIED.

(B) AMENDMENT OF CONCEPTUAL SITE PLAN FOR CAR-ZONED PROPERTIES SOUTH OF CEMETERY, NORTH OF WILLOWCREST AVENUE, FRONTING ON LYNDALE DRIVE

City Council considered a report from the Brandon and Area Planning District dated February 13th, 2006 with respect to the above.

Campbell-Rice

That the revised conceptual site plan for the area of land on the east side of 18th Street, south of the City of Brandon cemetery and north of Willowcrest Avenue which fronts on Lyndale Drive be adopted. NOT VOTED ON.

Campbell-Paterson

1535 That the revised conceptual site plan for the area of land on the east side of 18th Street, south of the City of Brandon cemetery and north of Willowcrest Avenue which fronts on Lyndale Drive be referred to the March 20th, 2006 meeting of City Council to allow for neighbourhood meeting. CARRIED.

(C) REQUEST TO CHANGE GRANT-IN-AID ELIGIBLE STREETS

Submitted for consideration was a report from the General Manager of Development Services dated January 27th, 2006 with respect to the above.

1536 Chrest-Rice
That the Manitoba Department of Transportation and Government Services be requested to delete from its list of roadways eligible for financial assistance under the Grant-In-Aid Program, the 200 Block of McTavish Avenue East and the 500 Block of Russell Street, and add to that list, the 500 and 600 Blocks of Dennis Street. CARRIED.

(D) RECYCLING OPERATIONS RECOMMENDATION

Considered was a report from Operational Services dated February 13th, 2006 with respect to the above.

1537 Blight-Chrest
That the proposal by International Paper Industries for recycling services be accepted whereby funds in the amount of \$180,400 shall be expended from the Sanitation Reserve to cover the costs of implementation and the details of the proposed recycling services shall be set out in a contract to be finalized by both parties. CARRIED.

At the request of Councillor Jessiman, a recorded vote was taken on the above motion.

<u>FOR</u>	<u>AGAINST</u>
His Worship Mayor Burgess	Councillor Barletta
Councillor Blight	Councillor Jessiman
Councillor Brown	Councillor Rice
Councillor Campbell	
Councillor Chrest	
Councillor Paterson	
Councillor Smale	

(E) YOUTH MEMBER ON CITY COUNCIL

City Council considered a report from Councillor M. Blight dated February 7th, 2006 with respect to the above in accordance with his notice of motion filed at the February 6th, 2006 meeting of City Council.

Blight-Smale
That the proposal for the election of a youth member to City Council as outlined in the submission by Stephen Montague of the Municipal Government Committee of the Community Strategic Plan be approved. NOT VOTED ON.

1538 Paterson-Barletta
That the proposal for the election of a youth member to City Council as outlined in the submission by Stephen Montague of the Municipal Government Committee of the Community Strategic Plan be referred to Administration for review and subsequent report on April 10th, 2006. CARRIED.

Prior to voting on the above, it was suggested that Community Services be included in the review given its involvement in youth activities. It was also suggested that youth committees in the educational institutions could be contacted.

BY-LAWS:

NO. 6812 - TO CLOSE AND CONVEY THE PUBLIC RESERVE IN PLAN 25746 (60 WATERLOO CRESCENT) TO ADJACENT PROPERTY OWNERS

Submitted for consideration was a report from the General Manager of Development Services dated February 7th, 2006 with respect to the above.

Blight-Jessiman

1539 That By-law No. 6812 to close and convey the Public Reserve in Plan 25746 located at 60 Waterloo Crescent to the adjacent property owners, be read a first time. CARRIED.

NO. 6813 - TO REZONE PROPERTY LOCATED AT 1665 PATRICIA AVENUE FROM PR PARKS AND RECREATION ZONE AND DR DEVELOPMENT RESERVE ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE AND FROM DR DEVELOPMENT RESERVE ZONE TO RHD RESIDENTIAL HIGH DENSITY MULTIPLE FAMILY ZONE (CITY OF BRANDON)

Considered was a report from the Brandon and Area Planning District dated February 2nd, 2006 with respect to the above.

Campbell-Rice

1540 That By-law No. 6813 to rezone property located at 1665 Patricia Avenue (Parcel A, Plan 40470 BLTO) from PR Parks and Recreation Zone and DR Development Reserve Zone to RMD Residential Moderate Density Multiple Family Zone and from DR Development Reserve Zone to RHD Residential High Density Multiple Family Zone to accommodate future development, be read a first time. CARRIED.

NO. 6814 - TO CREATE A RENAISSANCE DISTRICT IN THE CITY OF BRANDON AND IMPLEMENT A TAX ABATEMENT PROGRAM FOR ELIGIBLE PROPERTIES IN THE DISTRICT

City Council considered a report from the City Clerk's Office dated February 13th, 2006 with respect to the above.

It was noted that this by-law had received first reading at the February 6th, 2006 meeting of City Council.

Brown-Barletta

1541 That By-law No. 6814, to create a "Renaissance District" in the City of Brandon and implement a tax abatement program for eligible properties in the district, be amended as follows:

(a) by adding to Clause 1, immediately following subclause (e), the following definition:

"(f) BASE YEAR means the year in which an application is made under the Renaissance District Financial Assistance Program.";

(b) by deleting Clause 3 in its entirety and substituting the following therefor:

"3. (a) That a financial assistance program be established for properties within the Renaissance District whereby any new municipal taxes which may result from an increase in the assessed value of a property due to the redevelopment of that property would be eligible for a tax credit for a period of ten (10) years commencing in the year following the base year.

