

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, NOVEMBER 6, 2017 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

PRESENT: Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Jan Chaboyer (retired at 9:31 p.m.), Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Glen Parker, Councillor Lonnie Patterson

ABSENT: Councillor Ron W. Brown

ADOPTION OF AGENDA:

Parker-LoRegio
1127 That the Agenda for the Regular Meeting of City Council to be held on Monday, November 6, 2017 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Chaboyer-Harwood
1128 That the Minutes of the Regular Meeting of City Council held Monday, October 16, 2017 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) NATHAN PETO, MANAGER OF CORPORATE INITIATIVES – CITY OF BRANDON SNOW ANGELS PROGRAM

Nathan Peto, Manager of Corporate Initiatives for the City of Brandon, appeared before City Council with respect to the Snow Angels program. Mr. Peto gave an overview of the program, which coordinated volunteers with citizens who were unable to clear the municipally owned sidewalks adjacent to their property. He noted that the Snow Angels program started in 2016 as a pilot project under the City Council Strategic Plan initiative of Community Inclusion, to facilitate a more accessible community while encouraging citizen engagement. Mr. Peto indicated that the Snow Angels program would continue in 2017 and encouraged citizens who were interested in the program to visit www.snowangels.brandon.ca, call 204-729-2186, or email snowangels@brandon.ca for more information.

Fawcett-Chaboyer
1129 That the presentation by Nathan Peto, Manager of Corporate Initiatives, with respect to the City of Brandon Snow Angels Program, be received. CARRIED.

PUBLIC HEARINGS:

(A) VARIANCE APPLICATION – 424 18TH STREET NORTH (PRECISION HOLDINGS LTD.)

City Council sat to hear representation on the variance application for the property located at 424 – 18th Street North.

Ryan Nickel, Chief Planner, and Patrick Pulak, City Engineer, provided an overview of the project and the requirement for the variance based on the applicant's intent to construct a new 2-storey, 27,000 sq. ft. commercial building below the design flood level. Mr. Nickel advised that the variance application had been referred directly to City Council from the Planning Commission who had been unable to reach a decision on the matter. Mr. Pulak noted that this property was located in a dike flood plain area which was regulated to protect people and property from flood damages should the dike be breached, and to minimize the risk/liability and costs to the City. He stated that the dike did not provide 100% protection from a high water event.

Paul Roy appeared on behalf of the applicant, Precision Toyota Holdings Ltd. and spoke in favour of the application. Mr. Roy noted that in order to meet the elevation requirements of the Zoning By-law, the floor of the new building would be 10 feet above the existing grade and that there numerous buildings that were in non-compliance with the development requirements of the diked flood plain area. He advised that this business had been located at this site for over forty years and the owners were prepared to assume the risk of building at this location.

No further representation, either in support of or in opposition to the variance application was received.

Harwood-Parker

1130 That the Public Hearing be concluded. CARRIED.

Harwood-LoRegio

1131 That Variation Application V-12-17-B to vary the City of Brandon Zoning By-law to allow a finished grade and first floor elevation below the design flood level at 424 – 18th Street North (Lot 1, Plan 23069 BLTO) be approved subject to the owner or successor executing a development agreement with the City of Brandon including the following supplementary conditions:

1. The application will be responsible to curb and sod the boulevard along the northerly portion of McGregor Avenue for the entire length of the property from 18th Street North to 19th Street North.
2. The applicant will be responsible to realign and formalize the most southwesterly approach to the site off McGregor Avenue with 19th Street North. The design and construction must conform to the latest edition of the City of Brandon Standard Construction Specifications.
3. The applicant will be responsible to relocate and formalize the most southwesterly approach to the site off McGregor Avenue to align with the approach to 330 – 18th Street North. The design and construction must conform to the latest edition of the City of Brandon Standard Construction Specifications.
4. The applicant will be responsible to contribute towards boulevard trees for McGregor Avenue.
5. The applicant will be responsible to provide evidence of a Cross Access Agreement allowing for joint access from 404 - 18th Street North and 424 - 18th Street North. The agreement is to be registered on all affected titles.

6. The applicant will agree to save harmless the City by way of inclusion of save harmless clauses in the development agreement.
7. The applicant will be responsible to submit a detailed cost estimate, prepared by their consulting engineer for all work proposed within the right-of-way. The cost estimate is subject to review and approval by the City Engineer.
8. The applicant will be responsible to submit an Irrevocable Letter of Credit totaling 15% of the detailed cost estimate. CARRIED.

Following the vote on the above motions, City Council further directed Administration to complete best practice research and consult with area landowners and other stakeholders in the diked flood area and to provide a report to City Council outlining recommended revisions to the floodplain map and the standards for development in the floodplain overlay zone.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE REPORT OCTOBER 31, 2017

Mayor and Councillors
City of Brandon

Your PERSONNEL COMMITTEE, at its meeting held the 31st day of October, 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
 Councillor Barry Cullen

Resource Personnel:
Ms. Linda Poole, Director of Human Resources

Regrets: None

City Manager Position

On February 21, 2017, Council passed a motion “that a request for proposals for an executive search firm to assist in the recruitment of a City Manager be issued.”

