

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JULY 18, 2022 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

**PRESENT:** Deputy Mayor Bruce Luebke In The Chair, Councillor Shawn Berry, Councillor Shaun Cameron, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Sunday Frangi, Councillor Glen Parker

**ABSENT:** Mayor Rick Chrest, Councillor Jan Chaboyer

**ADOPTION OF AGENDA:**

Desjarlais-Cullen

1601 That the Agenda for the regular meeting of City Council to be held on Monday July 18, 2022 be adopted as presented. CARRIED.

**RECOGNITIONS:**

(A) CANADIAN ASSOCIATION OF MUNICIPAL ADMINISTRATOR'S LONG SERVICE  
RECOGNITION AWARD - GLEN PARKER

His Worship Deputy Mayor Luebke extended congratulations to Councillor Glen Parker and presented him with his 5 years of service recognition pin as an elected official from the Canadian Association of Municipal Administrator's.

**CONFIRMATION OF MINUTES:**

Cameron-Frangi

1602 That the Minutes of the Regular Meeting of City Council held Monday, June 20, 2022 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Parker-Cameron

1603 That the Minutes of the Special Meeting of City Council held Wednesday, June 29, 2022 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF PRESENTATIONS:**

(A) ANTOINETTE GRAVEL-OUELLETTE - MOMS STOP THE HARM

Antoinette Gravel-Ouellette appeared before City Council with respect to Moms Stop the Harm programs on substance use and addictions. Ms. Gravel-Ouellette provided an

overview of programs which support those who have lost someone due to substance abuse or that reduce the stigma of substance use. She noted Moms Stop the Harm advocated for change of failed drug policies, provides peer support to grieving families, and assists those with loved ones who use or have used substances.

Ms. Gravel-Ouellette noted Recovery Day will be held this year on September 3rd at the Global Market to celebrate those in recovery. She concluded by indicating Moms Stop the Harm resources can be found on their website at [www.momsstoptheharm.com](http://www.momsstoptheharm.com).

Desjarlais-Cullen

1604 That the presentation by Antoinette Gravel-Ouellette with respect to Moms Stop the Harm programs on substance use and addictions be received. CARRIED.

(B) HEATHER EWASIUK, SENIOR ELECTION OFFICIAL - CANDIDATE REGISTRATION PROCESS FOR MUNICIPAL ELECTION

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Heather Ewasiuk, Senior Election Official, appeared before City Council with respect to Candidate Registration Process for the 2022 Municipal Election. Ms. Ewasiuk noted information was available on the [brandonvotes.ca](http://brandonvotes.ca) website for potential candidates, eligible electors, voting opportunities and locations, as well as links to other resources.

Ms. Ewasiuk presented two videos, one video on being an effective elected municipal official, and the other on the importance of gender parity. She provided important dates for registering as a candidate for Mayor or Council, and noted registration is not required for School Board Trustees.

Cameron-Frangi

1605 That the presentation by Heather Ewasiuk, Senior Election Official, with respect to Candidate Registration Process for the Municipal Election be received. CARRIED.

(C) DEAN HAMMOND, GENERAL MANAGER OF CORPORATE SERVICES - WATER AND WASTEWATER UTILITY RATE STUDY

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Dean Hammond, General Manager of Corporate Services, and Dale Lyle, Way to Go Consulting, appeared before City Council with respect to the Water and Wastewater Utility Rate Study and its relationship to the Water and Wastewater Rates By-law No. 7342. Mr. Hammond provided an overview of the study, water and wastewater utility operation, rate setting goals, reasons for the increase and its impact to the customer.

Mr. Lyle spoke to the rationale for rate increases to the water and wastewater service which include the deficit regarding development cost charges, water treatment facility

upgrades, and operating expense inflation for water and wastewater. He explained the debt and deficit rate riders, and proposed increases to utility rates.

Mr. Hammond indicating the proposed impact to users of a typical household spread over four years (24%, 15%, 13%, 12%) beginning July 1, 2023, and then increasing January 1st each year thereafter.

Desjarlais-Parker

1606

That the presentation by Dean Hammond, General Manager of Corporate Services, and Dale Lyle with respect to the proposed Water and Wastewater Utility Rate Study and its relationship to Water and Wastewater Rates By-law No. 7342 be received. CARRIED.

