

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JUNE 20, 2022 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, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Sunday Frangi, Councillor Bruce Luebke, Councillor Glen Parker

ABSENT: Councillor Shaun Cameron

ADOPTION OF AGENDA:

Cullen-Luebke

1560 That the Agenda for the regular meeting of City Council to be held on Monday June 20, 2022 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Chaboyer-Frangi

1561 That the Minutes of the Special Meeting of City Council held Monday, June 6, 2022 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Parker-Luebke

1562 That the Minutes of the Regular Meeting of City Council held Monday, June 6, 2022 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF PRESENTATIONS:

(A) **JULIA GREER, SKYE SCHOTT AND KOBE LIM – YOUTH ACTIVITIES PROGRAM**

Julia Greer, Skye Schott and Kobe Lim appeared before City Council with respect to the 2022 Youth Activity Centres (YAC) Program. Julia Greer indicated the YAC program mentored youth in the community, helping them grow into strong, independent young adults. Skye Schott advised the program was provided at no cost to all the children in the community, and provided a safe, encouraging and inclusive environment. Kobe Lim shared a video of the YAC program with testimonials from participants.

Berry-Parker

1563 That the presentation by Julia Greer, Skye Schott and Kobe Lim with respect to an update on the Youth Activities Program be received. CARRIED.

(B) GREG BROWN, AIRPORT MANAGER - AIRPORT LAND USE PLAN

Greg Brown, Airport Manager appeared before City Council with respect to the Brandon Municipal Airport Land Use Plan. Mr. Brown indicated the plan would provide direction to effectively use the existing land for future development of commercial and industrial lands at the airport. He concluded by noting the development of the site required an overall concept master plan, and the Airport Master Plan would be presented to Council in the near future.

Desjarlais-Chaboyer

1564 That the presentation by Greg Brown, Airport Manager, with respect to an update on the Airport Land Use Plan be received. CARRIED.

(C) PATRICK PULAK - SUMP PUMP AND BACKWATER VALVE PROGRAM

Patrick Pulak, General Manager of Operations appeared before City Council with respect to the City's Sump Pump and Backwater Valve Program. Mr. Pulak provided the history of the Flood Protection Subsidy Program which provided up to 75% of the total materials and installation costs up to a maximum of \$2,500 for a sump pump and up to a maximum of \$1,500 for a backwater valve. He noted 43 applications were received for the 2022 year.

Mr. Pulak indicated that further information on the Flood Protection Subsidy program was available on the City's website www.brandon.ca and the application deadline for the 2022 year was November 30, 2022.

Luebke-Berry

1565 That the presentation by Patrick Pulak, General Manager of Operations with respect to the City's Sump Pump and Backwater Valve Program be received. CARRIED.

COMMUNITY COMMENTS/FEEDBACK:

(A) GARNET BOYD - FIRE PIT REGULATIONS

Garnet Boyd, resident of University Ward expressed some concerns with the proposed amendments to the Fire Pit regulations. Mr. Boyd indicated his concerns were with the buffer zones, wind speed, annual fee, and proposed time of usage.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

Nil

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE JUNE 9, 2022

City Council considered a report from the Personnel Committee meeting dated June 9, 2022. Ms. Linda Poole, Director of Human Resources presented a summary of negotiation and 3 year settlement agreement with the Brandon Paramedics and Firefighter Association (BPFPA) Local 803 commencing January 1, 2022 an expiring December 31, 2024.

Desjarlais-Cullen

1566 That the report of the Personnel Committee dated June 9, 2022 be received. CARRIED.

Desjarlais-Cullen

1567 That the City of Brandon enter into a three (3) year agreement with the Brandon Professional Fire Fighter and Paramedics Association (BPFPA) Local 803 for the period of January 1, 2022 to December 31, 2024 as per the Memorandum of Settlement whereby general wages shall be increased as follows:

- January 1, 2022 – 1.25%
- July 1, 2022 - 1.25%
- January 1, 2023 – 1.25%
- July 1, 2023 – 1.25%
- January 1, 2024 – 1.25%
- July 1, 2024 – 1.25% CARRIED.

(B) POVERTY COMMITTEE VERBAL JUNE 20, 2022

Councillor Luebke provided a verbal report from the meeting of the Poverty Committee held on June 8, 2022. He noted the Poverty Committee had toured the Brandon Food Rescue Grocery Store located at 719 Rosser Avenue. He provided an update on the Community Indicator System (CIS) website <https://brandon.tracking-progress.org/> being developed by United Way.

