

Regular Meeting of City Council held on Monday, February 10, 2014 in Council Chambers, City Hall.

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

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Nil.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of January, 27, 2014
Regular Meeting of City Council**

113 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the minutes of the regular meeting of City Council held on Monday, January 27, 2014, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

114 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 Luhning reported that Committee of the Whole considered the following communications, delegations and petitions:

115 Moved by Mayor Higgins
THAT email dated February 9, 2014 from Mr. Joe Wickenhauser, Chair of Moose Jaw Pride Inc. regarding a request to fly the rainbow flag at Moose Jaw City Hall during the 2014 Winter Olympics, be added to the agenda as Communication #17. Carried.

Communication #12 – Request to Address City Council regarding the Kinsmen Sportsplex Water Issues

Considered was an email (Communication #12) dated February 3, 2014 from Mr. Jack Heilman, citizen, requesting permission to address members of City Council regarding pool maintenance and the water clarity issue at the Kinsmen Sportsplex.

Moved by Coun. Mitchell

116 THAT Mr. Jack Heilman, citizen, be allowed to address members of City Council regarding the Kinsmen Sportsplex Water issues.

Carried.

Mr. Jack Heilman addressed members of City Council.

Moved by Coun. Eby

117 THAT Communication #12, being an email dated February 3, 2014 from Mr. Jack Heilman, be received and filed.

Carried.

Communication #13 – Moose Jaw Art Museum Annual General Meeting – March 27, 2014

Considered was a letter (Communication #13) dated January 27, 2014 from Joan Maier, Administrative Director, Moose Jaw Art Museum, regarding a request for the City to appoint a voting representative to the Moose Jaw Museum and Art Gallery annual general meeting being held on March 27, 2014.

Moved by Mayor Higgins

118 THAT the City of Moose Jaw decline to exercise its membership interest to appoint a majority of the Board of Directors at the upcoming annual general meeting of the Art Museum on March 27, 2014.

Carried.

Communication #14 – Decisions of the Development Appeals Board

Considered was a report (Communication #14) dated January 30, 2014 from the Secretary, Development Appeals Board to submit to members of City Council, for their information, the Decisions of the Development Appeals Board respecting applications for variance under the City of Moose Jaw's Zoning Bylaw, being Bylaw No. 5346, that were discussed and decided upon at the meeting of the Development Appeals Board held on January 21, 2014.

Moved by Coun. Eby

119 THAT the following Decisions of the Development Appeals Board be received and filed:

{ 1 – 2014 } Barry Heron
1084 Redland Avenue

{2 – 2014} Withdrawn

{3 – 2014} Athabasca Joint Venture
152 Athabasca Street

Carried.

Communication #15 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #15) dated February 3, 2014 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, February 18, 2014 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. Mitchell

120 THAT Communication #15 dated February 3, 2014 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

Communication #16 – City Department Quarterly Reports

Considered was a report (Communication #16) dated February 5, 2014 from the City Manager to provide City Council with information respecting activities of the various City Departments for the period October 1 to December 31, 2013.

Moved by Coun. Swanson

121 THAT the City Department Quarterly Reports for the period October 1 to December 31, 2013 be received and filed.

Carried.

Communication #17 – Request to Address City Council regarding a request to Fly Rainbow Flag over City Hall during the 2014 Winter Olympics

Considered was an email (Communication #17) dated February 9, 2014 from Mr. Joe Wickenhauser, Chair of Moose Jaw Pride Inc. requesting the City of Moose Jaw to fly the rainbow flag at City Hall during the 2014 Winter Olympics in support of taking a stand against discrimination and show solidarity with Lesbian, Gay, Bisexual, Trans and Queer (LGBTW) people at home and in Russia.

Moved by Coun. Kirkpatrick

122 THAT representatives of Moose Jaw Pride Inc. be allowed to address members of City Council.

Carried.

Ms. Jennifer New, representative of Moose Jaw Pride Inc., addressed members of City Council.

123 Moved by Coun. Mitchell
THAT the City of Moose Jaw fly the rainbow flag at City Hall during the 2014 Olympics in support of taking a stand against discrimination and show solidarity with Lesbian, Gay, Bisexual, Trans and Queer (LGBTQ) people at home and in Russia.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Nil.

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Nil.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Municipal Planning Commission

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on January 28, 2014.

**Re: Part 5 – Discretionary Use Application
Proposed “Retail Store”
Lots 21 – 27, Block 100, Old 96, Plan Old 96
214 – 7th Avenue N.W.
M2 Heavy Industrial District
(Ms. Kyla Dilling, Grayson & Company)**

125 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Discretionary Use Application for a “Retail Store” on Lots 21 – 27, Block 100, Old 96, Plan Old 96, as submitted by Ms. Kyla Dilling, Grayson & Company, be approved; and

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

Carried.

