

Regular Meeting of City Council held on Monday, May 2, 2016 in Council Chambers, City Hall.

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

ABSENT: Coun. Boyle

**CALL TO ORDER**

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

**PUBLIC ACKNOWLEDGEMENTS**

Mayor Higgins rose to acknowledge the Youth Advisory Committee members who are in attendance at tonight's Council meeting.

**ADOPTION OF MINUTES OF THE LAST REGULAR MEETING**

**Re: Adoption of Regular City Council Meeting Minutes – April 18, 2016**  
**Adoption of Special City Council Meeting Minutes – April 25, 2016**

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336 Moved by Coun. Kirkpatrick, seconded by Coun. Eby  
THAT the minutes of the regular meeting of City Council held on Monday, April 18, 2016, be approved and adopted.

Carried.

337 Moved by Coun. Kirkpatrick, seconded by Coun. Eby  
THAT the minutes of the special meeting of City Council held on Monday, April 25, 2016, be approved and adopted.

The vote resulted in a tie. The Mayor drew to the attention of members of Council that decisions made in regular or special meetings of City Council were final. When minutes from a regular or special meeting of City Council are brought forward for approval, they are only open to correction, not changing the result of the previous vote. She asked Councillors whether there were any omissions or corrections in the minutes as circulated. Hearing none, the Mayor declared the minutes to be approved and adopted.

**MOTION TO GO INTO COMMITTEE OF THE WHOLE**

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

Carried.

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

**Communication #45 – Request to Address City Council – Referendum Question for Cast Iron Water Main Replacement Program Funding**

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Considered was a letter (Communication #45) dated April 27, 2016 from Mr. Michel Labonte, citizen, requesting permission to address members of City Council regarding the proposed referendum question for Cast Iron Water Main replacement program funding.

Moved by Mayor Higgins

339 THAT Mr. Michel Labonte, citizen, be allowed to address members of City Council with respect to the proposed referendum question for Cast Iron Water Main replacement program funding.

Carried.

Mr. Michel Labonte addressed members of City Council.

Moved by Coun. Kirkpatrick

340 THAT Communication #45, being a letter dated April 27, 2016 from Mr. Michel Labonte, be received and filed.

Carried.

**Communication #46 – Request to Address City Council – Referendum Question for Cast Iron Water Main Replacement Program Funding**

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Considered was an email (Communication #46) dated April 27, 2016 from Mr. Terry Gabel, on behalf of Citizens Advocating Sensible Taxation (CAST), requesting permission to address members of City Council regarding the proposed referendum question for Cast Iron Water Main replacement program funding.

Moved by Coun. Luhning

341 THAT Mr. Terry Gabel, on behalf of Citizens Advocating Sensible Taxation (CAST), be allowed to address members of City Council with respect to the proposed referendum question for Cast Iron Water Main replacement program funding.

Carried.

Mr. Terry Gabel addressed members of City Council.

Moved by Coun. Eby

342 THAT Communication #46, being an email dated April 27, 2016 from Mr. Terry Gabel, on behalf of Citizens Advocating Sensible Taxation (CAST), be received and filed.

Carried.



**Communication #50 – Department Quarterly Report – Parks & Recreation**

Considered was a report (Communication #50) dated April 27, 2016 from the Director of Parks and Recreation to provide City Council with information respecting the activities of the Parks and Recreation Department for the period of January 1, 2016 to March 31, 2016.

346 Moved by Coun. Eby  
THAT the Parks and Recreation Department Quarterly Report for the period January 1, 2016 to March 31, 2016 be received and filed.  
Carried.

**Communication #51 – Department Quarterly Report – Fire Department**

Considered was a report (Communication #51) dated May 2, 2016 from the Fire Chief to provide City Council with information respecting the activities of the Fire Department for the period of January 1, 2016 to March 31, 2016.

347 Moved by Coun. Kirkpatrick  
THAT the Fire Department Quarterly Report for the period January 1, 2016 to March 31, 2016 be received and filed.  
Carried.

**TABLED MATTER:**

**Communication #52 – Request for Temporary Street Closure from Moose Jaw Homegrown Market**

**Communication #39 – Request for Temporary Street Closure for the 2016 Moose Jaw Farmer’s Market (*Tabled Matter*)**

Considered was a letter (Communication #52) dated April 27, 2016 from the Moose Jaw Homegrown Market Board of Directors providing additional details for their street closure request to host a farmers market. Also considered in conjunction with Communication #52, was tabled matter Communication #39 from the April 18, 2016 City Council meeting.