Councillor Luebke concluded by indicating the committee continued to look at supporting a Community Wellness event in Brandon this fall.

(C) BRANDON POLICE BOARD VERBAL JUNE 20, 2022

Councillor Berry, on behalf of the Brandon Police Board of Directors, provided an update from the Police Board meeting held on June 10, 2022. He noted Constable Moshe Linov and Constable Jason Medwechuk each provided a presentation in regards to being a Brandon Police School Resource Officer. Chief Balcaen had provided a financial update in his report with a projected deficit due to increased fuel costs. Councillor Berry noted the discussion on image capturing devices and the Brandon Police Board Policy.

Councillor Desjarlais enquired into rental property owners claiming the cost of damages when search warrants are executed under the Criminal Property Forfeiture Fund.

Chief Balcaen indicated the Criminal Property Forfeiture Fund was intended for victims of crime who meet specific criteria identified in the program.

The City Manager agreed to take this matter under advisement.

Berry-Luebke

1568 That the reports of the Poverty Committee and the Brandon Police Board be received.
CARRIED.

ENQUIRIES:

(295) RESTRICTIVE LOAD SIGNAGE FOR RECONSTRUCTED MARQUIS DRIVE

Councillor Berry advised that residents had raised concerns with respect to heavy truck traffic potentially causing damage to the newly reconstructed Marquis Drive. He enquired if load limit restrictions could be implemented and signage installed to deter heavy trucks from using Marquis Drive.

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

ANNOUNCEMENTS:

NATIONAL INDIGENOUS PEOPLES' DAY

Councillor Desjarlais announced that National Indigenous Peoples' Day celebrations would take place on June 21, 2022 starting at 12:00 Noon at the Riverbank Discovery Centre.

He noted that there would be food, displays, crafts and entertainment throughout the day with the performances by Indian City and Don Amero closing out the day.

TRAVEL MANITOBA BOARD OF DIRECTORS MEETING AT COMMONWEALTH AIR TRAINING PLAN MUSEUM

His Worship Mayor Chrest announced that he had been pleased to attend the opening reception for the Travel Manitoba Board of Directors Meeting held earlier today at the Commonwealth Air Training Plan Museum.

2022 MUNICIPAL AND SCHOOL BOARD ELECTIONS

His Worship Mayor Chrest reminded everyone of the 2022 Municipal and School Board Elections on October 26, 2022. He encouraged everyone to get involved in the Election whether to let their name stand as a candidate, support a candidate or get out and vote. He invited anyone interested in letting their name stand to contact current members of City Council or the Brandon School Board with any questions they may have.

WARD 2 MEETING - JUNE 28, 2022

Councillor Desjarlais announced that a Ward 2 meeting would take place June 28, 2022 at 6:30 p.m. at Park Community Centre Greenspace (indoors if raining) and reminded those planning to attend that they needed to bring their own chair. He advised that agenda items included an update on the Downtown Task Force, Park Community Centre, the Outdoor Sports Complex, the Library Conceptual Design, Truth and Reconciliation Week and other upcoming summer events and any other city or ward issues.

GENERAL BUSINESS:

(A) SETTLEMENT ASSISTANCE REQUEST - UKRAINIAN-CANADIAN ASSOCIATION TRYZUB

Councillor Frangi declared a potential conflict of interest in this matter due to his employment and did not participate in the discussion.

Submitted for consideration was a report from the Director of Economic Development dated June 13, 2022 with respect to the above.

Luebke-Desjarlais

1567 The City of Brandon provide Westman Immigrant Services a grant of \$10,000 to assist with basic settlement needs (not permanent residence related costs) of Ukrainians arriving via CUAET, and refugees who have been in Brandon for less than twelve months who are not federally sponsored with funds provided via the 2022 Grants Review budget;

and further, that City staff be authorized to execute the necessary funding agreement and reporting process related to the grant. CARRIED.

Following the vote on the above matter, Councillor Frangi re-engaged with City Council.

(B) AMENDMENT TO RESOLUTION NO. 1127 - PARK COMMUNITY CENTRE

Considered was a report from the Engineering Services Department dated April 8, 2022 with respect to the above.

