

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, FEBRUARY 21, 2017 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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PRESENT: Acting Deputy Mayor Barry Cullen in the Chair, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Glen Parker, Councillor Lonnie Patterson

ABSENT: Mayor Rick Chrest, Councillor Jan Chaboyer

ADOPTION OF AGENDA:

Desjarlais-Parker

920 That the Agenda for the Regular Meeting of City Council, to be held on Tuesday, February 21, 2017 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

LoRegio-Harwood

921 That the Minutes of the Special Meeting of City Council held on January 21, 2017 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

LoRegio-Patterson

922 That the Minutes of the Special Meeting of City Council held on February 6, 2017 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

LoRegio-Desjarlais

923 That the Minutes of the Regular Meeting of City Council held on February 6, 2017 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) JESSICA BLANKENSPoor AND JONI OMURA - CROSSROADS REHABILITATIVE MASSAGE

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Jessica Blankenspoor and Joni Omura of Crossroads Rehabilitative Massage appeared before City Council with respect to their application for a home based business to provide rehabilitative massage services. Ms. Omura noted that their business would assess and treat specific dysfunctions through massage with a spa-like atmosphere. She further explained that the hours of operation were expected to be 9:00 a.m. – 5:00 p.m. with the occasional evening appointment, and that a half-hour was scheduled between appointments to avoid traffic congestion.

Desjarlais-Patterson

924 That the presentation by Jessica Blankenspoor and Joni Omura, on behalf of Crossroads Rehabilitative Massage with respect to a Business License, be received. CARRIED.

(B) SCOTT KIRK, BRANDON BLUEFINS SWIM CLUB - CREDIT FOR PART OF POOL RENTAL FEES

Scott Kirk, on behalf of the Brandon Bluefins Swim Club, appeared before City Council with respect to the financial difficulty the swim club had encountered in the past year. Mr. Kirk gave a brief history of the Club, and noted that it provided an opportunity for youth to participate in sport. Mr. Kirk thanked the City for the upgrades to the Sportsplex and shared his appreciation for the new pool. He noted however, that during the year that the Sportsplex was closed for renovations, the Swim Club had lost half of its swimmers and thus a downturn in available funds. Mr. Kirk stated that the Club had increased their fees and fundraising efforts and used their reserves, but the Club was still experiencing a financial shortfall.

Mr. Kirk also noted that the Swim Club had many out of town members and hosted two swim meets that brought swimmers from out of town and provided an economic benefit of an estimated \$150,000 per year to the City of Brandon. On behalf of the Bluefins Swim Club, he requested the City of Brandon to offset \$5,000 of their pool fees at the Sportsplex.

Fawcett-Desjarlais

925 That the presentation by Scott Kirk, on behalf of the Brandon Bluefins Swim Club with respect to a partial credit for the pool rental fees, be received and referred to Administration for report back to City Council. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE

JANUARY 27, 2017

Councillor Kris Desjarlais provided a verbal report to City Council with respect to the plaques to identify municipal heritage sites. He advised that the City of Brandon had entered into a five year contract with Riverside Aluminum and Brass Limited for the plaques, with a savings of over \$13,300 from what was allocated in the budget. Councillor Desjarlais explained that two types of cast bronze plaques would be produced. The standard plaque contained the words "City of Brandon Municipal Heritage Site" and would be given free of charge to owners of designated municipal heritage sites. Premium plaques would be available, with the cost to be borne by the building owner, which included the wheat sheaf shield motif and a description of the site and its significance.

Following this verbal update, the following report was presented.

Brandon, Manitoba  
January 27, 2017

Mayor and Councillors  
City of Brandon

Committee Members: Councillor Kris Desjarlais (Co-Chair); Councillor Jeff Harwood (Co-Chair); Daniel Burns; Derek Ford; Dave Hughes; Greg Hutsal; Reg Hildebrand; Eleanor McCallum; Garry Miller; Andrew Mok (Advisory Member and Recording Secretary)

Your Municipal Heritage Advisory Committee, at their meeting held on December 15, 2016, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

NOMINATION OF 1039 PRINCESS AVENUE AS A MUNICIPAL HERITAGE SITE

The Committee inspected and evaluated the subject property on Wednesday, September 9, 2015 using established criteria and standards recommended by the Manitoba Historic Resources Branch. Based on the evaluation presented in the Committee's report at the November 2, 2015 City Council meeting, the subject property was determined to have a strong architectural and historic element to Brandon history. Attached to this report is the original report to City Council from the Committee dated October 6, 2015 in which the Committee recommended City Council designate the subject property as a Municipal Heritage Site. Also attached is the Heritage Character Statement of the subject site from Public Works and Government Services Canada (PWGSC).