On May 15, 2017, the following resolution was adopted:

That the proposal from Davies Park Executive Search to provide executive search services for qualified applicants for the City Manager and Chief of Police positions as per proposal, at a base fee of \$70,000.00 plus disbursements and administrative costs, be accepted;

and further, that the costs be expended from the Police Department and City Manager operating budgets.

Following an extensive search conducted by Davies Park Executive Search, the Personnel Committee conducted interviews with six (6) applicants on September 21 and 22, 2017. After shortlisting the applicant pool to two (2) finalists, interviews and presentations from the finalists were held with Council on October 14, 2017.

At its meeting on October 31, 2017, the Personnel Committee prepared a job offer for the successful candidate, Mr. Rodney B. Sage.

It was agreed that the following recommendation be presented to City Council for consideration and decision:

“That the City of Brandon enter into a five (5) year employment contract with Mr. Rodney B. Sage, effective November 6, 2017.”

Respectfully submitted,

R. Chrest
CHAIR

Harwood-Desjarlais

1132 That the report of the Personnel Committee dated October 31, 2017 be received. CARRIED.

Harwood-Cullen

1133 That Mr. Rodney B. Sage be hereby appointed the City Manager, and the City of Brandon enter into a five (5) year employment contract with Mr. Sage, effective November 6, 2017. CARRIED.

(B) AUDIT AND FINANCE COMMITTEE
VERBAL

NOVEMBER 6, 2017

November 6, 2017
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Fawcett provided a verbal report from the meeting of the Audit and Finance Committee held on Thursday, October 26, 2017. He stated that the sole topic of the meeting was to consider the City’s September budget review whereby the General Fund was projected to have a year-end surplus of \$300,000 and the Utility Fund a surplus of \$75,000. It was noted that the projected surpluses were relatively small and as such, Administration had been directed to watch monitor any discretionary spending going into the final months of the year. Councillor Fawcett reported that any actual year-end surplus would be allocated back into the City’s reserves.

Fawcett-Chaboyer

1134 That the report of the Audit and Finance Committee be received. CARRIED.

ENQUIRIES:

(273) UPDATE ON VACANCY MANAGEMENT COMMITTEE REPORT

Councillor LoRegio referred to his previous enquiry with respect to an update from the Vacancy Management Committee and enquired when a response to same was to be expected.

His Worship the Mayor responded that the Personnel Committee had received the report from the Human Resources Department with same to be reviewed in the near future. His Worship confirmed that the information would be shared with City Council well before the 2018 Budget Deliberations.

(274) SERVICES PROVIDED TO CONDOMINIUM DEVELOPMENTS

Councillor LoRegio referred to the recent presentation by a group of condominium owners regarding the services provided to condominium developments. He noted that a meeting was to be set up between City Council and the group of presenters and enquired when that meeting was expected to take place.

At the request of His Worship the Mayor, the City Manager responded that an overview of the various forms of condo ownership and the different services provided to those properties would be presented to City Council at an informal meeting on November 16, 2017. Mr. Sage advised that City Council's direction on the steps to be taken with the condo groups would be sought after that meeting.

(275) INFRASTRUCTURE ISSUES IN THE 1500 BLOCK OF 22ND STREET

On behalf of Councillor Brown, Councillor LoRegio noted that there had been numerous infrastructure issues, in the 1500 Block of 22nd Street. He enquired if replacement of the water mains and improvements to the street were planned for that area.

At the request of His Worship the Mayor, the City Manager responded that the section of water main along the 1500 Block of 22nd Street had scored poorly on an evaluation conducted by the Engineering Department, and hence, was a high priority for total replacement in the 2019 or 2010 Capital Program. Mr. Sage advised that the roadway would be maintained by the Operations Department until it a complete asphalt overlay could be completed after the replacement of the water main.

(276) ADDRESSING DRUG ISSUES IN THE COMMUNITY

Councillor Chaboyer referred to a recent presentation by Ms. Kim Longstreet with respect to drug issues in the community. She noted that this issue had also been a major topic of discussion at a recent Green Acres Ward meeting and enquired if the formation of a Community Task Force to address these issues could be considered.

His Worship the Mayor responded that he had recently met with Ms. Longstreet and that she planned to provide a presentation to City Council at the November 20, 2017 meeting. His Worship advised that Ms. Longstreet planned to share the results garnered from the September 20, 2017 Open House and was expected to provide City Council with her suggestions for addressing this issue at that time.

ANNOUNCEMENTS:

BRACELETS IN SUPPORT OF RARE LYMPHOMA

Councillor Parker announced that, with two members currently battling a rare form of cancer, the Brandon Firefighter's Charity Fund were selling bracelets to raise funds to help erase lymphoma. He advised that the bracelets were available for a minimal cost at Fire Hall No. 1.

CONSTRUCTION OF PAVILION IN RIDEAU PARK

Councillor Parker announced that the Kiwanis Club planned to build a pavilion in Rideau Park with construction expected to take place in the Spring 2018.