Desjarlais-Cullen

1568 That the pending motion with respect to the amendment to Resolution No. 1127 with respect to Park Community Centre be taken from the table. CARRIED.

Desjarlais-Cullen

1569 That Council Resolution No. 1127 related to the issuance of a Request for Proposals for Park Community Centre adopted at the July 12, 2021 meeting of City Council be amended by deleting the words: "repair, upgrade or replacement of Park Community Centre" and substituting therefor the words: "demolition and replacement of Park Community Centre." CARRIED.

Desjarlais-Cullen

1570 That the issuance of a Request for Proposals for the Design-Build of a new Park Community Centre with an estimated building footprint of 2600 sq. ft. and a floor plan sufficient to accommodate 140 people in the event space along with identified basic amenities, be approved. CARRIED.

(C) IMAGE CAPTURING ENFORCEMENT REGULATION

City Council considered a report from the Chief of Police dated June 6, 2022 with respect to the above.

Parker-Desjarlais

1571 That the pending motion with respect to the Image Capturing Enforcement Regulation be taken from the table. CARRIED.

Luebke-Berry

1572 That a formal request be made to the Province of Manitoba to amend The Highway Traffic Act Image Capturing Enforcement Regulation 220/2022, specifically to change Section 5, authorized Municipalities and police service to include Brandon under Section 5.1 and Brandon Police Service on behalf of the City of Brandon under Section 5.2. CARRIED.

AMENDMENT

Luebke-Berry

1573 That the above motion be amended by adding the following:

"and further, that the City of Brandon implement image capturing enforcement once the Provincial legislation allows.". LOST.

(D) OPEN AIR FIRE REGULATIONS

Submitted was a report from Fire & Emergency Services dated June 6, 2022 with respect to the above.

Berry-Frangi

1574 That the pending motion with respect to amending the Open Air Fire Regulation P30 be taken from the table. CARRIED.

Berry-Luebke

1575 That amendments be made to Open Air Fires Regulation P30 to limit the hours of use of outdoor burning appliances between 12:00 p.m. and 12:00 a.m. and to prohibit the use of outdoor burning appliances when a poor air quality advisory is issued by the Province;

and further, that enhanced public education for the city of Brandon with an emphasis on those areas of the city with a higher density of outdoor burning appliances to identify the proper use of outdoor burning appliances as well as stressing the use of acceptable burning material. CARRIED AS AMENDED.

AMENDMENT

Berry-Chrest

1576 That the above motion be amended by adding the following directly after the first paragraph:

“and further, that people with chronic breathing disorders be able to apply for a 90m buffer zone, with medical proof from a doctor;”. LOST.

AMENDMENT

Luebke-Chaboyer

1577 That the above amending motion be amended by deleting 90m and substituting therefor 36m. LOST.

AMENDMENT

Berry-Luebke

1578 That the original motion be further amended by adding the following directly after the words: “issued by the Province”:

“and that use of outdoor burning appliances shall not be permitted when sustained or gusting winds are over 25 km per hour in the City of Brandon;”. LOST.

AMENDMENT

Berry-Luebke

1579 That the original motion be amended by adding the following directly after the first paragraph:

and further, that as of January 1, 2023, a \$20 permit fee be imposed for the issuance of a new outdoor burning appliance permit;”. CARRIED.

AMENDMENT

Berry-Luebke

1580 That the original motion be amended by deleting the words: “between 12:00 p.m. and 12:00 a.m.” and substitute the following: “between 4:00 p.m. – 12:00 a.m.”. LOST.

AMENDMENT

Fawcett-Chaboyer

1581 That the above amending motion be amended by deleting the words: “12:00 a.m.” and substituting therefor the words: “1:00 a.m.”. LOST.

AMENDMENT

Desjarlais-Berry

1582 That the original motion be amended by adding the following directly after the words: “12:00 a.m.”:

“whereby a special burning permit may be issued by the Fire Department to extend those hours for ceremonial or cultural purposes” . CARRIED.

(E) APPLICATION TO SUBDIVIDE 1928 MCDONALD AVENUE

Considered was a report from the Planning and Buildings Department dated May 27, 2022 with respect to the above.