- Re: Part 6 – (1) Proposed Subdivision of
Part of Parcel A, Plan 102019115; and**
- (2) Proposed Zoning Bylaw Map Amendment for Parcel A,
Plan 102019115**

Moved by Coun. Mitchell, seconded by Coun. Boyle

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1. THAT City Administration be authorized to commence rezoning procedures respecting:
 - (a) A part of Parcel A, Plan 102019115 be rezoned from R1 Residential to R1A Residential, R1B Residential and P Parks, as shown on the sketch attached to the Municipal Planning Commission minutes dated January 28, 2014; and
 - (b) THAT the City Solicitor be authorized to prepare the necessary amendments to Bylaw No. 5346, the Zoning Bylaw; and further

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

2. THAT the Proposed Plan of Subdivision respecting a Part of Parcel A, Plan 102019115 outlined on the Plans of Proposed Subdivision attached to the Municipal Planning Commission minutes dated January 28, 2014 be approved subject to the following conditions:
 - (a) That the subdivision review process be completed by City Administration and that no negative comments are received; and
 - (b) All water, sanitary, storm and traffic be designed and constructed to the satisfaction of the Director of Engineering Services and all associated costs being the responsibility of the applicant; and

THAT 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* upon completion of the proposed rezoning; and further

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

Carried.

Disposition of Report

Moved by Coun. Mitchell, seconded by Coun. Eby

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THAT the report of the Municipal Planning Commission meeting held on January 28 2014 be received as presented.

Carried.

GIVING NOTICE

Councillor Swanson rose to give notice that at the next regular meeting of City Council to be held on February 24, 2014, he intends to introduce the following motion:

Re: Status of City’s Cast Iron Water Mains

“THAT Administration present to City Council, a comprehensive report detailing the chronology of reports to City Council concerning the status of the City’s cast iron water mains and the rehabilitation thereof.”

MOTIONS

Nil.

BYLAWS

#5465 – The 2014 Dust Control Bylaw

128 Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT the Deputy Mayor, Councillor Luhning, be allowed to introduce **Bylaw No. 5465, THE 2014 DUST CONTROL BYLAW.**

Carried.

128a Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Bylaw No. 5465 be now read a first time.

Carried.

128b Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT Bylaw No. 5465 be now read a second time.

Carried.

128c Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Luhning to consider Bylaw No. 5465.

Carried.

128d 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. 5465, THE 2014 DUST CONTROL BYLAW**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Luhning
Chairperson

128e Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT the report of the Committee of the Whole be received and adopted.

Carried.

128f Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Bylaw No. 5465 be submitted for Third reading forthwith.
Carried Unanimously.

128g Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT Bylaw No. 5465 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed.
Carried.

**#5467 – A Bylaw to Authorize the Entering into an Agency Agreement between
Fire Marque Incorporated and the City of Moose Jaw**

129 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the Deputy Mayor, Councillor Luhning, be allowed to introduce **Bylaw No. 5467, A BYLAW TO AUTHORIZE THE ENTERING INTO AN AGENCY AGREEMENT BETWEEN FIRE MARQUE INCORPORATED AND THE CITY OF MOOSE JAW.**
Carried.

129a Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5467 be now read a first time.
Carried.

129b Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5467 be now read a second time.
Carried.

129c Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy
Mayor, Coun. Luhning to consider Bylaw No. 5467.
Carried.

129d 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. 5467, A BYLAW TO AUTHORIZE THE ENTERING INTO AN AGENCY AGREEMENT BETWEEN FIRE MARQUE INCORPORATED AND THE CITY OF MOOSE JAW**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Luhning
Chairperson

129e Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.
Carried.

129f Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5467 be submitted for Third reading forthwith.
Carried But Not Unanimously.

ENQUIRIES

Councillor Luhning asked a verbal enquiry regarding water main breaks which was answered by City Administration.

Councillor Swanson submitted the following written enquiry:

3 – 2014: Commercial Assessment 2013

“What was the increase in assessment value for commercial property from December 31, 2012 to December 31, 2013? Given the effective commercial tax rate for commercial property, what is the dollar amount of municipal tax revenue for increased commercial assessment that occurred in 2013?”

Councillor Swanson submitted the following written enquiry:

4 – 2014: Water Line Replacement Cost

“Further to enquiry #1 – 2014, what was the total cost for replacement of the 483 metres of cast iron water line replaced in 2013, including materials, labour, equipment, admin, and any other charges related to this project?”

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Luhning acknowledged receipt of Answer to Enquiry #26 of 2013.
Councillor Swanson acknowledged receipt of Answer to Enquiry #1 of 2014.
Councillor Swanson acknowledged receipt of Answer to Enquiry #2 of 2014.

The meeting adjourned at 7:34 p.m.

MAYOR

CITY CLERK