

Regular Meeting of City Council held on Monday, May 30, 2016 in Council Chambers, City Hall.

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

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Councillor Mitchell rose to acknowledge the work and organization of the Moose Jaw Pride Committee for their contributions to the celebration of Moose Jaw Pride Week 2016 – May 29, 2016 to June 4, 2016.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

Re: Adoption of Regular City Council Meeting Minutes – May 16, 2016

389 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT the minutes of the regular meeting of City Council held on Monday, May 16, 2016, be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

390 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 Swanson reported that Committee of the Whole considered the following communications, delegations and petitions:

Communication #59 – Initial Application for Title under *The Tax Enforcement Act* – 2016

Considered was a report (Communication #59) dated May 24, 2016 from the Financial Services Department to obtain the authorization of City Council to continue with further tax enforcement proceedings by submitting the initial application for title to various properties covered under Tax Liens registered with ISC Land Registry.

Moved by Coun. Eby

391 THAT authorization be and is hereby granted to make initial application for tax title pursuant to the provisions of *The Tax Enforcement Act* in respect to the list of properties attached to report (Communication #59) dated May 24, 2016.

Carried.

Communication #60 – 2016 Municipal and School Board General Elections

Considered was a report (Communication #60) dated May 30, 2016 from the City Clerk/Solicitor's Department to apprise members of City Council of the particulars of the upcoming municipal and school board elections and to elicit Council's decision respecting matters within its discretion pursuant to *The Local Government Election Act, 2015*.

Moved by Coun. Luhning

392 THAT Mr. Myron Gulka-Tiechko be appointed as the Returning Officer for the 2016 Municipal Elections, with authority to act as the Associate Returning Officer on behalf of the Prairie South School Division No. 210 and Holy Trinity Roman Catholic Separate School Division No. 22 for the conduct of their Election in Moose Jaw.

Carried.

Moved by Coun. Luhning

393 THAT the City of Moose Jaw and the school divisions be divided into the polling areas shown in Appendix "A", with polling places named as shown in Appendix "B".

Carried.

Moved by Coun. Luhning

394 THAT "special polls" be established in the facilities listed under the heading "Special Polls" in Appendix "C".

Carried.

Moved by Coun. Luhning

395 THAT polls shall be open to voters from 9:00 a.m. to 8:00 p.m. on Election Day, Wednesday, October 26, 2016.

Carried.

Moved by Coun. Luhning

396 THAT mail-in ballots be used in the 2016 municipal and school board general elections in Moose Jaw wherein voters requesting this option be required to register in person pursuant to Bylaw No. 5259, The Election Bylaw, 2012.

Carried.

397 Moved by Coun. Luhning
THAT a mobile poll be provided for and scheduled during an advance poll date.
Carried.

398 Moved by Coun. Luhning
THAT an advance poll be established in the main lobby of City Hall and operated between 7:00 p.m. and 9:00 p.m. on Thursday, October 13, 2016; between 7:00 p.m. and 9:00 p.m. on Friday, October 14, 2016; between 12:00 p.m. and 6:00 p.m. on Saturday, October 15, 2016; between 7:00 p.m. and 9:00 p.m. on Wednesday, October 19, 2016; between 7:00 p.m. and 9:00 p.m. on Thursday, October 20, 2016; between 7:00 p.m. and 9:00 p.m. on Friday, October 21, 2016 and between 12:00 p.m. and 6:00 p.m. on Saturday, October 22, 2016, and that no advance poll be established outside of the municipality.
Carried.

399 Moved by Coun. Luhning
THAT the remuneration for the following categories of election officials be paid for the 2016 Civic Election as follows:

- Poll Supervisors: \$250.00 per day
- Receiving DROs & Special DROs \$235.00 per day
- Deputy Returning Officers (regular): \$230.00 per day

An additional \$50.00 be established for attendance at a mandatory training session.

Carried.

400 Moved by Coun. Luhning
THAT the practice of registering voters at the polls at Advance polls or on Election Day, rather than by the enumeration of electors names and the preparation of a voters' list, be continued in respect of the 2016 municipal and public school board general elections in Moose Jaw.

Carried.

401 Moved by Coun. Luhning
THAT the names of candidates in the 2016 municipal and separate school board general elections in Moose Jaw be arranged on the ballots in alphabetical order.

Carried.

402 Moved by Coun. Luhning
THAT the option of requiring candidates to submit a Criminal Record Check with their nomination not be utilized with respect to the 2016 general elections.

Carried.

403 Moved by Coun. Luhning
THAT the City of Moose Jaw provide free transit service on Election Day.
Carried.

Councillor Boyle left the meeting at 6:59 p.m.
Councillor Boyle returned to the meeting at 7:01 p.m.

Communication #61 – Amendment of 2016 Council Meeting Schedule to Set Earlier Date for Inaugural Meeting

Considered was a report (Communication #61) dated May 30, 2016 from the City Clerk/Solicitor’s Department to seek Council approval to move up the Inaugural meeting of City Council to Monday, October 31, 2016 from Monday, November 7, 2016.