Desjarlais-Fawcett

1583

That the application to subdivide 1928 McDonald Avenue (Lots 29/31, Block 7, Plan 48 BLTO) to create one (1) lot in the Residential Low Density (RLD), subject to the owner or successor:

1. Submitting \$336.52 to the City of Brandon Planning & Buildings Department as a cash-in lieu contribution for public reserve purposes;
2. Submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received \$283.50 as a cash-in lieu contribution for school purposes;
3. Providing written confirmation to the City of Brandon Planning & Buildings Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council;
4. Submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for an easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision; and
5. Submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for addressing of the subdivision to the satisfaction of City of Brandon Real Estate Administration. CARRIED.

(F) CESSATION OF TRAIN WHISTLES ON CANADIAN PACIFIC RAIL LINE AT 34TH STREET

City Council considered a report from the Director of Engineering Services dated May 31, 2022 with respect to the above.

Desjarlais-Cullen

1583

That Administration be authorized to inquire with CP Rail regarding the cessation of train whistling at 34th Street in the City of Brandon;

and further, that Administration be authorized to issue a public notice of the intent to pass a resolution to stop train whistling at this location. CARRIED.

(G) AMENDMENT TO NOTIFICATION REQUIREMENTS FOR DOWNTOWN PARKING BANS

Considered was a report from Councillor Kris Desjarlais dated June 14, 2022 with respect to the above and in accordance with his notice of motion given at the regular meeting of City Council held June 6, 2022.

Desjarlais-Cullen

1584 That Administration review the notification requirements for downtown parking bans and provide possible amendments to Traffic By-law No. 5463 for Council's consideration. CARRIED.

(H) QUOTATION - 5,000LB PROPANE FORKLIFT

Submitted for consideration was a report from the Director of Utility Services dated June 15, 2022 with respect to the above.

Luebke-Parker

1585 That the bid from Toromont Material Handling, a Division of Toromont Industries Ltd. to supply a 5,000lb propane forklift as per quote and specifications at a cost of \$41,730 (net of GST) be accepted. CARRIED.

(I) CITY WIDE MOSQUITO FOGGING

City Council considered a report from Councillor Shawn Berry dated June 14, 2022 with respect to the above.

Berry-Desjarlais

1586 That Administration be authorized to begin City-wide fogging for nuisance mosquitos immediately. CARRIED AS AMENDED.

AMENDMENT

Luebke-Parker

1587 That the above motion be amended by adding the following:

“and that Administration review the current guidelines and provide a report back to Council”. CARRIED.

BY-LAWS:

NO. 7319 TO ESTABLISH THE MITIGATION AND PREPAREDNESS PROGRAM RESERVE FUND

Considered was a report from the General Manager of Corporate Services dated May 9, 2022 with respect to the above.

Parker-Frangi

1588 That By-law No. 7319 to establish the Mitigation and Preparedness Program Reserve, for the purposes of holding any funds received under the Mitigation and Preparedness Program, and the providing funds for any City of Brandon expenditures, project, or programs approved under the Mitigation and Preparedness Program, be read a second time. CARRIED.

Parker-Frangi

1589 That the 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. 7319 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Sunday Frangi
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

NO. 7328 TO BORROW FUNDS FOR UPGRADING AND EXPANDING THE WATER TREATMENT FACILITY

Submitted for consideration was a report from the Director of Legislative Services dated June 9, 2022 with respect to the above.

Frangi-Luebke

1590 That By-law No. 7328 to provide for the borrowing and expenditure of funds for the purposes of upgrading and expanding the City's Water Treatment Facility be amended by deleting in Clause 6 the words: "a special surcharge on per cubic meter water and wastewater utility rates", and substituting therefor the words: "general water utility rates". CARRIED.

Frangi-Luebke

1591 That the by-law, as amended, be read a second time. CARRIED.

Frangi-Luebke

1592 That the 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. 7328 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Sunday Frangi
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

NO. 7336 TO LEGALLY OPEN THE EAST/WEST SIDEWALK ALONG MARYLAND AVENUE

It was noted that this by-law received first reading on June 6, 2022.

Chaboyer-Frangi

1593 That By-law No. 7336, to legally open the multi-use pathway along Maryland Avenue (Lot 2, Plan 47728 and Parcel H, Plan 37279), be read a second time. CARRIED.

Chaboyer-Frangi

1594 That the 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. 7336 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Sunday Frangi
Councillor Bruce Luebke
Councillor Glen Parker

AGAINST

Nil

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn. (10:42 p.m.) CARRIED.

MAYOR

CITY CLERK