

Regular Meeting of City Council held on Monday, December 14, 2015 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**

Councillor Eby rose to acknowledge and congratulate employees of the City of Moose Jaw who received long service and retirement awards at the 2015 Service Awards/Retirement Luncheon held on December 9, 2015.

Councillor Kirkpatrick rose to acknowledge and congratulate Michelle Blakley, employee of Tourism Moose Jaw, who received the 2015 Canadian Tourism Award.

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

**Re: Adoption of Regular City Council Meeting Minutes - November 30, 2015  
Adoption of Special Meeting Minutes of December 2, 2015 Meeting**

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Moved by Coun. Mitchell, seconded by Coun. Swanson

659 THAT the minutes of the regular meeting of City Council held on Monday, November 30, 2015, be approved and adopted.

Carried.

Moved by Coun. Eby, seconded by Coun. Luhning

660 THAT the minutes of the special meeting of City Council held on Wednesday, December 2, 2015, be approved and adopted.

Vote Delayed by Point of Privilege.

Councillor Swanson rose on a Point of Privilege respecting the Special Meeting of City Council held at 12:00 noon on Wednesday, December 2, 2015 as follows:

*“At the time, I understood the purpose of the Special Meeting to be the adoption of the new BPWTP agreement, to be done at the same time as was being done in Regina, as MJ and Regina are partners to the new agreement, as was the case with the 60 year old agreement being replaced.*

*Until the meeting began at noon on Wed., Dec. 2, the new agreement was a confidential document.*

*40 minutes later it was approved by MJ City Council along with the very significant changes contained therein.*

*Not so in Regina where it was an Executive Committee meeting, not a City Council meeting and where the new agreement was forwarded to City Council for approval on Dec. 21. For this manner, the new agreement became a public document on Dec. 2 with a period of time for review before being adopted next Monday, Dec. 21.*

*That was not the case in MJ where the confidential agreement was received and approved all at once.*

*The difference in approach between Regina and MJ with respect to accountability, transparency and public process disturbs me.*

*The proposed new agreement should have been presented to a Special Meeting of Executive Committee on Wed., Dec. 2, just as was done in Regina.*

*The recommendation from that Executive Committee Meeting could then have been approved here tonight.”*

The Motion was Carried.

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

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

Carried.

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

**Communication #136 – Cast Iron Water Main Replacement Costs**

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Considered was a letter (Communication #136) dated December 14, 2015 from Ms. Loreen Gummeson regarding the cast iron water main replacement costs.

662 Moved by Coun. Boyle  
THAT Ms. Loreen Gummeson be allowed to address and make a presentation to members of City Council with respect to the cast iron water replacement.

Carried.

Ms. Gummeson addressed members of City Council with respect to the cast iron water main replacement program.

662a Moved by Mayor Higgins  
THAT Communication #136, being a letter dated December 14, 2015 from Ms. Loreen Gummesson, be received and filed.

Carried.

**Communication #137 – Local Improvement Program for Cast Iron Water Main Replacement**

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Considered was a petition (Communication #137) dated December 7, 2015 from property owners in the City of Moose Jaw (Citizens Advocating Sensible Taxation) with respect to the proposed Local Improvement Program for cast iron water main replacement.

663 Moved by Mayor Higgins  
THAT a spokesperson for Citizens Advocating Sensible Taxation be allowed to address members of City Council with respect to the Local Improvement Program for cast iron water main replacement.

Carried.

Mr. Terry Gabel, spokesperson for Citizens Advocating Sensible Taxation, addressed members of City Council with respect to the Local Improvement Program for the cast iron water main replacement program.

663a Moved by Coun. Mitchell  
THAT anyone in the gallery wishing to address members of City Council with respect to the Local Improvement Program for cast iron water main replacement be allowed to do so.

Carried.

663b Moved by Coun. Luhnig  
THAT the petition submitted by Mr. Stuart Lee with signatures from additional property owners in the City of Moose Jaw with respect to the proposed Local Improvement Program for cast iron water main replacement, be received.

Carried.

The following individuals addressed City Council with respect to the Local Improvement Program for the Cast Iron Water Main Replacement:

- Mr. Stuart Lee
- Mr. Reece Barrett
- Mr. Jan Radwanski
- Reverend Jim Tenford, Minister of St. Andrew's United Church
- Mr. Shaun Meacher
- Mr. Murray Feist
- Ms. Norma Mitchell
- Mr. Dave Kelly

663c Moved by Coun. Boyle  
THAT Communication #137, being a petition dated December 7, 2015 from representatives of Citizens Advocating Sensible Taxation, be received and filed.  
Carried.

Councillor Boyle left the meeting at 8:12 p.m.

Councillor Boyle returned to the meeting at 8:14 p.m.

**Communication #138 – Department Quarterly Report – City Manager**

Considered was a report (Communication #138) dated December 8, 2015 from the City Manager to provide City Council with information respecting activities of the City Manager's Department for the period July 1, 2015 to September 30, 2015.