*Initial Attempt Stopped*

City Council gave By-law No. 7133 to designate the subject property first reading on December 7, 2015. After first reading, the Planning, Property & Buildings Department received comments from Manitoba Historic Resources Branch that the City of Brandon cannot designate the subject site as a municipal heritage site. Provincial legislation does not grant the City of Brandon the authority to designate a site owned by the Government of Canada, despite the Government of Canada having requested the City of Brandon to consider designation. The by-law was therefore given no further readings at the January 18, 2016 City Council meeting.

*Property Owner Initiates Again*

During the summer of 2016, the Government of Canada, through PWGSC, contacted the City of Brandon Planning, Property & Buildings Department to discuss municipal designation of the subject property again. PWGSC and Planning, Property & Buildings discussed the logistics of changing heritage site designations for the subject property. Based on these discussions, and upon PWGSC confirming that the subject property is actively for sale, the Committee agreed at its December 15, 2016 meeting that the City of Brandon should attempt to designate the subject property again.

*Next Steps for Best Chance of Designation Success*

To ensure that the designation process is not stopped on technical grounds, the Committee recommends the following actions be taken:

1. City Council Initiates Designation By-law Process

Should City Council adopt this Committee's recommendation in this report, Planning, Property & Buildings and the Clerk's Office will prepare the paperwork associated with the municipal heritage site designation by-law process, including the drafting of a new designation by-law. City Council may then give the designation by-law first reading. This sequence of events remains unchanged from previous designation attempts.

2. City Staff Prepare Follow-Up Paperwork, Await Signal to Proceed

The Notice of Intent to Designate a Municipal Heritage Site is normally registered on the title of the subject property immediately after first reading of the designation by-law. However, registration on the title this time will occur no sooner than the date of the change in property ownership. Planning, Property & Buildings will wait for written confirmation from PWGSC of a date when ownership of the subject property will change. Registration of the Notice of Intent to Designate a Municipal Heritage Site on the title of the subject property will occur in series with, or immediately after, the registration of ownership transfer of the title. With this sequence of events, the City of Brandon will avoid the same situation that caused the initial designation attempt in December 2015 to fail.

3. City Council Decides on Designation By-law

In accordance with The Manitoba Heritage Resources Act, after the City of Brandon registers the Notice of Intent to Designate a Municipal Heritage Site on the title of the subject property, City Council will hold a public hearing on the designation by-law and decide whether to adopt the by-law. This sequence of events remains unchanged from previous designation attempts.

RECOMMENDATION:

That City Council proceed with the designation of 1039 Princess Avenue (Lots 31/40, Block 59, Plan 2 BLTO) as a Municipal Heritage Site pursuant to The Heritage Resources Act and the City of Brandon Heritage Conservation By-law, which shall include the following:

- a) The introduction of a municipal heritage site designation by-law for first reading;
- b) The issuance and publication of a Notice of Intent to designate said property as a municipal heritage site; and
- c) The holding of a public hearing to receive any objections and other representations with respect to the proposed designation by-law;

and further, that the designation process not proceed beyond first reading until the City of Brandon Planning, Property & Buildings Department receives written confirmation from Public Works and Government Services Canada of a date to transfer ownership of the subject property.

Respectfully submitted,

Councillor Kris Desjarlais  
Co-Chair, Municipal Heritage Advisory Committee

Harwood-Fawcett

That the report of the Municipal Heritage Advisory Committee dated January 27, 2017 be received. CARRIED.

Desjarlais-Harwood

927

That City Council proceed with the designation of 1039 Princess Avenue (Lots 31/40, Block 59, Plan 2 BLTO) as a Municipal Heritage Site pursuant to The Heritage Resources Act and the City of Brandon Heritage Conservation By-law, which shall include the following:

- a) The introduction of a municipal heritage site designation by-law for first reading;
- b) The issuance and publication of a Notice of Intent to designate said property as a municipal heritage site; and
- c) The holding of a public hearing to receive any objections and other representations with respect to the proposed designation by-law. CARRIED.

(B) PERSONNEL COMMITTEE FEBRUARY 9, 2017

February 9, 2017  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held the 9th day of February, 2017, begs leave to report as follows and submits recommendations where deemed necessary and expedient:

Present: Committee Members:  
His Worship Mayor Rick Chrest, Chairman  
Councillor Jeff Harwood  
Councillor Shawn Berry

Resource Personnel:  
Mr. Scott Hildebrand, City Manager  
Ms. Linda Poole, Deputy Director of Human Resources

Regrets: Councillor Barry Cullen

Resignation of City Manager

His Worship Mayor Chrest advised that City Manager Scott Hildebrand had tendered his resignation effective March 28, 2017.

The Personnel Committee reviewed a number of options with respect to the recruitment of a new City Manager and the steps to be taken in the interim.

The following recommendations are being presented to City Council for consideration and decision, inclusive of Administration's recommendation as follows:

That the resignation of Scott Hildebrand from the position of City Manager be accepted, effective March 28, 2017.

