

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, OCTOBER 5, 2020 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

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

ABSENT: Nil

It was noted that in accordance with Section 109 of Procedure By-law No. 6634, Councillor LoRegio participated in the meeting electronically.

ADOPTION OF AGENDA:

Cullen-Luebke
788 That the Agenda for the Regular Meeting of City Council to be held Monday, October 5, 2020 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Cameron-Chaboyer
789 That the Minutes of the Regular Meeting of City Council held on September 21, 2020 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF PRESENTATIONS:

(A) RYAN STURGEON, BRANDON WHEELCHAIR SPORTS & LEISURE -
TRANSPORTATION EQUITY WITH HANDI-TRANSIT

Ryan Sturgeon and Amanda Hamm appeared before City Council on behalf of Brandon Wheelchair Sport & Leisure. Mr. Sturgeon provided the history and an overview of the Brandon Wheelchair Sport & Leisure group and presented some concepts on reducing the transportation barriers for persons with disabilities.

Mr. Sturgeon proposed the renaming of Handi-Transit to a more person-centered use of language and then rebranding the transportation system with the new name. In addition, he recommended harmonizing the rates between Brandon Transit and Handi-transit as the current rate structure did not promote equal access, nor barrier free opportunities to those with disabilities.

Luebke-Chaboyer

790 That the presentation by Ryan Sturgeon and Amanda Hamm on behalf of Brandon Wheelchair Sports & Leisure be received. CARRIED.

(B) VIOLET JOSS - PRESERVING THE NAME OF ROSSER AVENUE

Violet Joss appeared before City Council with respect to preserving the name of Rosser Avenue. She provided historical information to clear up any misconceptions about General Rosser, and explained why his name deserved to remain on one of Brandon's main streets

Parker-Berry

791 That the presentation by Violet Joss with respect to preserving the name of Rosser Avenue be received. CARRIED.

COMMUNITY COMMENTS/FEEDBACK:

(A) HANDI TRANSIT FARES - THERESA GIBBONS

Councillor Luebke read correspondence dated October 5, 2020 from Theresa Gibbons, a City of Brandon taxpayer on a disability pension, with respect to handi-transit fares.

HEARING OF DELEGATIONS:

(A) DEIRDRE CHISHOLM, EXECUTIVE DIRECTOR, AGSM - CONTINUATION OF GRANT SUBSIDY FOR ART GALLERY OF SOUTHWESTERN MANITOBA

Deirdre Chisholm, Executive Director of the Art Gallery of Southwestern Manitoba, appeared before City Council with respect to continuation of the grant subsidy for the Art Gallery of Southwestern Manitoba (AGSM). She provided an overview of AGSM which was celebrating 114 years of inspiring community engagement through contemporary art exhibitions, education and event. She concluded by requesting the City of Brandon continue to provide the AGSM with the grant subsidy.

Chaboyer-Cameron

792 That the presentation by Deirdre Chisholm, Executive Director, AGSM, with respect to the continuation of the grant subsidy for the Art Gallery of Southwestern Manitoba be received. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE VERBAL OCTOBER 5, 2020

Councillor Luebke provided a verbal report from the meeting of the Keystone Centre held on September 24, 2020. He noted main topics of discussion included the Federal Throne Speech, the Province's request for proposals for a review and analysis regarding the long-term sustainability plan for the Keystone Centre, and the unaudited financial year-end figures for the Keystone Centre.

Councillor Luebke also noted that Matt Bolley had tendered his resignation as the Chair of the Keystone Board, and thanked Matt for his service.

(B) AUDIT AND FINANCE COMMITTEE VERBAL OCTOBER 5, 2020

Councillor Fawcett provided a verbal report from the meeting of the Audit & Finance Committee held on September 29, 2020. He noted the sole topic discussed was the August 2020 budget review. He indicated the City was projecting a year end surplus of \$574,000 for the General Fund, and a \$319,000 surplus for the Utility Fund.

Councillor Fawcett noted that COVID-19 had a large impact on revenues, and Administration was continuing to monitor the situation until the end of the year.

In addition, enquires were raised into projects put on hold due to COVID-19, staffing levels, and COVID-19 supply expenditures.

Parker-Luebke

793 That the reports of the Keystone Centre and the Audit and Finance Committee be received. CARRIED.

ENQUIRIES:

(159) MAINTENANCE PLAN FOR POTHOLES

Councillor Luebke enquired if there was a regular maintenance schedule for pothole repairs in problem areas throughout the City of Brandon and whether or not residents were still able to report problem areas through the usual process.