- (b) Properties must be developed as commercial or commercial/residential mix uses in the Renaissance District.
- (c) by adding the following as Clause 4:
 - “4 (a) The tax credit for Years 1 to 5 inclusive of the Renaissance District Financial Assistance Program , whereby Year 1 shall be considered to be the year following the year in which the application is made, shall be calculated to equal the ordinary municipal taxes for a property in a given year less the taxes for the base year;
 - (b) The tax credit for Years 6 to 10 inclusive of the Renaissance District Financial Assistance Program shall be calculated to equal the ordinary municipal taxes for a property in a given year less the taxes for the base year, divided by 2.”
- (d) by adding the following to the end of Clause 6: “Only one application to this program per roll number shall be permitted.”;
- (e) by renumbering the existing clauses 4 through 9 as 5 through 10 respectively;
- (f) by replacing Schedules “C” and “D” in their entirety and substituting the attached Schedules “C” and “D” therefor. CARRIED AS AMENDED.

AMENDMENT

Barletta-Brown

1542 That the above motion be amended by deleting in sub-paragraph (b), sub-clause 3.(b), the words: “commercial or commercial/residential” and substituting therefor, the words: “commercial, commercial/residential or residential”. CARRIED.

AMENDMENT

Barletta-Rice

1543 That the above motion be further amended by adding in sub-paragraph (f), after the word: “therefor”, the words: “whereby attached Schedule “C” shall be amended by deleting in Section A., sub-section 1. in its entirety and substituting the following therefor:

“1. Building must be at least 50 years of age.” CARRIED AS AMENDED.

AMENDMENT TO AMENDMENT

Chrest-Smale

That the above motion be amended by deleting the number “50” and substituting therefor the number: “80”. CARRIED.

AMENDMENT

Barletta-Brown

1544 That the above main motion be further amended by deleting in sub-paragraph (a), sub-clause 1.(f), the words: “an application is made” and substituting therefor, the words: “the property is re-assessed as a result of redevelopment”;

and that the motion be further amended by deleting in sub-paragraph (c), sub-clause 4.(a). the words: “following the year in which the application is made” and substituting therefor, the words: “in which the redevelopment is completed”. CARRIED.

AMENDMENT

Barletta-Rice

1545 That the above main motion be further amended by deleting sub-paragraph (d) in its entirety. CARRIED AS AMENDED.

AMENDMENT TO AMENDMENT

Paterson-Chrest

1546 That the above motion be amended by adding the following thereto: “and substituting the following therefor: “More than one application to this program per roll number shall be permitted provided the application does not relate to the same square footage as a previous application”. CARRIED.

Brown-Paterson

1547 That By-law No. 6814, as amended, be read a second time. CARRIED.

Brown-Rice

1548 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. 6814 third reading.

FOR

His Worship Mayor Burgess
Councillor Barletta
Councillor Blight
Councillor Brown
Councillor Campbell
Councillor Chrest
Councillor Jessiman
Councillor Paterson
Councillor Rice
Councillor Smale

AGAINST

Nil

NO. 6815 - TO LEND FUNDS TO THE MANITOBA SENIOR BASEBALL LEAGUE FOR THE PURPOSE OF HOSTING THE 2006 CANADIAN NATIONAL SENIOR “AAA” BASEBALL CHAMPIONSHIPS

Considered was a report from the City Clerk’s Office dated February 14th, 2006 with respect to the above.

Paterson-Brown

1549 That By-law No. 6815 to authorize the lending of funds to the Manitoba Senior Baseball League to host the 2006 Canadian Senior “AAA” Baseball Championships, be read a first time. CARRIED.

NO. 6816 - TO CLOSE AND CONVEY THE NORTH/SOUTH LANE IN PLAN 848 & 925, NORTH OF CENTRE AVENUE BETWEEN 1ST STREET NORTH AND WHITE SWAN STREET

City Council considered a report from the General Manager of Development Services dated February 13th, 2006 with respect to the above.

Paterson-Blight

1550 That By-law No. 6816 to close and convey the north/south lane in Plan 848 and 925, north of Centre Avenue between 1st Street North and White Swan Street, be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ANNOUNCEMENTS:

ADVERTISEMENT FOR MEMBERS TO THE POVERTY COMMITTEE

Councillor Rice announced that an advertisement had been placed in the Wheat City Journal seeking members for the Poverty Committee. He requested interested individuals to contact the City Clerk's Office.

TRAINS TRAVELLING WITHIN CITY LIMITS

Councillor Paterson referred to a recent newspaper article that featured a picture of a derailed Canadian National rail car within 20' of a home in Quebec and noted that such occurrences certainly supported the City's actions with respect to a moratorium on development near rails lines and its attempts to reduce the speed of trains entering the city.

CHAIR FOR 125TH CELEBRATION COMMITTEE

His Worship the Mayor announced that he was very pleased to have former councillor Jeff Harwood as Chair for the 125th Celebration Committee. He noted that there were many wonderful ideas coming forward to celebrate in 2007.

ADJOURN:

Jessiman-Rice

That the meeting do now adjourn. (10:50 p.m.) CARRIED.

MAYOR

CITY CLERK