

CITY OF MOOSE JAW

TO: MEMBERS OF THE EXECUTIVE COMMITTEE

Mayor Tolmie	Councillor Swanson
Councillor Froese	Councillor Warren, Chairperson
Councillor McMann	Councillor Luhning
Councillor Mitchell	

Please be advised that Chairperson, Councillor Warren, has called an **Executive Committee** meeting on **Monday, May 15, 2017** at 6:30 p.m., in the Scoop Lewry Room, 2nd Floor, City Hall, in order to deal with the following:

AGENDA

1. Letter dated April 5, 2017 from Mr. David Foley, Administrative Review Officer, **re: Complaint #1 – 2017 from Barry Watson – Water Meter Removal/Readings.**
2. Report dated May 9, 2017 from the Planning and Development Services Department, **re: Confidential Land Matter.**
3. Report dated May 10, 2017, from the Planning and Development Services Department, **re: Confidential Land Matter.**
4. Confidential Procedural Matter.

The Next Standing Committee Meeting is scheduled for Monday, May 29, 2017. (Provided there are items to consider)

CITY OF MOOSE JAW
LETTER OF TRANSMITTAL

TO: Executive Committee **DATE OF MEETING:**
May 15, 2017
FROM: City Manager
SUBJECT: Letter dated April 5, 2017 from David Foley, Administrative Review Officer
Re: Complaint #1-2017 from Barry Watson – Water Meter Removal/Readings

BACKGROUND/COMMENTS:

This report is pursuant to section 12(1) of Bylaw No. 5200, “A Bylaw of the City of Moose Jaw to Establish an Administrative Review Body for the City of Moose Jaw”.

A copy of letter dated April 5, 2017 from Mr. David Foley, Administrative Review Officer, is attached outlining a summary of his investigation, findings and conclusion. The complainant, Mr. Barry Watson has agreed to the outcome, as per attached e-mail dated April 26, 2017, and the matter is now considered closed.

RECOMMENDATION:

THAT the letter dated April 5, 2017 from Mr. David Foley, Administrative Review Officer, be received and filed.

Matt Noble

CITY MANAGER

Fraser Tolmie

MAYOR

MN/ps
Encl.



CITY OF MOOSE JAW

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OFFICE OF THE CITY MANAGER

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5 April 2017

Mr. Barry Watson

Moose Jaw, SK

Dear Mr. Watson:

**RE: ADMINISTRATIVE REVIEW OFFICER
COMPLAINT #1 (2017)**

In accordance with Bylaw No. 5200, the Administrative Review Bylaw for the City of Moose Jaw, an investigation of your complaint has been conducted in a thorough and reasonable manner, and this letter constitutes the final report and recommendations for the matter.

First, please accept my thanks for your willingness to undertake this process and giving your full co-operation to the work I needed to do. I've appreciated the courtesy and respect you have shown to all of us involved in the process.

COMPLAINT

The issue related to the removal of the water meter, and the recording of readings from that meter, at your residence. A copy of the written complaint is attached for clarification purposes.

Over the course of several months, you had contact with various staff from the City of Moose Jaw, in both Finance and Engineering, in particular. By 13 January 2017, you were concerned that you had not met, in person, any city official and you could not find out if the City Treasurer had a policy to apply to your situation. In the interim, you had a steadily mounting bill from the City, with concern about additional charges and fees being added.

SUMMARY

The complaint has been investigated, including: review of documentation from both your records and the official records of the City of Moose Jaw, visit to your home and inspection of the location of the meter, and meetings and discussions with officials from the affected departments. It had been suggested by Acting City Manager/City Engineer Josh Mickleborough, in a telephone conversation with you on 4 January 2017, that there might be a reasonable resolution of the matter by applying a Water Conservation Adjustment authorized by the City Manager.

FINDINGS AND CONCLUSIONS

Accordingly, a meeting between you and the City Manager, Matt Noble was arranged for 08 March 2017, which I attended as an invited observer. At that meeting, you were able to fully disclose your history of the matter and Mr. Noble was able to receive answers to outstanding questions and concerns. At the same time, you were able to listen to his outline of City policies and procedures.

The outcome was, as follows:

- It was agreed that everyone involved had acted reasonably, and that there was no question of dishonest intent or action;
- It was agreed that each side would accept some responsibility for the account, with you taking the amount of \$100 and the City taking the amount of \$676 plus any extra fees or assessments on that amount;
- It was agreed that no further action by the Administrative Review Officer was necessary since the matter had been resolved.

In order for the final adjustment to your account, it will be necessary for you to send an email to the City Manager, Mr. Matt Noble confirming that you agree with this disposition. Mr. Noble will then process the adjustment as soon as possible.

Mr. Noble's email address is: citymanager@moosejaw.ca

Please note that a copy of this letter will be presented and retained as final resolution and disposition of the complaint. I am pleased that it was possible to resolve without reference to any outside body, and express my sincere thanks to you for your patience.

Sincerely,



David E. Foley, BSW, ARM©
ADMINISTRATIVE REVIEW OFFICER

c: Members of City Council
Matt Noble, City Manager
Myron Gulka-Tiechko, City Clerk/Solicitor
Brian Acker, Director of Financial Services
Josh Mickleborough, Director of Engineering

Matt Noble

From: blwatson
Sent: April-26-17 3:32 PM
To: Matt Noble
Subject: Administrative Review Officer Complaint#1 (2017)

Goodafternoon Mr. Noble,

I need to apologize for my tardy response to the proposed resolution on my complaint. I overlooked that I was required to respond to your office.

For the record, I agree with the resolution as described in the April 5, 2017 letter to me from your Administrative Review Officer Dave Foley.

Thank you again.

Barry Watson