

Regular Meeting of City Council held on Monday, April 4, 2016 in Council Chambers, City Hall.

PRESENT: Mayor Higgins
Coun. Boyle
Coun. Kirkpatrick
Coun. Luhning
Coun. Mitchell
Coun. Eby
Coun. Swanson

CALL TO ORDER

Mayor Higgins called the meeting to order at 6:30 p.m.

PUBLIC ACKNOWLEDGEMENTS

Coun. Kirkpatrick rose to acknowledge a gentleman she had spoken to at Tourism Moose Jaw today who is so impressed by Moose Jaw that he is selling his house in Winnipeg and moving to Moose Jaw.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

Re: Adoption of Regular City Council Meeting Minutes – March 21, 2016

257 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT the minutes of the regular meeting of City Council held on Monday, March 21, 2016, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

258 Moved by Coun. Luhning, seconded by Coun. Eby
THAT we now go into the Committee of the Whole to deal with original communications, delegations and petitions. Carried.

Deputy Mayor Councillor Mitchell reported that Committee of the Whole considered the following communications, delegations and petitions:

ADDITION TO AGENDA

259 Moved by Coun. Eby
THAT the agenda be amended by adding the following:
• Communication #32 – Request to Address City Council, re: Discretionary Use Application for Proposed Paving Company with Asphalt Plant – 2020 Norwood Avenue Carried.

**Communication #29 – Summary Report for 2015 Assessment Appeals
Moose Jaw Board of Revision**

Considered was a report (Communication #29) dated March 28, 2016 from the City Clerk/Solicitor's Department to provide a summary of the activities of the Moose Jaw Board of Revision in hearing appeals involving the 2015 Assessment Roll.

Moved by Coun. Boyle

260 THAT the report (Communication #29) dated March 28, 2016 from the Secretary of the Moose Jaw Board of Revision regarding the activities of Moose Jaw's Board of Revision be received and filed.

Carried.

Communication #30 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #30) dated March 31, 2016 from the Secretary, Development Appeals Board, giving notice that the Development Appeals Board for the City of Moose Jaw will hear the following appeal at a public meeting to be held in Committee Room B, 2nd Floor, City Hall at 5:00 p.m. on Tuesday, April 19, 2016 in accordance with the requirements of Sections 213 to 227 of *The Planning and Development Act, 2007* and the City of Moose Jaw's Zoning Bylaw No. 5346.

Moved by Coun. Eby

261 THAT Communication #30 dated March 31, 2016 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

Communication #31 – New Hospital Servicing Requirements

Considered was a report (Communication #31) dated March 29, 2016 from the Engineering Department to provide City Council with the new hospital servicing requirements.

Moved by Mayor Higgins

262 THAT report (Communication #31) dated March 29, 2016 from the Engineering Department regarding the new hospital servicing requirements, be received and filed.

Carried.

**Communication #32 – Request to Address City Council
Discretionary Use Application for Proposed Paving
Company with Asphalt Plant
2020 Norwood Avenue**

Considered was a memorandum (Communication #32) dated April 4, 2016 from Estes Fonkalsrud, Fonkalsrud Law Firm, on behalf of Rockport Carrier Co. Ltd., requesting permission to address members of City Council with respect to the discretionary use application for a proposed paving company with asphalt plant at 2020 Norwood Avenue.

Moved by Mayor Higgins

- 263 THAT anyone in the gallery wishing to address members of City Council respecting a Discretionary Use Application for the proposed “Light Industrial Use – Paving Company with Asphalt Plant” to be located at 2020 Norwood Avenue, Moose Jaw, SK, be allowed to do so.

Carried.

Estes Fonkalsrud, Fonkalsrud Law Firm, on behalf of Rockport Carrier Co. Ltd., addressed members of City Council.

Diane Ellingham, citizen, addressed members of City Council.

Ryan Buckton and Adam Law, co-owners of Westside Paving Inc., addressed members of City Council.