That Rod Sage be hereby appointed the Acting City Manager to fulfill the duties, responsibilities and powers of the position as provided for in City Manager By-law No. 6505, effective February 25, 2017.

That a Request for Proposals for an Executive Search Firm to assist in the recruitment of a City Manager be issued.

Respectfully submitted,

R. Chrest  
CHAIR

Harwood-Parker

928 That the report of the Personnel Committee dated February 9, 2017 be received. CARRIED.

Harwood-Berry

929 That the resignation of Scott Hildebrand from the position of City Manager be accepted, effective March 28, 2017. CARRIED.

Harwood-Berry

930 That Rod Sage be hereby appointed the Acting City Manager to fulfill the duties, responsibilities and powers of the position as provided for in City Manager By-law No. 6505, effective February 25, 2017. CARRIED.

Harwood-Patterson

931 That a Request for Proposals for an Executive Search Firm to assist in the recruitment of a City Manager be issue. CARRIED.

The Acting Deputy Mayor, on behalf of all of Council, expressed his gratitude to Mr. Scott Hildebrand for his service to the City and the citizens of Brandon. He acknowledged Mr. Hildebrand's dedication to the job and wished him all the best in his future endeavors.

ENQUIRIES:

(226) REPAIR OF POTHoles

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Councillor LoRegio noted that the recent warmer temperatures had caused potholes to become a problem earlier than expected and enquired if temporary repairs to same were being completed.

At the request of His Worship the Acting Deputy Mayor, the City Manager responded that pothole repairs were underway. He encouraged residents to call the Pothole Hotline at (204) 729-2200 to report any problem areas.

(227) POLICY ON MAINTENANCE OF BACKLANES

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Councillor Desjarlais requested an update on the status of the internal policy with respect to the maintenance of backlanes.

At the request of His Worship the Acting Deputy Mayor, the City Manager responded that Administration continued to review this issue in conjunction with the overall infrastructure demands in the City of Brandon.

He advised that a detailed plan with respect to backlane maintenance, inclusive of how it would be funded, would be presented to City Council by the end of 2017. He confirmed that in the interim, backlanes would be maintained to a safe level of service for traffic and encouraged everyone to report any lanes that required attention.

ANNOUNCEMENTS:

"COLDEST NIGHT OF THE YEAR" WALK

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Councillor Desjarlais announced that the "Coldest Night of the Year" Walk would take place on February 25, 2017 with proceeds to go towards Samaritan House and the Safe & Warm Shelter. He encouraged everyone to come out and participate in the Walk or make a donation towards this important resource in our community.

SENIORS' ADVOCACY FORUM

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Councillor Brown announced that a Seniors' Advocacy Forum would take place on March 22, 2017 from 10:00 a.m. to 3:00 p.m. at Seniors for Seniors 311 Park Avenue East. He noted that pre-registration was required, the cost was \$5.00 and tickets were available by calling Mr. Ray Sitter at (204) 725-1745.

GENERAL BUSINESS:

(A) HOME BASED BUSINESS LICENSE APPLICATION - CROSSROADS REHABILITATIVE MASSAGE

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City Council considered a report from the Director of Finance dated February 9, 2017 with respect to the above.

Desjarlais-Berry

932 That the application of Crossroads Rehabilitative Massage to operate a physical rehab/massage therapy business as a home based business at 10 Acadia Boulevard be approved. CARRIED.

(B) APPOINTMENT TO BRANDON POLICE BOARD

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Considered was a report from the City Clerk dated February 16, 2017 with respect to the above.

Berry-Parker

933 That in accordance with Section 2 of By-law No. 7041, Acting City Manager Rod Sage be hereby appointed to the Brandon Police Board effective February 25, 2017. CARRIED.

(C) SERVICE DELIVERY AGREEMENT - CITY OF BRANDON AND BRANDON & AREA PLANNING DISTRICT

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Submitted for consideration was a report from the City Clerk dated February 13, 2017 with respect to the above.

Fawcett-LoRegio

934 That the City of Brandon enter into a Services Delivery Agreement with Brandon and Area Planning District for the provisions of urban and rural planning services for and on behalf of the Brandon and Area Planning District, as attached to the report of the City Clerk dated February 13, 2017. CARRIED.

(D) INSPECTION SERVICES AGREEMENT - CITY OF BRANDON AND BRANDON & AREA PLANNING DISTRICT

City Council considered a report from the City Clerk dated February 13, 2017 with respect to the above.

Fawcett-LoRegio

935 That the City of Brandon enter into an Inspection Services Agreement with Brandon and Area Planning District to provide building inspection services for and on behalf of the Brandon and Area Planning District, as attached to the report of the City Clerk dated February 13, 2017. CARRIED.

BY-LAWS:

Nil

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Patterson

That the meeting do now adjourn. (7:48 p.m.) CARRIED.

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MAYOR

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CITY CLERK