

Regular Meeting of City Council held on Monday, January 28, 2013 in Council Chambers, City Hall.

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

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 14, 2013
Regular Meeting of City Council**

28 Moved by Coun. Luhnig, seconded by Coun. Mitchell
THAT the minutes of the regular meeting of City Council held on Monday, January 14, 2013, be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

29 Moved by Coun. Boyle, 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 Luhnig reported that Committee of the Whole considered the following communications, delegations and petitions:

Communication #6 – Request to Address City Council, re: Sponsorship for the A-Moose-ing Race – July 6, 2013

Considered was a letter (Communication #6) dated January 15, 2013 from Brad and Sandra Stewart, Coordinators of the A-Moose-ing Race, requesting permission to address members of City Council to raise awareness of the event as well as request special one-day bus passes, usage of City owned facilities and parks and using the “Surprisingly Unexpected” city logo.

30 Moved by Coun. Eby
THAT representatives of the A-Moose-ing Race fundraising event, be allowed to address members of City Council regarding the event and sponsorship requests for the City of Moose Jaw.

Carried.

Ms. Carmen Bochek addressed members of City Council.

31 Moved by Coun. Mitchell
THAT the request for issuance of 180 free day bus passes for July 6, 2013 be approved; and

THAT the request for extended transit services for July 6, 2013 for the Westmount and Sunningdale routes at a City cost of \$405 be denied; and

THAT the A-Moose-ing Race fundraising event be authorized to utilize city owned facilities and parks pending approval and subject to any additional fees where applicable from the Parks and Recreation Department of the facilities and parks requested, prior to July 6, 2013; and further

THAT representatives of the A-Moose-ing Race be responsible for approaching third party facilities, including Mosaic Place and the Art Museum, for appropriate approvals as required.

Carried.

Communication #7 – Mosaic Place and Yara Centre – Monthly Update

Considered was a report (Communication #7) dated January 23, 2013 from the Director of Parks and Recreation to submit to City Council the Monthly update on Mosaic Place and Yara Centre.

32 Moved by Coun. Swanson
THAT funding in the amount of \$1,782,843 which was initially allocated as part of a contingency allowance to the Mosaic Place and the Yara Centre project budget be returned to the capital budget for reallocation by City Council; and

THAT report (Communication #7) dated January 23, 2013 from the Director of Parks and Recreation, be received and filed.

Vote Delayed by Amendment.

32a Amendment Moved by Coun. Eby
THAT the motion be amended by deleting the following: “\$1,782,843 which was initially allocated as part of a contingency allowance” and replacing it with the following: “\$1,500,000 which was initially allocated”.

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

The Motion, as Amended, reads as follows:

“THAT funding in the amount of \$1,500,000 which was initially allocated to the Mosaic Place and the Yara Centre project budget be returned to the capital budget for reallocation by City Council; and

THAT report (Communication #7) dated January 23, 2013 from the Director of Parks and Recreation, be received and filed.”

Communication #8 – Decisions of the Development Appeals Board

Considered was a report (Communication #8) dated January 22, 2013 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 variances 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 15, 2013.

Moved by Coun. Mitchell

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

{1 – 2013} Mark Krevenky
883 – 8th Avenue N.W.

{2 – 2013} Doug Symenuk
57 Blue Sage Drive

Carried.

Communication #9 – Request to Address City Council regarding Proposed Bylaw No. 5434

Considered was a letter (Communication #9) dated January 22, 2013 from Mr. Bob Lys, citizen, requesting permission to address members of City Council regarding the proposed Bylaw No. 5434, Zoning Amendment Bylaw 2013 (No. 1).

Moved by Coun. Mitchell

34 THAT Mr. Bob Lys, citizen, be allowed to address members of City Council regarding proposed Bylaw No. 5434, Zoning Amendment Bylaw 2013 (No. 1).

Carried.

Mr. Bob Lys addressed members of City Council.

Moved by Coun. Mitchell

34a THAT Communication #9, being a letter dated January 22, 2013 from Mr. Bob Lys, be received and filed.

Carried.

Communication #10 – Request to Address City Council regarding Bill C-45

Considered was a letter (Communication #10) dated January 22, 2013 from Mr. Michel Labonte, citizen, requesting permission to address members of City Council regarding Bill C-45 (First Nations Treaty Rights and United Nations Declarations on the Rights of Indigenous Peoples).

35 Moved by Coun. Boyle
THAT Mr. Michel Labonte be allowed to address members of City Council regarding Bill C-45.

Carried.

Mr. Michel Labonte addressed members of City Council.

35a Moved by Coun. Mitchell
THAT Communication #10, being a letter dated January 22, 2013 from Mr. Michel Labonte, be received and filed.

Carried.

Communication #11 – City Response to SLGA request for Input on Setting Hours of Operation for Liquor Permitted Premises

Considered was a letter (Communication #11) dated November 20, 2012 from Mr. Jim Engel, Vice President of Saskatchewan Liquor and Gaming Authority (SLGA) regarding proposed changes to *The Alcohol Control Regulations, (2002)*.