At the request of His Worship the Mayor, the Acting City Manager responded that a final city-wide pothole repair blitz was currently underway. He confirmed that problem areas could still be reported by calling the Pothole Hotline at (204) 729-2200 or accessing the online "Report an Issue" form.

(160) UPDATE ON SIDEWALKS AND CURB CUTTING

Councillor Luebke noted that a large amount of sidewalk repairs and curb cutting had been completed in the South Centre ward over the summer months. He stated that this work had been much appreciated by residents with accessibility issues and enquired if the remainder of the work was expected to be completed this fall.

At the request of His Worship the Mayor, the Acting City Manager responded that thirty-three accessible ramps had been proposed for 2020 with all concrete work having been completed and only landscaping needing to be finished up. He referred anyone interested in ongoing projects to the Capital Projects Dashboard on the website for further information.

(161) OVERGROWN GRASS & VEGETATION ALONG CN RAIL TRACKS

Councillor Luebke noted an overgrowth of grass and vegetation along the CN Rail tracks between 13th and 18th Streets and enquired if this issue would be addressed prior to winter.

At the request of His Worship the Mayor, the Acting City Manager responded that CN Rail had confirmed the work was expected to be completed as soon as the appropriate equipment became available in 2021.

ANNOUNCEMENTS:

JOINT GREEN ACRES AND RICHMOND WARD MEETING

Councillor Chaboyer announced that a joint Green Acres and Richmond Ward meeting would be held on October 20, 2020 in the MNP Hall at the Keystone Centre starting at 7:00 p.m. She advised that agenda items included drainage, overland flooding, the 2021 City of Brandon budget and other city and ward issues. She invited everyone to attend and confirmed that COVID-19 protocols would be followed.

SOUTH CENTRE COMMUNITY MEETING

Councillor Luebke announced that a South Centre Ward community meeting was scheduled for October 7, 2020 in the MNP Hall at the Keystone Centre starting at 7:00 p.m. He advised that agenda items included the Park Avenue Storm Sewer Project, an update on policing and other city and ward issues. He confirmed that COVID-19 protocols were being followed and room capacity would be limited.

OVERT RACISM AND SILENT DUPLICITY IN CANADA

His Worship Mayor Chrest spoke about the death of Joyce Echaquan, an Indigenous mother of seven from the Manawan First Nation who recorded the horrendous actions of nursing staff at the Centre Hospitalier de Lanaudiere in Joliette, Quebec just prior to her death. Mayor Chrest invited Councillor Kris Desjarlais to share his thoughts on this serious issue.

Councillor Desjarlais spoke of the ongoing overt racism and silent duplicity of Canadians with respect to the treatment of Indigenous Peoples. He implored all Non-Indigenous Canadians, especially community leaders, to stand up and speak out when they witnessed racism of any type.

GENERAL BUSINESS:

(A) RENT OFFSETTING GRANT TO ART GALLERY OF SOUTHWESTERN MANITOBA - 710 ROSSER AVENUE

City Council considered a report from the Planning & Buildings Department dated September 15, 2020 with respect to the above.

Fawcett-Cullen

794 That the lease agreement executed between The City of Brandon and The Art Gallery of Southwestern Manitoba for a portion of the property located at 710 Rosser Avenue, and to expire at the end of 2024, include a grant in an amount equal to 100% of the annual rental payment CARRIED.

(B) COUNCIL APPOINTMENTS TO PERSONNEL COMMITTEE

Submitted was a report from the Director of Legislative Services dated September 29, 2020 with respect to the above.

Fawcett-Cameron

795 That the following members of Council be appointed to the Personnel Committee effective October 6, 2020, with terms of office to expire November 16, 2020:

Mayor Rick Chrest (Chair)
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais CARRIED.

(C) FUNDING TO COMMUNITY CENTRES FOR OPERATING EXPENSES

Considered was a report from Councillor Glen Parker dated September 27, 2020 and in accordance with his notice of motion given at the regular meeting of City Council held September 21, 2020.

Parker-Luebke

796 That active community centres receive \$5,000 towards operating expenses to be funded by the Central Council of Community Centres allocation approved by City Council during the 2020 budget deliberations. CARRIED.

(D) ALLOCATION TO LAND ACQUISITION RESERVE FROM SALE OF LANDS FOR CONSTRUCTION OF DALY OVERPASS

City Council considered the report from the Director of Planning dated September 16, 2020 with respect to the above.

Cullen-Berry

797 That the funds received from the sale of lands to Manitoba Infrastructure for construction of the Daly Overpass be deposited into the Land Acquisition Reserve. CARRIED.