COMMUNITY COMMENTS/FEEDBACK:

Nil

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) BY-LAW NO. 7338 - BORROWING FOR THE CONSTRUCTION OF THE SOUTHWEST BRANDON WASTEWATER SERVICING PROJECT

City Council sat to hear representation with respect to the proposed borrowing for the construction of the Southwest Brandon Wastewater Servicing Project.

Ryan Nickel, Director of Planning & Buildings, and Tyler Phillips, Manager of Projects, appeared before City Council and provided a power point overview of the proposed borrowing for the construction of the Southwest Brandon Wastewater Servicing Project.

Tanya LaBuick, President of the Brandon Chamber of Commerce, enquired into the timeline and how much of the \$30M will be paid by development charges.

Steve McMillan, on behalf of VBJ Development, indicated they are in favor of the borrowing for the project, and enquired if the project could be done all at once instead of a phased approach.

Bill Courtice, Reeve of Cornwallis, was in favor of the project, he raised concerns regarding the South area Class 4 Wetland and land drainage with effects incurred by neighboring residents of the R.M. of Cornwallis.

Logan Praznik, area resident, spoke against the project, indicating detrimental environmental reasons to urban sprawl in expanding the city outwards. He suggested Brandon should be building up instead of out.

Cody Carter-Squire, CTV News Winnipeg, long time citizen of Brandon, enquired if the borrowing costs increased above the \$30M due to inflationary building costs would this trigger another public consultation to borrow additional funds.

Berry-Parker

1607 That the public hearing with respect to the proposed borrowing for the construction of the Southwest Brandon Wastewater Servicing Project be concluded. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) COMMITTEE OF THE WHOLE VERBAL JULY 18, 2022

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The Acting City Clerk advised that City Council had met in a Committee of the Whole meeting held July 18, 2022, closed to the public to consider a report from the Director of Planning & Buildings with respect to the sale of part of 13th Street North, whereby the following recommendation was made by Councillor Desjarlais and agreed upon by City Council sitting in Committee of the Whole.

Desjarlais-Cameron

1608 That the verbal report of the Committee of the Whole meeting of City Council held July 18, 2022 with respect to a property matter be received;

and further, that the City owned lands to the North of Stickney Avenue and 13th Street as shown on Attachment A be sold to Habitat for Humanity Ltd. for \$1, subject to the owner or successor applying for building permits to construct affordable housing on the site within three (3) year from the possession date;

and further, that Administration be authorized to execute the associated agreements required to protect the City's interests in accordance with any procedures, policies, by-laws and Acts. CARRIED.

(B) BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL JUNE 23, 2022

Fawcett-Desjarlais

1609 That the report from the Brandon Urban Aboriginal Peoples' Council dated June 23, 2022 be received;

And further, that the amended Council Oath of Office (Option 2) which includes the following immediately after point 5:

"6. That I will faithfully observe the laws of Canada, and Treaties with Indigenous Peoples;"

be adopted. CARRIED.

(C) KEYSTONE CENTRE VERBAL JULY 18, 2022

Deputy Mayor Luebke provided a verbal report from the recent meeting of the Keystone Centre held June 22, 2022. He noted the primary focus of the meeting was on the 2022-2023 budget, approval of the budget with projected deficit.

Parker-Cameron

1610 That the report of the Keystone Centre be received. CARRIED.

ENQUIRIES:

(296) CONCERNS WITH PANHANDLING WITHIN THE CITY OF BRANDON

Councillor Cameron advised that residents were being subjected to more aggressive panhandling at various locations throughout the City of Brandon. He requested an update on what the laws were with respect to panhandling, and further, what options were available for residents who felt threatened by panhandlers.

At the request of His Worship the Deputy Mayor, the City Manager responded that while there were no laws or by-laws against panhandling, aggressive actions by panhandlers could be considered a criminal offense and should be reported to Brandon Police Service. He advised that residents or business owners may ask the unwanted persons

to leave their property and if they do not comply then Brandon Police Service should be contacted.

(297) SAFETY IMPROVEMENTS - INTERSECTION OF HIGHWAY NO. 10 AND GAS BAR

Councillor Cameron raised concerns with traffic flow, lineups and vehicles passing on the shoulder at the intersection of Highway No. 10 and the gas bar just north of the City of Brandon. He noted that this had been an ongoing concern and enquired if this issue could be discussed with and solutions sought from the Province of Manitoba.

At the request of His Worship the Deputy Mayor, the City Manager responded that Administration had visited the site on July 15, 2022 and witnessed cars backed up on the current access road as well as along Highway No. 10. Manitoba Transportation and Infrastructure had confirmed that an access road mirroring the one on the east side of PTH 10 was planned for this location, however, no date for construction of same was provided.