36 Moved by Coun. Eby
THAT the City of Moose Jaw respond to the SLGA indicating it would prefer that no amendments proceed to regulations creating a role for local government to set hours of operation for liquor permitted premises.

Carried.

Communication #12 – Background Information – Notice of Motion – Housing Sell-Off

Considered was a report (Communication #12) dated January 23, 2013 from the City Manager to provide City Council with additional information with respect to the Notice of Motion being introduced regarding the Provincial Government’s announcement to sell off existing Moose Jaw Housing Authority public housing units.

37 Moved by Coun. Mitchell
THAT report (Communication #12) dated January 23, 2013 from the City Manager be received and filed.

Carried.

Communication #13 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #13) dated January 24, 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 Mayor’s Conference Room, City Hall at 5:00 p.m. on Tuesday, February 19, 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. Boyle

38 THAT Communication #13 dated January 24, 2013 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

Communication #14 – Appointment of One Citizen-at-Large to the Palliser Regional Library Board

Considered was a report (Communication #14) dated January 24, 2013 from the City Clerk/Solicitor’s Department to nominate one citizen-at-large for appointment to the Palliser Regional Library Board.

Moved by Coun. Kirkpatrick

39 THAT Mr. Walt Yakiwchuk be appointed as a citizen-at-large to the Palliser Regional Library Board for a term of office to commence immediately and to conclude on December 31, 2014.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Coun. Swanson, seconded by Coun. Kirkpatrick

40 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

Moved by Coun. Eby, seconded by Coun. Boyle

41 THAT the report of the Personnel Committee dated January 14, 2013 be taken as read.

Carried.

Budget Committee

Moved by Coun. Boyle, seconded by Coun. Kirkpatrick

42 THAT the report of the Budget Committee dated January 21, 2013 be taken as read.

Carried.

Executive Committee

43 Moved by Coun. Boyle, seconded by Coun. Eby
THAT the report of the Executive Committee dated January 21, 2013 be taken as read.

Carried.

The reports of the Personnel Committee dated January 14, 2013, Budget Committee dated January 21, 2013 and Executive Committee dated January 21, 2013 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Personnel Committee

55 Moved by Coun. Boyle, seconded by Coun. Luhnig
THAT the report of the Personnel Committee dated January 14, 2013 be received and adopted.
Carried.

Report of the Budget Committee

56 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Budget Committee dated January 21, 2013 be received and adopted.
Carried.

Report of the Executive Committee

57 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated January 21, 2013 be received and adopted.
Vote Delayed by Procedure.

Councillor Mitchell requested that a second vote be taken on the following motion from the January 21, 2013 Executive Committee meeting:

58 *“THAT the City of Moose Jaw accept the bid from Horizon Homes Ltd. in the amount of \$112,500, plus GST, for the property located on Lots 36 & 37, Block 8, Plan 99MJ15800; and
THAT the Mayor and City Clerk be authorized to execute an Agreement for Sale and Purchase, on behalf of the City of Moose Jaw in a form satisfactory to the City Clerk/Solicitor.”*
Carried.

Councillor Swanson requested that a second vote be taken on the following motion from the January 21, 2013 Executive Committee meeting:

59 *“THAT City Council approve amendment of Clause 14 (1)(b) of the Servicing and Development Agreement dated December 29, 2009 between the City of Moose Jaw and Spring Creek Properties Ltd. by deleting the date “December 31, 2012” and replacing it with the date “December 31, 2013”.”*
Carried.

The balance of the minutes were received and adopted.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Special Needs Advisory Committee

Councillor Swanson reported on the minutes of the Special Needs Advisory Committee meeting held on January 9, 2013.

Re: Part 4 – Presentation by Kelly Mentanko, Operations Manager, Parks and Recreation Department

60 Moved by Coun. Swanson, seconded by Coun. Eby
THAT a request be forwarded to the Parks & Recreation Department to provide a written report to the Special Needs Advisory Committee with respect to the proposed plans and projected cost estimates for the fully accessible playground at Elgin Park.
Carried.

61 Moved by Coun. Swanson, seconded by Coun. Boyle
THAT a request be forwarded to the Parks & Recreation Department to provide a written report to the Special Needs Advisory Committee outlining projected cost estimates for accessible upgrades for all proposed outbuildings at City of Moose Jaw Parks, as discussed at the Special Needs Advisory Committee meeting dated January 9, 2013.
Carried.

Disposition of Report

62 Moved by Coun. Swanson, seconded by Coun. Kirkpatrick
THAT the report of the Special Needs Advisory Committee meeting held on January 9, 2013 be received as presented.
Carried.

Heritage Advisory Committee

Councillor Swanson reported on the minutes of the Heritage Advisory Committee meeting held on January 10, 2013.

63 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the report of the Heritage Advisory Committee meeting held on January 10, 2013 be received as presented.
Carried.

Cultural Diversity Advisory Committee

Councillor Mitchell reported on the minutes of the Cultural Diversity Advisory Committee meeting held on January 16, 2013.

64 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Cultural Diversity Advisory Committee meeting held on January 16, 2013 be received as presented.
Carried.