Moved by Coun. Mitchell

404 THAT the 2016 City Council meeting schedule be amended to set the Inaugural Meeting of City Council to Monday, October 31, 2016 rather than on Monday, November 7, 2016.

Carried.

Communication #62 – Request to Address City Council regarding Discretionary Use Application for Proposed “Vehicle Rental, Sale, and Service Centre” at 105 Home St. E., Moose Jaw, SK

Considered was an email (Communication #62) dated May 25, 2016 from Mr. Terry Tian, owner of Snow Hut (105 Home St. E.) requesting permission to address members of City Council regarding the Discretionary Use Application for a proposed “Vehicle Rental, Sale and Service Centre” at 105 Home St. E.

Moved by Coun. Mitchell

405 THAT Mr. Terry Tian, owner of Snow Hut (105 Home St. E.), be allowed to address members of City Council respecting the proposed Discretionary Use Application for a proposed “Vehicle Rental, Sale, and Service Centre” (U-Haul Business) at 105 Home St. E.

Vote Delayed by Amendment.

Amendment Moved by Coun. Mitchell

405a THAT the motion be amended by adding “*and Mr. Ryan Benjamin Anning, U-Haul Area Field Manager*” after “*Mr. Terry Tian, owner of Snow Hut (105 Home St. E.)*”.

The Amendment was Carried.

The Motion, as Amended, was Carried.

The motion, as amended, reads as follows:

“THAT Mr. Terry Tian, owner of Snow Hut (105 Home St. E.), and Mr. Ryan Benjamin Anning, U-Haul Area Field Manager be allowed to address members of City Council respecting the proposed Discretionary Use Application for a proposed “Vehicle Rental, Sale, and Service Centre” (U-Haul Business) at 105 Home St. E.”

Mr. Ryan Benjamin Anning, U-Haul Area Field Manager, addressed members of City Council.

Moved by Coun. Kirkpatrick

406 THAT Communication #62, being an email dated May 25, 2016 from Mr. Terry Tian, owner of Snow Hut (105 Home St. E.), be considered in conjunction with the Municipal Planning Commission minutes Part 3 dated May 24, 2016.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

407 Moved by Coun. Mitchell, seconded by Coun. Luhning
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 – May 24, 2016

408 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated May 24, 2016 be taken as read.

Carried.

The report of the Executive Committee meeting dated May 24, 2016 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee – May 24, 2016

416 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee meeting dated May 24, 2016 be received and adopted.

Vote Delayed by Procedure.

Councillor Luhning requested a second vote on the following motion from the May 24, 2016 Executive Committee meeting:

417 *“THAT City Council engage the firm of Meyers Norris Penny (MNP LLP) to assess the operations of the Moose Jaw Downtown Facility and Fieldhouse (DFFH) at an approximate cost of \$48,500 plus applicable taxes and expenses with the source of funding to be the City of Moose Jaw Accumulated Surplus.”*

Councillor Swanson requested a recorded vote on the motion:

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

FOR:

AGAINST:

Coun. Eby
Coun. Boyle
Mayor Higgins
Coun. Kirkpatrick

Coun. Swanson
Coun. Mitchell
Coun. Luhning

The Motion was Carried.

The balance of the minutes were received and adopted.

Councillor Boyle left the meeting at 7:47 p.m.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Heritage Advisory Committee

Coun. Luhning reported on the minutes of the Heritage Advisory Committee meeting held on April 27, 2016.

418 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Heritage Advisory Committee meeting held on April 27, 2016 be received as presented.

Carried.

Youth Advisory Committee

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on April 29, 2016.

- 419 Moved by Mayor Higgins, seconded by Coun. Eby
THAT the report of the Youth Advisory Committee meeting held on April 29, 2016 be received as presented. Carried.

Environment Advisory Committee

Coun. Mitchell reported on the minutes of the Environment Advisory Committee meeting held on May 10, 2016.

Re: Part 5.1 – Presentation – Supporting the Local Food Economy & Environment

- 420 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT Bylaw No. 5432, Keeping of Animals Bylaw, be reviewed by Executive Committee. Carried.

Disposition of Report

- 421 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the report of the Environment Advisory Committee meeting held on May 10, 2016 be received as presented. Carried.

Housing Advisory Committee

Coun. Mitchell reported on the minutes of the Housing Advisory Committee meeting held on May 11, 2016.

Re: Part 5.1 – Housing Business Plan Update

- 422 Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT approval be granted to the allocation of up to \$15,000 from the Innovative Housing Account (OS2) towards an update of the 2011 Housing Business Plan.

Vote Delayed by Referral Motion.

- 422a Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the following motion:

“THAT approval be granted to the allocation of up to \$15,000 from the Innovative Housing Account (OS2) towards an update of the 2011 Housing Business Plan.”

be referred to 2017 Capital Budget discussions.