Moved by Coun. Eby

- 264 THAT the memorandum dated April 4, 2016 and presentation by Estes Fonkalsrud, Fonkalsrud Law Firm, on behalf of Rockport Carrier Co. Ltd., and other presentations regarding the Discretionary Use Application for a proposed “Light Industrial Use – Paving Company with Asphalt Plant” to be located at 2020 Norwood Avenue, be considered in conjunction with Part 3 of the Municipal Planning Commission minutes dated March 22, 2016 (under Part 8d) of the Council agenda.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Coun. Eby, seconded by Coun. Boyle

- 265 THAT the report of the Committee of the Whole be received and adopted.

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Executive Committee – March 28, 2016

Moved by Coun. Eby, seconded by Coun. Kirkpatrick

- 266 THAT the report of the Executive Committee dated March 28, 2016 be taken as read.

Carried.

The report of the Executive Committee dated March 28, 2016 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee – March 28, 2016

Coun. Eby requested a second vote on the following motion from the March 28, 2016 Executive Committee meeting:

282 *“THAT City Administration be directed to discontinue recitation of the current Opening Prayer at City Council meetings in response to the Supreme Court of Canada decision in Simoneau v City of Saguenay.”*

Coun. Eby requested a recorded vote on the motion.

PRESENT: Mayor Higgins, Coun. Swanson, Coun. Eby, Coun. Boyle, Coun. Kirkpatrick, Coun. Mitchell and Coun. Luhning.

FOR

Mayor Higgins
Coun. Swanson
Coun. Kirkpatrick
Coun. Mitchell

AGAINST

Coun. Eby
Coun. Boyle
Coun. Luhning

The Motion was Carried.

Coun. Swanson requested a second vote on the following motions from the March 28, 2016 Executive Committee meeting:

283 *“THAT parking be restricted on one side of the roadways in the review area with paved widths of less than 11.0 metres.*

THAT the parking restriction be on the same side of the street as the fire hydrant.

THAT a parking permit practice be implemented for roadways within the area encompassed by Caribou Street, Laurier Street, 9th Avenue N.W. and Henleaze Avenue.

THAT notification be via utility bill mail-outs, through the City’s website and social media, and in the local paper, and through a public open house for impacted residents.

THAT each homeowner in the restricted area be qualified to receive one parking pass at no cost and subsequent passes per household be sold as per the chart attached to report dated March 21, 2016 from the Engineering Department.

THAT this be phased in with the first streets (trial) being those shown in Attachment 5 as attached to report dated March 21, 2016 from the Engineering Department.

THAT recommendations 1, 2, 3, & 4 occur early in 2016 following an adequate notification period.

THAT long term plans include widening roadways as necessary.

THAT relevant bylaws be amended and brought before City Council.

THAT the trial period be for one year followed with a report to City Council.”

The Motions were Carried.

284 Moved by Coun. Boyle, seconded by Coun. Eby
THAT the report of the Executive Committee meeting dated March 28, 2016 be received and adopted.

Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Heritage Advisory Committee

Coun. Luhning reported on the minutes of the Heritage Advisory Committee meeting held on February 17, 2016.

285 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Heritage Advisory Committee meeting held on February 17, 2016 be received as presented.

Carried.

Youth Advisory Committee

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on March 3, 2016.

286 Moved by Mayor Higgins, seconded by Coun. Luhning
THAT the report of the Youth Advisory Committee meeting held on March 3, 2016 be received as presented.

Carried.

Housing Advisory Committee

Coun. Mitchell reported on the minutes of the Housing Advisory Committee meeting held on March 9, 2016.

287 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the report of the Housing Advisory Committee meeting held on March 9, 2016 be received as presented.

Carried.

Municipal Planning Commission

Coun. Kirkpatrick reported on the minutes of the Municipal Planning Commission meeting held on March 22, 2016.