RELEASE OF VIDEO OF PLANS FOR REDEVELOPMENT OF BRANDON RIVERBANK

Councillor Fawcett announced that the video for the planned redevelopment of the Brandon Riverbank was available on their website at www.riverbank.mb.ca and encouraged everyone to take a look at it.

APPOINTMENT OF NEW CHIEF OF POLICE

Councillor Fawcett announced that former Deputy Chief Wayne Balcaen had been appointed as the new Chief of Police for the City of Brandon and congratulated Chief Balcaen on his new appointment.

AA WINNIPEG HIGH SCHOOL FOOTBALL LEAGUE FINALS

Councillor Fawcett wished good luck to the Vincent Massey Vikings Football Team who were playing in the finals of the AA Winnipeg High School Football League on Wednesday, November 8, 2017.

"NO STONE LEFT ALONE" CEREMONY - BRANDON CEMETERY

His Worship Mayor Chrest announced that he had been pleased to attend the "No Stone Left Alone" Ceremony held today at the Brandon Municipal Cemetery. His Worship advised that the ceremony organized by Ryan Lawson saw poppies placed on every grave in the Veterans' Section of the cemetery with over 700 students from the Brandon School Division participating in the event.

REMEMBRANCE DAY SERVICE AT KEYSTONE CENTRE

His Worship Mayor Chrest encouraged everyone to attend the Remembrance Day Service being held at the Keystone Centre on Saturday, November 11, 2017 at 11:00 a.m.

GENERAL BUSINESS:

(A) INTERMUNICIPAL SERVICES SHARING REQUEST

City Council considered a report from Planning, Property & Buildings Department dated October 17, 2017 with respect to the above.

Fawcett-Chaboyer

1135 That the requests for inter-municipal service sharing be referred to Administration to evaluate and report back to City Council with recommendations. CARRIED.

(B) SOUTH BRANDON ANNEXATION CONSULTATION

Submitted for consideration was a report from the Planning, Property & Buildings Department dated October 25, 2017 with respect to the above.

Berry-Fawcett

1136 That the consultation report to annex lands from the Rural Municipality of Cornwallis attached to the report of the Chief Planner dated October 25, 2017 as "Attachment B" be submitted to The Municipal Board in support of the annexation proposal submitted on April 18, 2017. CARRIED. Councillor Chaboyer retired from the Council Chamber at 9:31 p.m.

(C) AD HOC COMMITTEE TO REVIEW 2012 DOWNTOWN PARKING STUDY

Considered was a report from Councillor Kris Desjarlais dated October 27, 2017 with respect to the above and in accordance with his notice of motion given at the regular meeting of City Council held October 16, 2017.

Desjarlais-Patterson

1137 That an Ad Hoc Committee be established to review the 2012 Downtown Parking Study whereby the Ad Hoc Committee shall be comprised of:

- Two (2) Members of City Council
- Two (2) Members of the Brandon Downtown Development Cooperation
- Three (3) Citizens-at-large

CARRIED.

BY-LAWS:

NO. 7197 TO AMEND BY-LAW NO. 7116 TO PROVIDE FOR THE EXPENDITURE AND BORROWING FOR THE AIRPORT TERMINAL REDEVELOPMENT PROJECT

City Council considered a report from the Director of Finance dated November 1, 2017 with respect to the above.

1138 Fawcett-Parker
That By-law No. 7197, to amend By-law No. 7116 to provide for the expenditure and borrowing for the Airport Terminal Redevelopment Project, be read a first time. CARRIED.

1139 Fawcett-Parker
That the by-law be read a second time. CARRIED.

NO. 7198 COMPLIANCE BY-LAW

Submitted for consideration was a report from the Director of Legal Services dated November 3, 2017 with respect to the above.

1140 Fawcett-Patterson
That By-law No. 7198, to provide for the enforcement and compliance with City by-laws and to establish, in accordance with The Provincial Offences Act and The Municipal By-law Enforcement Act, a process for prosecuting offences under municipal by-laws be read a first time. CARRIED.

NO. 7199 TO AMEND ANNUAL SCHEDULE OF FEES BY-LAW NO. 7159

Considered was a report from the Director of Legal Services dated November 3, 2017 with respect to the above.

1141 Patterson-Cullen
That By-law No. 7199, to amend Annual Schedule of Fees By-law No. 7159 with respect to removing the Compliance Fine Schedule and to remove all reference to False Alarm fees from the section of Fire fees, be read a first time. CARRIED.

NO. 7200 FIRE PREVENTION BY-LAW

City Council considered a report from the Director of Legal Services dated November 3, 2017 with respect to the above.

1142 Desjarlais-Parker
That By-law No. 7200, to provide for firefighting, fire prevention, the related regulation of fire and other hazards through Policy, and for the re-adoption of the Manitoba Fire Code, be read a first time. CARRIED.

GIVING OF NOTICE:

(A) FUNDING OF KEYSTONE CENTRE CAPITAL PLAN

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor S. Berry gave notice of his intent to introduce at the November 20, 2017 meeting of City Council, a motion to support funding for the Keystone Centre's Capital Plan.

ADJOURN:

Berry-Cullen

That the meeting do now adjourn (9:48 p.m.) CARRIED.

MAYOR

CITY CLERK