The Referral motion was Carried.

Disposition of Report

423 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the report of the Housing Advisory Committee meeting held on May 11, 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 May 12, 2016.

424 Moved by Coun. Swanson, seconded by Coun. Kirkpatrick
THAT the report of the Special Needs Advisory Committee meeting held on May 12,
2016 be received as presented. Carried.

Youth Advisory Committee

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on May 19, 2016.

425 Moved by Mayor Higgins, seconded by Coun. Eby
THAT the report of the Youth Advisory Committee meeting held on May 19, 2016
be received as presented. Carried.

Municipal Planning Commission

Coun. Kirkpatrick reported on the minutes of the Municipal Planning Commission meeting held on May 24, 2016.

**Re: Part 3 – Discretionary Use Application
Proposed “Vehicle Rentals, Sales and Service Centre”
Lots 1 - 3, Block 173, Plan No. Old96
105 Home Street East, Moose Jaw, SK
C1 – Neighbourhood Commercial District**

Also considered was an email (Communication #62) dated May 25, 2016 from Terry Tian, owner of Snow Hut, addressing objection concerns raised by a neighboring property.

426 Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the Discretionary Use Application for a “Vehicle Rental, Repair and Service Centre” on Lots 1 - 3, Block 173, Plan No. OLD96 as submitted by Moose Jaw Snow Hut be approved, subject to:

- a. Maintaining existing opaque fencing along the east side property line; and

- b. Maintaining an existing 2.4 metre wide landscaped area along the east property line from the face of the building to the north property line, all to the satisfaction of the Development Officer; and further

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

Carried.

Disposition of Report

Moved by Coun. Kirkpatrick, seconded by Coun. Eby

427

THAT the report of the Municipal Planning Commission meeting held on May 24, 2016 be received as presented.

Carried.

GIVING NOTICE – Nil.

MOTIONS – Nil.

BYLAWS – Nil.

ENQUIRIES

Councillor Swanson asked a verbal enquiry regarding the process for work to be completed on 3rd Avenue N.E., which was answered by City Administration.

Councillor Mitchell asked a verbal enquiry regarding the policy for receiving information from City Administration, which was answered by City Administration.

Coun. Mitchell submitted the following written enquiry:

10 – 2016: Water Utility (1)

“For purposes of comparison and understanding, could or would the city manager, director of engineering or city clerk/solicitor release publicly and provide to the mayor and council a draft copy of each of: 1) a standard agreement for a one-off replacement of a water service connection being replaced by the city on private residential property 2) a copy of the draft agreement between the city, the contractor, and the residents of 900 block Henry St. for the 2015 project to replace water and sewer service connections at the same time as the water main was being replaced on that street and 3) a draft of the proposed agreement between the city and Phase I property owners in the current LIP water main replacement project.”

Coun. Mitchell submitted the following written enquiry:

11 – 2016: Water Utility (2)

“When the city’s application to the Local Improvement Program expressed liability concern only about entering into the structure of private residential or commercial property to replace service connections and excluded that portion of replacement from being included in the LIP, why was it deemed necessary to add liability concerns and seek waivers from property owners, for liability on construction of the service connection replacement on land in front of and separate from the house or structure on the property?”

Coun. Mitchell submitted the following written enquiry:

12 – 2016: Water Utility (3)

“The report to Executive Committee of Sept. 28, 2015 set out the parameters of the LIP application and process including the statement, “It is recommended that Council approve mandatory service connection requirements and direct administration to develop a by-law to facilitate lead service connection replacement.”

Have we adopted a policy or a by-law to require mandatory replacement of lead pipe lines, as they have done in Saskatoon? If not, how can we force property owners to comply with the mandatory replacement objective? And finally, if lead pipe replacement is mandatory, how can we allow property owners the option of not replacing the lead pipe lines in the structure of their property which is not directly part of the work under the LIP?”

Coun. Mitchell submitted the following written enquiry:

13 – 2016: Water Utility (4)

“Since the Phase 2 properties under the LIP were planned for release in January and it is now June, does the director of Engineering see any possibility of those streets for the water main replacement being included in the 2016 construction season, or have we lost another year due to the delays necessitated by the LIP process?”

Councillor Luhning asked a verbal enquiry regarding a trucking business and road conditions on Oxford St. E., which was answered by City Administration.

Councillor Luhning asked a verbal enquiry regarding when MacDonald Street in front of the Kinsmen Sportsplex will be fixed, which was answered by City Administration.

Councillor Swanson asked a verbal enquiry regarding the tendering process in the new Purchasing Policy, which was answered by City Administration.

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Swanson acknowledged receipt of Answer to Enquiry #9 of 2016: Committee Meetings.

PUBLIC FORUM – Nil.

The meeting adjourned at 8:20 p.m.

MAYOR

CITY CLERK