(298) UPDATE ON BACK LANE MAINTENANCE SCHEDULE

Deputy Mayor Luebke requested an update on the back lane maintenance schedule.

The City Manager responded that the excess precipitation received had caused a delay in the maintenance schedule. He confirmed that maintenance of all back lanes was to be completed by July 29, 2022.

(299) SAFETY CONCERNS - 25TH STREET AND VAN HORNE AVENUE

Councillor Frangi advised that speeding and overall dangerous driving had become a problem in the area of 25th Street and Van Horne Avenue and enquired if this issue could be investigated and solutions sought. He suggested that a 4-way Stop at this intersection may calm traffic down and enquired if same could be considered along with other potential solutions for this area.

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

(300) EMERGENCY RESPONSE FOR MAJOR STORM EVENTS

Councillor Berry advised that a major storm was predicted for the City of Brandon tonight and enquired if the Public Works Department was prepared and had staff available to clear drains etc. should this event happen.

At the request of His Worship the Deputy Mayor, Patrick Pulak, General Manager of Operations, responded that two staff were working this evening and more would be called in if necessary. He strongly encouraged any storm related drainage issues to be reported to (204) 729-2285. Mr. Pulak noted that this line was forwarded to a Communications Centre outside of regular business hours and crews were dispatched accordingly from there.

(301) TRAFFIC CONCERNS - PARK STREET BETWEEN LORNE AND VICTORIA AVENUES

Councillor Parker advised that between the Splash Park, the Pool and the YAC Program there was a large number of children in the area of Park Street between Lorne and Victoria Avenues. He reported that there were a number of aggressive drivers in that area and with vehicles parked on both sides of the street, the area had become very dangerous. He enquired if a 3-way Stop at Louise Avenue or a speed reduction in that area could be considered to improve safety for the patrons of the park.

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

ANNOUNCEMENTS:

KAYAK N CANOE LAUNCH - RIVERBANK DISCOVERY CENTRE

Councillor Cullen announced that the Kayak N Canoe Launch was now in place at the Riverbank Discovery Centre and thanked James and the staff for all their hard work in getting this up and running.

34TH STREET AND MCDONALD INTERSECTION OPENING

Councillor Cameron announced that the 34th Street and McDonald Avenue Intersection was now open after being closed for a number of years due to construction in the area. He thanked area residents for their patience and stated that it was nice to have things back to the way they were.

WARD NO. 7 MEETING - JULY 28, 2022

Councillor Berry announced that a Ward No. 7 meeting would take place July 28, 2022 at 6:30 p.m. at Westridge Community Centre. He advised that agenda items included a presentation on the Willowdale Ditch Maintenance, Marquis Drive heavy construction traffic, and any other city or ward issues.

GENERAL BUSINESS:

(A) AFFORDABLE TRANSIT PASS PROGRAM AND FARE OPTIONS

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Considered was a report from the Director of Transportation Services dated July 7, 2022 with respect to the above.

Cameron-Desjarlais

1611 That the report on Fare Alignment and Program Options for Brandon Transit be received by Council for review and direction be provided to guide the preparation of the 2023 operating budget. CARRIED.

(B) AIRPORT INSTRUMENT LANDING SYSTEM REPAIRS

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City Council considered a report from the Transportation Services Department dated July 11, 2022 with respect to the above.

Fawcett-Cullen

1612 That the funds of \$43,682 (net GST) for Canadian Base Operators Inc. to repair the Airport Instrument Landing System be expended from the Airport Improvement Reserve. CARRIED.

(C) FOOD TRUCK WARZ - BLANKET LICENSING OF VENDORS

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Submitted for consideration was a report from the Legislative Services Department dated July 13, 2022 with respect to the above.

Desjarlais-Frangi

1613 That the report from the Acting City Clerk dated July 13, 2022 with respect to a blanket license for large scale events be received;

and further, that Legislative Services update the Business Licensing By-law No. 6009/46/92 to include a blanket license section for large scale events and update the Fee Schedule to include these associated fees. CARRIED.

(D) MUNICIPAL ASSET MANAGEMENT PROGRAM APPLICATION

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Submitted for consideration was a report from the Engineering Services Department dated July 12, 2022 with respect to the above.



Desjarlais-Parker

1614 That the application for funding, for the collection and assessment of street surface condition data, under the Municipal Asset Management Program, be approved for submission to the Federation of Canadian Municipalities. CARRIED.

