

Regular Meeting of City Council held on Tuesday, August 6, 2013 in Council Chambers, City Hall.

PRESENT: Coun. Luhnig
Coun. Swanson
Coun. Mitchell
Coun. Boyle
Coun. Kirkpatrick
Coun. Eby

ABSENT: Mayor Higgins

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Acting Mayor Boyle rose to acknowledge and welcome Mr. Ty Stokes, the new Director of Engineering Services for the City of Moose Jaw.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of July 22, 2013
Regular Meeting of City Council**

530 Moved by Coun. Swanson, seconded by Coun. Mitchell
THAT the minutes of the regular meeting of City Council held on Monday, July 22, 2013, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

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

Communication #70 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #70) dated July 25, 2013 from the Secretary, Development Appeals Board, giving notice that the Development Appeals Board for the City of Moose Jaw will hear the following appeals at a public meeting to be held in the Scoop Lewry Room, City Hall at 5:00 p.m. on Tuesday, August 20, 2013 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. Luhning

532 THAT Communication #71 dated July 25, 2013 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

Communication #71 – City Department Quarterly Reports

Considered was a report (Communication #71) dated July 31, 2013 from the Acting City Manager to provide City Council with information respecting activities of the various City Departments for the period April 1 to June 30, 2013.

Moved by Coun. Mitchell

533 THAT the City Department Quarterly Reports for the period April 1 to June 30, 2013 be received and filed.

Carried.

Communication #72 – Manhole Repairs at Various Locations and Storm Sewer Main Repair on the 900 Block Iroquois Street West

Considered was a report (Communication #72) dated July 30, 2013 from the Engineering Department to request City Council's approval to repair manhole failures throughout the City and Major storm sewer main collapse.

Moved by Coun. Kirkpatrick

534 THAT the repairs to the manholes in 22 various locations in the City and the repairs to the storm sewer on the 900 block Iroquois Street West be completed immediately with funding from the 2013 Capital Project SS-3 Storm Sewer Replacement/Upgrading.

Carried.

Communication #73 – Tender – Scott Test Bench (Major Equipment FIRE28)

Considered was a report (Communication #73) dated August 6, 2013 to seek City Councils approval for additional funding for the award of a tender for a new Scott Test Bench.

535 Moved by Coun. Eby
THAT City Council authorize the award of this tender to Century Vallen in the amount of \$12,345.34 plus taxes with the additional funding requirement of \$962.61 coming from the Fire Department Major Equipment Control account.
Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

536 Moved by Coun. Swanson, seconded by Coun. Eby
THAT the report of the Committee of the Whole be taken as read, received and adopted.
Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Personnel Committee – July 22, 2013

Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT the report of the Personnel Committee dated July 22, 2013 be taken as read.
Defeated.

Executive Committee – July 22, 2013

537 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated July 22, 2013 be taken as read.
Carried.

The report of the Executive Committee dated July 22, 2013 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee

543 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated July 22, 2013 be received and adopted.

Vote Delayed by Procedure.

Councillor Swanson requested that a second vote be taken on the following motion from the July 22, 2013 Executive Committee meeting:

544 *“THAT City Council authorize City Administration to settle the potential liabilities with Civic Centre Plaza Inc. over the development for no greater than \$150,000, plus agreeing to:*

- *2 water line connections;*
- *1 sanitary storm sewer connection with manhole;*
- *previously approved funds of \$120,000 for storm sewer; and*

THAT the settlement be funded from the Property Sale proceeds of \$2,076,621.”

Vote Delayed by Tabling Motion.

Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the motion be tabled until negotiations have been concluded.

The Tabling Motion was Defeated.
Vote Delayed by Amendment.

Amendment Moved by Coun. Eby, seconded by Coun.
THAT the motion be amended by adding the following to bullet #3: *“and that the storm sewer be sole sourced to Civic Centre Plaza Inc”*.

No Seconder, Amendment Failed.

Amendment Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT the motion be amended by adding the following to bullet #3: *“be tendered”*.

The Amendment was Defeated.

Councillor Swanson requested a recorded vote on the main motion.

Present: Coun. Eby, Coun. Luhning, Coun. Mitchell, Coun. Swanson, Coun. Kirkpatrick, Coun. Boyle

FOR
Coun. Mitchell
Coun. Kirkpatrick
Coun. Boyle
Coun. Eby

AGAINST
Coun. Luhning
Coun. Swanson

The Main Motion was Carried.

545 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the unaddressed question of the disposition and contracting of the \$120,000 storm sewer construction be referred to an Executive Committee meeting to be scheduled in advance of the next regular City Council meeting.

Carried.