**Re: Part 3 – Discretionary Use Application
Proposed “Light Industrial Use – Paving Company with Asphalt Plant”
Block/Parcel D, Plan No. 79MJ03585
2020 Norwood Avenue
C3 – Vehicle-Oriented Commercial District**

288 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the Discretionary Use Application for “Light Industrial Use” on Block/Parcel D, Plan No. 79MJ03585 as submitted by Westside Paving Inc. be approved, subject to entering into a Development Agreement which addresses sewer and water servicing, traffic impacts, buffering and landscaping, and potential nuisance; and

THAT all expenses incurred with respect to this application be borne by the applicant.
Carried.

Disposition of Report

289 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the report of the Municipal Planning Commission meeting held on March 22, 2016 be received as presented.

Carried.

Heritage Advisory Committee

Coun. Luhning reported on the minutes of the Heritage Advisory Committee meeting held on March 23, 2016.

290 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Heritage Advisory Committee meeting held on March 23, 2016 be received as presented.

Carried.

GIVING NOTICE – Nil.

MOTIONS

Coun. Boyle left the meeting at 8:22 p.m.
Coun. Boyle returned to the meeting at 8:24 p.m.

Re: Disbursement of Funds to the DFFH

291 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT any further disbursement of funds to the DFFH be subject to review by
Executive Committee of the DFFH 2015 Audited Financial Statements.

Coun. Swanson requested a recorded vote on the motion:

PRESENT: Mayor Higgins, Coun. Swanson, Coun. Eby, Coun. Boyle, Coun.
Kirkpatrick, Coun. Mitchell and Coun. Luhning.

FOR

AGAINST

Mayor Higgins
Coun. Swanson
Coun. Eby
Coun. Boyle
Coun. Kirkpatrick
Coun. Luhning
Coun. Mitchell

The Motion Was Carried.

Re: Moose Jaw-Regina Industrial Corridor

Coun. Swanson withdrew his motion as follows:

*“THAT Council receive a written report on the status of the Moose Jaw-Regina
Industrial Corridor, in particular, recent proposed changes to the administrative
component.”*

BYLAWS

Introduction of Bylaw:

#5514 – Clean Sidewalks Bylaw

292 Moved by Coun. Boyle, seconded by Coun. Eby
THAT Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5514,**
CLEAN SIDEWALKS BYLAW.

Carried.

292a Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5514 be now read a first time.

Carried.

292b Moved by Coun. Boyle, seconded by Coun. Eby
THAT Bylaw No. 5514 be now read a second time.

Carried.

292c Moved by Coun. Eby, seconded by Coun. Boyle
THAT we now go into Committee of the Whole under the Chairmanship of Deputy
Mayor, Coun. Mitchell to consider Bylaw No. 5514.

Carried.

292d Moved by Coun. Eby
THAT clause by clause consideration of the Bylaw be and is hereby dispensed with
and that the said Bylaw be approved in its entirety.

Carried.

Your Committee of the Whole to consider **Bylaw No. 5514, Clean Sidewalks Bylaw**
begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Mitchell
Chairperson

292e Moved by Coun. Boyle, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted.

Carried.

292f Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5514 be submitted for Third reading forthwith.

Carried But Not Unanimously.

Consideration/3rd Reading of Bylaw:

#5512 – City Administration Amendment Bylaw 2016

293 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5512 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed.

Carried.

ENQUIRIES

Coun. Swanson submitted the following written enquiry:

7 – 2016: MRF's

“What is the history of commercial mill rate factors (mrf's) since inception in 1997?”

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Coun. Swanson acknowledged receipt of Answer to Enquiry #27 of 2013.

Coun. Swanson acknowledged receipt of Answer to Enquiry #8 of 2015.

Coun. Swanson acknowledged receipt of Answer to Enquiry #6 of 2016.

PUBLIC FORUM – Nil.

The meeting adjourned at 8:41 p.m.

MAYOR

CITY CLERK