(E) REQUEST FOR COUNCIL REPRESENTATION ON VISION ZERO TASK FORCE

City Council considered a report from the Engineering Services Department dated July 8, 2022 with respect to the above.

Parker-Cameron

1615 That Council appoint Councillor Berry to represent the general public on the Vision Zero Task Force. CARRIED.

(F) STREET NAME REQUEST FOR 1501 MORELAND AVENUE DEVELOPMENT

City Council considered a report from the Director of Planning and Buildings dated July 8, 2022 with respect to the above.

Fawcett-Parker

1616 That the proposed private street names being Sequoia, Rosewood, Acorn, Oak, Pecan, and Chestnut submitted by VBJ Developments Ltd. for the development of 1501 Moreland Avenue in the NW 1/4 35-10-19 WPM, be approved. CARRIED.

(G) SUBDIVISION 1020 - 18TH STREET, 1020 - 20TH STREET, 1001 - 22ND STREET

Considered was a report from the Director of Planning & Buildings dated July 6, 2022 with respect to the above.

Frangi-Desjarlais

1617 That application 4500-22-721 to subdivide 1020 – 18th, 1020 – 20th, and 1001 – 22nd Streets (Lots 23/26, Block 2, Plan 202 BLTO; Lots 61/62, Block 2, Plan 148 BLTO) be approved subject to the owner or successor:

1. Entering into a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:
  - a. The Developer agrees to develop a commercial building/site in general consistency with the attached site plan;

- b. The Developer agrees to maintain the open right-of-way adjacent to the proposed building and parking area, including but not limited to filling and grading the gravel and snow removal in the winter. Any upgrades that may be required to the portion of right-of-way adjacent to the proposed development will be at the sole cost of the developer and design of same will be subject to the review and acceptance by the City Engineer;
  - c. The Developer agrees to remove the existing watermain within the 1001-22nd Street parcel and install a fire hydrant at the north dead end stub of the watermain. The Developer will be required to submit design drawings as prepared by a professional engineer with such design being subject to review and acceptance by the City Engineer;
  - d. The Developer agrees to mitigate increased stormwater runoff from the site with the released runoff rate to be controlled to that of pre-development conditions. The Developer also agrees to design the stormwater management facility to direct away all runoff water from the Canadian National (CN) right-of-way which shall include all ditches, culverts and tracks. The Developer will be required to submit design drawings as prepared by a professional engineer with such design being subject to review and acceptance by the City Engineer; and
  - e. The Developer agrees to enter into a Construction Conforming Agreement to ensure continued access for 1020-20th Street to 20th Street and register in series with the Plan of Subdivision.
2. Submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, BellMTS, Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.

And further, that subject to meeting all other necessary conditions and requirements of subdivision, that the designated signing officers are authorized to sign and seal the Final Certificate of Approval. CARRIED.

(H) UPDATE ON COUNCIL STRATEGIC PLAN

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Desjarlais-Frangi

(I) 1ST & VETERANS WAY OUTDOOR SPORTS FIELD COMPLEX REPORT

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Considered was a report from the Parks and Recreation Department dated June 10, 2022 with respect to the above.

Cameron-Parker

1619 That the 1st & Veterans Way Outdoor Sports Field complex Report be received.  
CARRIED.

BY-LAWS:

NO. 7269 TO REZONE PART OF A PROPERTY LOCATED AT 1501 MORELAND AVENUE  
3RD READING

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Submitted for consideration was a report from the Legislative Services Department dated July 12, 2022 with respect to the above.

Fawcett-Parker

1620 That By-law No. 7269 to rezone part of the property at 1501 Moreland Avenue (Parcels 1/2, Plan 1694 BLTO) from Development Reserve (DR) zone to Residential Moderate Density (RMD), Parks and Recreation (PR) and Open Space (OS) zones 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. 7269 third reading.

FOR

AGAINST

Councillor Shawn Berry  
Councillor Shaun Cameron  
Councillor Barry Cullen  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor Sunday Frangi  
Councillor Bruce Luebke  
Councillor Glen Parker

NO. 7279 TO AMEND BUILDING SAFETY AND PROPERTY STANDARDS BY-LAW NO. 6060/09/93  
AMENDMENT  
2ND READING

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City Council considered a report from the Legislative Services Office dated June 17, 2022 with respect to the above.