664 Moved by Mayor Higgins  
THAT the City Manager's Department Quarterly Report for the period July 1, 2015 to September 30, 2015 be received and filed.  
Carried.

Councillor Mitchell left the meeting at 8:21 p.m.

Councillor Mitchell returned to the meeting at 8:23 p.m.

Councillor Eby left the meeting at 8:28 p.m.

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

665 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
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 – December 7, 2015**

666 Moved by Coun Kirkpatrick, seconded by Coun. Mitchell  
THAT the report of the Executive Committee dated December 7, 2015 be taken as read.  
Carried.

The report of the Executive Committee dated December 7, 2015 follows:

**MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES**

**Executive Committee – December 7, 2015**

- 673 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick  
THAT the report of the Executive Committee meeting dated December 7, 2015 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 November 5, 2015.

- 674 Moved by Mayor Higgins, seconded by Coun. Luhnig  
THAT the report of the Youth Advisory Committee meeting held on November 5, 2015 be received as presented.
- Carried.

Councillor Eby returned to the meeting at 8:31 p.m.

**GIVING NOTICE** – Nil.

**MOTIONS**

**Re: 4 Way Stop at Fairford and 4<sup>th</sup> NE**

- 675 Moved by Coun. Swanson, seconded by Coun. Eby  
THAT the 4 way stop at Fairford and 4<sup>th</sup> NE be removed and that Fairford E be the through street.
- Carried.

**Re: Policy and Bylaw Review Committee**

- 676 Moved by Coun. Swanson, seconded by Coun. Luhnig  
THAT the Policy and Bylaw Review Committee be disbanded and its duties taken over by the Executive Committee.
- Carried.

**Re: Water Billing Disputes**

**Tabled Matter:**

- 677 Moved by Coun. Swanson, seconded by Coun. Boyle  
THAT the report dated December 1, 2015 from the Financial Services Department regarding Remote Meter Reading Device Variances be lifted from the table and considered in conjunction with Councillor Swanson's motion regarding Water Billing Disputes.
- Carried.

677a Moved by Coun. Swanson, seconded by Coun. Boyle  
THAT in the case of water billing disputes concerning water meter readings, the ability for the City to retroactively charge for inaccurate readings be limited to going back no more than twelve months subject to the customer having provided reasonable access to obtain a water meter reading.

Carried.

677b Moved by Coun. Swanson, seconded by Coun. Luhning  
THAT the report dated December 1, 2015 from the Financial Services Department regarding Remote Meter Reading Device Variances, be received and filed.

Carried.

**Re: Cast Iron Replacement LIP Application**

678 Moved by Coun. Mitchell, seconded by Coun. Luhning  
THAT City Council withdraw the Cast-Iron replacement LIP application with the Sask. Municipal Board in order to proceed immediately with the Cast-Iron replacement project within the current policy of city-wide capital budget funding.

Councillor Mitchell requested a recorded vote on the motion:

Present: Mayor Higgins, Councillor Swanson, Councillor Eby, Councillor Boyle, Councillor Kirkpatrick, Councillor Mitchell, Councillor Luhning

**FOR:**

Coun. Mitchell  
Coun. Luhning  
Coun. Swanson

**AGAINST:**

Mayor Higgins  
Coun. Eby  
Coun. Boyle  
Coun. Kirkpatrick

The Motion was Defeated.

**BYLAWS**

**Introduction of Bylaws:**

**#5508 – Sewer and Water Utility Amendment Bylaw**

679 (a) Moved by Coun. Boyle, seconded by Coun. Kirkpatrick  
THAT Deputy Mayor, Councillor Eby, be allowed to introduce **Bylaw No. 5508, SEWER AND WATER UTILITY AMENDMENT BYLAW.**

Carried.

679a (b) Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
THAT Bylaw No. 5508 be now read a first time.

Carried.

679b (c) Moved by Coun. Boyle, seconded by Coun. Kirkpatrick  
THAT Bylaw No. 5508 be now read a second time.

Carried.

679c (d) Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Eby to consider Bylaw No. 5508.

Carried.

679d (e) Moved by Coun. Boyle  
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. 5508, Sewer and Water Utility Amendment Bylaw** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Eby  
Chairperson

679e (f) Moved by Coun. Boyle, seconded by Coun. Kirkpatrick  
THAT the report of the Committee of the Whole be received and adopted.

Carried.

679f (g) Moved by Coun. Kirkpatrick, seconded by Coun. Boyle  
THAT Bylaw No. 5508 be submitted for Third reading forthwith.

Carried But Not Unanimously.

### **ENQUIRIES**

Councillor Boyle asked a verbal enquiry regarding the status of the report regarding the Sunningdale area sewer backups which will be answered in writing by Administration prior to the end of January 2016.

Councillor Mitchell asked a verbal enquiry regarding the date for the next round for the Local Improvement Program which was answered by Administration.

**RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”** – Nil.

**PUBLIC FORUM** – Nil.

The meeting adjourned at 9:49 p.m.

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MAYOR

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CITY CLERK