BY-LAWS:

NO. 7270

TO REZONE PROPERTY LOCATED AT 1230 - 18TH STREET NORTH FROM RESIDENTIAL LARGE LOT TO RESIDENTIAL SINGLE DETACHED, RESIDENTIAL LOW DENSITY AND OPEN SPACE ZONES

Submitted for consideration was a report from the Legislative Services Department dated September 22, 2020 with respect to the above.

Fawcett-Cameron

798 That By-law No. 7270 to rezone property located at 1230 - 18th Street North (Parcel One: Lot 29, Plan 20556 BLTO in NE 1/4 27-10-19 WPM) from Residential Large Lot (RLL) zone to Residential Single Detached (RSD), Residential Low Density (RLD) and Open Space (OS) zone, be read a second time. CARRIED.

Fawcett-Cameron

799 And further, that third reading of this by-law be held in abeyance pending the objectors to the by-law be given notice, pursuant to Section 76(3) of The Planning Act, of their right to file a further objection, and the owner or successor entering into a Development Agreement with the City of Brandon subject to the following conditions:

1. The Developer agrees to construct 5 bare land condominium units, a common element and public right-of-way in general consistency with the attached site and elevation plans.
2. The Developer agrees legally open and construct the shared access adjacent to 18th Street North for the entire length of the proposed development and as such extend a public water main to service the proposed development. The access and right-of-way shall be 7.3 meters in width and designed to conform to the Brandon Fire and Emergency regulations, City of Brandon Sanitation requirements, the latest edition of the City of Brandon Standard Construction Specifications and Manitoba Infrastructure permit conditions. All costs associated with the construction of the access and water main shall be at the sole cost of the Developer.
3. The Developer agrees to maintain, at all times, unimpeded and open access to the properties to the south for the property owners of those properties, City of Brandon sanitation vehicles and City of Brandon Fire and Emergency vehicles during construction of the public right-of-way.
4. The Developer agrees to contribute to the Brandon School Division cash in lieu of land dedication in the amount specified by the Brandon School Division. The Developer agrees to submit proof of payment to the City of Brandon prior to the issuance of any development and/or building permits.
5. The Developer agrees to provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post, to the approval of Canada Post.

6. The Developers agrees to contribute \$27,863.29 in development charges for network infrastructure. Payment of such contribution is due upon the execution of development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit.
7. The Developer agrees to contribute \$1,871.20 for a cash-in-lieu of land dedication for public reserve purposes. Payment of such contribution is due upon the execution of development agreement.
8. The Developer agrees to apply and receive approval by way of a permit from Manitoba Infrastructure for all work in the 18th Street North provincial right-of-way.
9. The Developer agrees to enter into a blanket Easement agreement, over the entire common element, for drainage with the City of Brandon. The drainage Easement Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening.
10. The Developer agrees to enter into a Private Sewer Agreement with the City of Brandon for the Low Pressure Sewer System, up to and including the connection to a public manhole. The Private Sewer Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening.
11. The Developer agrees to provide evidence of Easement Agreements with Manitoba Hydro, MTS Inc., and Westman Communications Group, being entered into and registered against title of the Lands, prior to the issuance of any development and/or building permits.
12. The Developer agrees to submit a Detailed Cost Estimate for all work to be completed within the City's right-of-way. The detailed cost estimate is to be reviewed and acceptance by the City Engineer, prior to the City executing the development agreement.
13. The Developer agrees to submit an Irrevocable Letter of Credit totaling 15% of the accepted detailed cost estimate, prior to the City executing the development agreement.

And that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts. CARRIED.

NO. 7281 TO EXEMPT THE ART GALLERY OF SOUTHWESTERN MANITOBA FROM MUNICIPAL
PROPERTY TAXES AT 710 ROSSER AVENUE

Considered was a report from the Planning & Buildings Department dated September 15, 2020 with respect to the above.

Chaboyer-Cameron

800 That By-law No. 7281 to exempt The Art Gallery of Southwestern Manitoba as an occupier of a portion of the property located at 710 Rosser Avenue (Roll #333252) from municipal taxes be read a first time CARRIED.

NO. 7283 COUNCIL CODE OF CONDUCT

City Council considered a report from the Director of Legislative Services dated September 15, 2020 with respect to the above.

Fawcett-Parker

801 That By-law No. 7283 to adopt the Council Code of Conduct be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn. (9:14 p.m.) CARRIED.

MAYOR

CITY CLERK