Desjarlais-Frangi

1621 That By-law No. 7279 to amend Building Safety and Property Standards By-law No. 6060/09/93 be amended by:

1. deleting in 1. (w) the words: "family dwelling" and substituting therefor the words: "unit residential building". CARRIED.

Desjarlais-Parker

1622 That the by-law, as amended, be read a second time. CARRIED.

NO. 7282 COMMUNITY STANDARDS  
1ST READING

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Considered was a report from the Legislative Services Office dated October 20, 2021 with respect to the above.

Cameron-Parker

1623 That Community Standards By-law No. 7282 to regulate public order and noise, suppression of nuisances, maintenance of property, controlling of parking and storage of vehicles on private property be read a first time. CARRIED.

NO. 7334 UPDATES TO THE DOWNTOWN BRANDON SECONDARY PLAN AND DOWNTOWN  
PROVISIONS OF THE ZONING BY-LAW  
2ND & 3RD READINGS

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Submitted for consideration was a report from the Legislative Services Office dated June 27, 2022 with respect to the above.

Desjarlais-Cameron

1624 That By-law No. 7334 to amend the Downtown Brandon Secondary Plan By-law No. 7238 and the Zoning By-law No. 7124 to update certain land use permissions in Downtown Brandon be read a second time. CARRIED.

Desjarlais-Cameron

1625 That the by-law be read for 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. 7334 third reading.

FOR

AGAINST

Councillor Shawn Berry  
Councillor Shaun Cameron  
Councillor Barry Cullen  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor Sunday Frangi  
Councillor Bruce Luebke  
Councillor Glen Parker

NO. 7338

TO BORROW FUNDS FOR THE PURPOSE OF CONSTRUCTION OF THE SOUTHWEST BRANDON WASTEWATER SERVICING PROJECT  
1ST READING

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Considered was a report from the Finance Department dated July 12, 2022 with respect to the above.

Berry-Frangi

1626 That By-law No. 7338 to provide for the borrowing and expenditure of funds for the purpose of constructing new wastewater infrastructure and system upgrades in order for the City to provide wastewater servicing for southwest Brandon be read for the first time. CARRIED.

NO. 7340

REZONE PROPERTY LOCATED AT 453 & 459 RUSSELL STREET  
1ST READING

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City Council considered a report from the Director of Planning & Buildings dated July 8, 2022 with respect to the above.

Parker-Frangi

1627 That By-law No. 7340 to rezone property located at 453 & 459 Russell Street (Lot 18, Block 6, Plan 4 BLTO and Lot 1 Plan 54304 BLTO) from Residential Low Density (RLD) to Commercial General (CG) zone, be read a first time. CARRIED.

NO. 7341 TO REZONE 4501 PATRICIA AVENUE EAST  
1ST READING

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Submitted for consideration was a report from the Planning & Buildings Department dated July 8, 2022 with respect to the above.

Fawcett-Cullen

1628 That By-law No. 7341 to rezone portions of the property located at 4501 Patricia Avenue East (Lot 4, Block 2, SP Plan 2147 BLTO) from Development Reserve (DR) and Open Space (OS) to Industrial Heavy (IH) as outlined in Attachment C-2 be read a first time. CARRIED.

NO. 7342 TO ESTABLISH WATER AND WASTEWATER UTILITY RATES  
1ST READING

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City Council considered a report from the Finance Department dated July 8, 2022 with respect to the above.

Fawcett-Cameron

1629 That By-law 7342 to establish water and wastewater utility rates for July 1, 2023; January 1, 2024; January 1, 2025 and January 1, 2026 be read a first time.

And further, That the "City of Brandon Utility Rate Study July 2022" be submitted to the Manitoba Public Utilities Board (PUB) for their review and approval;

And further, that as part of the PUB's review and approval process, that the City of Brandon request that the PUB hold a public hearing for the City's proposed utility rates;

And further, that the City of Brandon request approval from the Public Utilities Board for the Brandon Utility deficits of \$2,590,217 in 2015, \$8,474,307 in 2016, \$2,272,738 in 2017, \$686,336 in 2020 and \$1,562,813 in 2021 with said deficits to be recovered through a rate rider of \$0.21 per cubic meter of wastewater and \$0.18 per cubic meter of water consumed for a period of 7 years or until the deficit amount of \$7,447,928 on wastewater volume and \$8,138,483 on water volume have been recovered, whichever comes first. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Desjarlais

That the meeting do now adjourn. (11:12 p.m.) CARRIED.

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MAYOR

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A/CITY CLERK