348 Moved by Coun. Luhnig  
THAT Communication #39 be lifted from the table and be considered in conjunction with Communication #52.  
Carried.

349 Moved by Coun. Luhnig  
THAT approval be granted to the Moose Jaw Homegrown Market (applicant) to temporarily close Langdon Crescent from Athabasca Street to Cordova Street (with a short one car access from Cordova Street to Grant Hall back parking lot) on Saturday mornings from May 28 to October 8, 2016 and Wednesday mornings from July 6 to August 31, 2016 from 7:00 a.m. to 2:00 p.m. (includes 1 hour for set-up and 1 hour for tear down) with the Market open to the public each of the above days from 8:00 a.m. to 1:00 p.m. subject to the following conditions:

- (a) The applicant is responsible for ensuring that all intersections are properly barricaded and manned for traffic control and that all barricades are properly setup, manned and promptly removed following the event; and
- (b) The applicant must ensure that all businesses along the street are aware of the event and the temporary closure of affected streets; and
- (c) The applicant is responsible for directing vehicular traffic and controlling the affected intersections and complying with any additional requirements that may be imposed by the City Engineer and the Chief of Police regarding traffic safety; and
- (d) The applicant must provide access for emergency vehicles and keep the middle lane open in the event access down Langdon Crescent is needed; and
- (e) The applicant is responsible for street cleaning and garbage/debris pick up prior to the street being reopened for vehicular traffic; and
- (f) The applicant must obtain all required approvals from Public Health; and
- (g) The applicant must obtain public liability insurance at a minimum of two million dollars, with a deductible satisfactory to the City of Moose Jaw. Evidence of insurance must be provided to the Engineering Department a minimum of 2 weeks prior to the event; and
- (h) All costs must be borne by the promoters; and further
- (i) Engineering Department is authorized to proceed with any action deemed necessary to facilitate the event.

Carried.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

350 Moved by Coun. Mitchell, seconded by Coun. Luhnig  
THAT the report of the Committee of the Whole be taken as read, received and adopted.

Carried.

**REPORTS OF STANDING COMMITTEES OF CITY COUNCIL**

**Executive Committee – April 25, 2016**

Moved by Coun. Eby, seconded by Coun. Kirkpatrick

351

THAT the report of the Executive Committee dated April 25, 2016 be taken as read.

Carried.

The report of the Executive Committee meeting dated April 25, 2016 follows:

**MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES**

**Report of the Executive Committee – April 25, 2016**

358 Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell  
THAT the report of the Executive Committee meeting dated April 25, 2016 be received and adopted.  
Carried.

**REPORTS OF ADVISORY AND OTHER COMMITTEES**

**Youth Advisory Committee**

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on April 14, 2016.

359 Moved by Mayor Higgins, seconded by Coun. Luhning  
THAT the report of the Youth Advisory Committee meeting held on April 14, 2016 be received as presented.  
Carried.

**Special Needs Advisory Committee**

Coun. Swanson reported on the minutes of the Special Needs Advisory Committee meeting held on April 14, 2016.

360 Moved by Coun. Swanson, seconded by Coun. Luhning  
THAT the report of the Special Needs Advisory Committee meeting held on April 14, 2016 be received as presented.  
Carried.

**Municipal Planning Commission**

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on April 26, 2016.

**PART 3 – Proposed Subdivision  
N.E. ¼ 26-16-27-W2M  
R.M. of Moose Jaw No. 161  
(One Parcel Residential Acreage Subdivision)**

361 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick  
THAT Administration be authorized to respond to the Ministry of Government Relations that the City of Moose Jaw has the following comments pertaining to the subdivision of the NE 1/4 Section 26-16-27-W2M within the Rural Municipality of Moose Jaw No. 161:

- 1. No City of Moose Jaw water and sewer services will be provided for the proposed subdivision; and

2. The area is adjacent to a railway and a future Heavy Industrial District as designated in the City Official Community Plan.

Carried.