The balance of the minutes were received and adopted.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Municipal Planning Commission

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on July 23, 2013.

**Re: Part 2 – Proposed Subdivision of
Blocks A and D, Plan BM5186
1251 Main Street North (Former Civic Centre Site)
Moose Jaw, SK**

546 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the Proposed Plan of Subdivision of Blocks A and D, Plan BM5186, civically known as 1251 Main Street North, be approved subject to the following condition:

(a) That the subdivision review process be completed by City Administration and that no negative comments are received; and

THAT upon satisfaction of the above condition, the Mayor and City Clerk be authorized to endorse the Proposed Plan of Subdivision and issue a Certificate of Approval, all in accordance with *The Planning and Development Act, 2007*; and further

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

Vote Delayed by Tabling Motion.

546a Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT the following motion:

“THAT the Proposed Plan of Subdivision of Blocks A and D, Plan BM5186, civically known as 1251 Main Street North, be approved subject to the following condition:

(a) That the subdivision review process be completed by City Administration and that no negative comments are received; and

THAT upon satisfaction of the above condition, the Mayor and City Clerk be authorized to endorse the Proposed Plan of Subdivision and issue a Certificate of Approval, all in accordance with The Planning and Development Act, 2007; and further

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

be tabled pending a report from the City Planner regarding easterly roadway access and egress.

The Tabling Motion was Carried.

**Re: Part 3 – Discretionary Use Application
Proposed “Contractor Office and Yard”
Lots 11 & 12, Block 268, Rideau Heights Addition, Plan 61MJ02787
250 North Service Road
C3 Commercial District (Vehicle-Oriented Commercial)
(Mr. Brent Fawcett, Carson Energy Services Ltd.)**

547 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Discretionary Use Application for a “Contractor Office and Yard” on Lots 11 and 12, Block 268, Rideau Heights Addition, Plan 61MJ02787 as submitted by Mr. Brent Fawcett, Carson Energy Services Ltd., be approved; and

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

Carried.

Disposition of Report

548 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Municipal Planning Commission meeting held on July 23, 2013 be received as presented.

Carried.

Special Needs Advisory Committee

Coun. Swanson reported on the minutes of the Special Needs Advisory Committee meeting held on July 24, 2013.

**Re: Part 4.3 – Accessible Curb Cuts – 1800 Block of Coteau Street West
(Dustin Fleischhaker)**

549 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT all new City of Moose Jaw curb cut and sidewalk construction have wheel chair accessibility.

Carried.

Disposition of Report

550 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the report of the Special Needs Advisory Committee meeting held on July 24, 2013 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Nil.

BYLAWS

Introduction of Bylaw:

#5455 – 2013 Traffic Bylaw Amendment (No. 3)

551 Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the Acting Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5455, 2013 TRAFFIC BYLAW AMENDMENT (NO. 3)**.

Carried.

551a Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5455 be now read a first time.

Carried.

551b Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5455 be now read a second time.

Carried.

551c Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Acting Deputy Mayor, Coun. Swanson to consider Bylaw No. 5455.

Carried.

551d Moved by Coun. Mitchell
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. 5455, 2013 TRAFFIC BYLAW AMENDMENT (NO. 3)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
A/Chairperson

551e Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the report of the Committee of the Whole be received and adopted.

Carried.

551f Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5455 be submitted for Third reading forthwith.

Carried Unanimously.

551g Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5455 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Consideration/3rd Reading of Bylaw:

#5454 – Zoning Amendment Bylaw, 2013 (No. 11)

552

Moved by Coun. Mitchell, seconded by Coun. Eby
THAT Bylaw No. 5454 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed.

Carried.

ENQUIRIES

Councillor Swanson submitted the following written enquiries:

23 – 2013: Buffalo Pound Water Line

What repairs have been made to the line providing fresh water to Moose Jaw from the Buffalo Pound Water Treatment Plant in the past 10 years? Please provide details and costs.

24 – 2013: Sewer Back-Up

What was the cause of the sanitary sewer backups in the north part of Sunningdale a few weeks ago?

25 – 2013: East-West Feeder Line

When did the tender(s) for the East/West Feeder Line close? What was the estimated price and what were the bid(s) submitted?

Councillor Kirkpatrick asked a verbal enquiry regarding pressure washing the exterior of the City Hall building, which was answered by City Administration.

Councillor Mitchell asked a verbal enquiry regarding maintenance concerns at the Rosedale Cemetery, which was answered by City Administration.

Councillor Boyle asked a verbal enquiry regarding walkway maintenance concerns on Goldenglow Drive, which was answered by City Administration.

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Nil.

The meeting adjourned at 7:41 p.m.

MAYOR

CITY CLERK