**PART 4 – Proposed Subdivision**  
**N.W. ¼ 26-16-27-W2M**  
**R.M. of Moose Jaw No. 161**  
**(One Parcel Residential Acreage Subdivision)**

Moved by Coun. Mitchell, seconded by Coun. Eby

362

THAT Administration be authorized to respond to the Ministry of Government Relations that the City of Moose Jaw has the following comments pertaining to the subdivision of the NW 1/4 Section 26-16-27-W2M within the Rural Municipality of Moose Jaw No. 161:

1. No City of Moose Jaw water and sewer services will be provided for the proposed subdivision; and
2. The area is adjacent to a railway and a future Heavy Industrial District as designated in the City Official Community Plan.

Carried.

**PART 5 – Residential Developments in the R.M. of Moose Jaw No. 161**

Moved by Coun. Mitchell, seconded by Coun. Luhning

363

THAT Administration and Council meet with representatives of the R.M. of Moose Jaw No. 161 in the near future to discuss the haphazard accumulative development of residential properties.

Vote Delayed by Amendment.

Amendment Moved by Coun. Swanson, seconded by Coun. Mitchell

363a

THAT the motion be amended by deleting the words “*haphazard accumulative*” from the motion.

The Amendment was Carried.  
The Motion, as Amended was Carried.

The Motion, as Amended, reads as follows:

*“THAT Administration and Council meet with representatives of the R.M. of Moose Jaw No. 161 in the near future to discuss the development of residential properties.”*



**PART 6 – Building Condominium Plan  
832 Caribou Street West  
Lot 14, Block 2, Plan No. K2802  
Moose Jaw, SK  
R2 Medium Density Residential District**

364 Moved by Coun. Mitchell, seconded by Coun. Eby  
THAT the Surface Building Condominium Plan for Lot 14, Block 2, Plan No. K2802, civically known as 832 Caribou Street West, be approved subject to the following condition:

a) THAT the review process be completed by City Administration and that no negative comments are received.

THAT upon satisfaction of the above condition, the Mayor and City Clerk be authorized to seal the plan as approved, and execute Form B, in accordance with the *Planning and Development Act, 2007*, and the *Condominium Property Act, 1993*; and further

THAT all costs incurred by this application be borne by the applicant.

Carried.

**Disposition of Report**

365 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick  
THAT the report of the Municipal Planning Commission meeting held on April 26, 2016 be received as presented.

Carried.

**GIVING NOTICE** – Nil.

**MOTIONS**

**Cast Iron Watermain Replacement Project Funding Model Referendum:**

Moved by Coun. Eby, seconded by Coun. Kirkpatrick  
THAT the City of Moose Jaw conduct a referendum on the issue of the Cast Iron Watermain Replacement Project funding model; and

THAT the referendum be conducted in conjunction with the 2016 Municipal Election; and further

THAT the referendum question be as follows:

“Should the City of Moose Jaw proceed with the Local Improvement Program funding model for the Cast Iron Watermain Replacement project, that will see the community as a whole fund 70 percent of the total costs of the project and the affected property owners fund 30 percent of the total costs of the project?”

- 1. I am in favor of this funding model.
- 2. I am opposed to this funding model.

Vote Delayed by Amendment.

Amendment Moved by Coun. Eby, seconded by Coun. Kirkpatrick  
THAT the motion be amended by deleting the following:

*“Should the City of Moose Jaw proceed with the Local Improvement Program funding model for the Cast Iron Watermain Replacement project, that will see the community as a whole fund 70 percent of the total costs of the project and the affected property owners fund 30 percent of the total costs of the project?”*

; and replacing it with the following:

*“THAT the City of Moose Jaw proceed with the Local Improvement Program funding model for the water main replacement project.”*

The Amendment was Defeated.  
The Main Motion was Defeated.

**BYLAWS** – Nil.

**ENQUIRIES**

Councillor Mitchell asked a verbal enquiry regarding Phase II of the Local Improvement Program for Cast Iron Water Main Replacement, which was answered by City Administration.

**RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”**

Councillor Swanson acknowledged receipt of Answer to Enquiry #6a of 2016: Diefenbaker Drive.

Councillor Swanson acknowledged receipt of Answer to Enquiry #8 of 2016: Cost of Water Line Repair 2015.

**PUBLIC FORUM** – Nil.

The meeting adjourned at 8:51 p.m.

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MAYOR

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CITY CLERK