Youth Advisory Committee

Councillor Luhning reported on the minutes of the Youth Advisory Committee meeting held on January 17, 2013.

65

Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Youth Advisory Committee meeting held on January 17, 2013 be received as presented.

Carried.

Municipal Planning Commission

Councillor Mitchell reported on the minutes of the Municipal Planning Commission meeting held on January 22, 2013.

**Re: Part 5 – Proposed Subdivision
Parcel F, Plan 73MJ13196
Moose Jaw, Saskatchewan**

66

Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the Proposed Plan of Subdivision of Parcel F, Grandview, Plan 73MJ13196 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) That a monetary settlement be received from the applicant prior to final approval to satisfy the 10% Municipal Reserve Requirement under *The Planning and Development Act, 2007*; and
- c) That all water, sanitary, storm and traffic related infrastructure be designed and constructed to the satisfaction of the Director of Engineering Services; and
- d) That the developer be responsible for all costs associated with construction and completion of the Municipal Reserve Land; and
- e) That the developer be responsible for all costs related to completion of the recommendations in The South Hill Traffic Impact Study dated November 2012 by Stantec Consulting Ltd; and
- f) That City Administration commence procedures to reduce the speed limit along 9th Ave SW to 50 km per hour at least 100m south of the proposed intersection; and further
- g) That a Servicing Agreement be entered into between the Developer and the City of Moose Jaw addressing all items listed above; and

THAT upon satisfaction of the above conditions, 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.

Carried.

**Re: Part 6 – Proposed Rezoning of
Parcel 153261626, N.W. 9-17-26 ext 120
Moose Jaw, Saskatchewan
(Federated Co-operatives Limited)**

67 Moved by Coun. Mitchell, seconded by Coun. Luhnig
THAT City Administration commence rezoning procedures for the currently zoned UH
Parcel 153261626 in the NW 9-17-26, Moose Jaw, Saskatchewan from UH Urban
Holding to C3 Commercial District (Vehicle Oriented) as per the sketch attached to the
January 22, 2013 minutes of the Municipal Planning Commission; and further

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

Carried.

**Re: Part 7 – Proposed Subdivision of All of Block R, Plan 101357940
and Part of Municipal Buffer Strip MB1, Plan 101069962**

68 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the proposed Plan of Subdivision respecting all of Block R, Plan 101357940 and
part of MB1, Plan 101069962, Ross Park located in the NE ¼ Section 4-17-26-W2M, be
approved, subject to the following conditions:

- (a) That City Administration be authorized to proceed with the bylaw to sell Municipal
Buffer Strip MB1, Plan 101069962; and
- (b) That the subdivision review process be completed by City Administration and that no
negative comments are received; and
- (c) That the City register a 9m Easement on MB1; and

THAT upon satisfaction of the above conditions, 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 expenses incurred by this application be borne by the applicant.

Carried.

**Re: Part 8 – Proposed Subdivision of
Lots 9 and 21, Block 113, Plan Old 96 and 101077118
269 High Street East
Moose Jaw, Saskatchewan**

69 Moved by Coun. Mitchell, seconded by Coun. Luhnig
THAT the Proposed Plan of Subdivision of Lots 9 and 21, Block 113, Plan Old 96 and
101077118 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

THAT upon satisfaction of the above conditions, 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.

Carried.

Re: Part 9 – Proposed Housekeeping Amendments to Zoning Bylaw No. 5346

Moved by Coun. Mitchell, seconded by Coun. Boyle

70

THAT City Administration commence procedures to amend Zoning Bylaw No. 5346 as follows:

1. That the term “Service Station” be added to Section 7.1.1 to the Discretionary Uses in the C1 Neighbourhood Commercial District; and
2. That the term “Type 1 or 2 Veterinary Clinics” be added to Section 7.3.1 of the Discretionary Uses in the C2 High Density Commercial District; and
3. That the terms “Major Shopping Centres” and “Minor Shopping Centres” be removed from the list of Discretionary Uses in Section 7.4.1 and that these terms be added to Section 7.4.1 of the Permitted Uses in the C3 Vehicle-Oriented Commercial District; and
4. That the term “Dwellings, Manufactured, Type 2” be removed from the list of Permitted Uses in Section 6.7.1 and the term “Dwellings, Manufactured, Type 1 be added to Section 6.7.1 of the list of Permitted Uses in the R2 Residential District; and
5. That Section 3.7.5 be amended by replacing Section 74(3) with Section 54; and
6. That the following be added to Section 4.14.3:
“1. The applicant for a Home Occupation must live in the dwelling that the application is for.”; and
7. That Section 4.7 be amended by replacing Section 3.15 with Section 3.12; and
8. That Section 6.6.2 be amended by adding subscript 1 to Section 6.6.2; and
9. That the term “Cemeteries” be added to Section 10.6 of the Discretionary Uses in the P Parks District; and
10. That the term “Licensed Facilities in conjunction with and attached to a Restaurant” be added to Section 7.1.1 of the Discretionary Uses in the C1 Neighbourhood Commercial District and that a subsection 4 be added to the Notes to Development Standards for the above term stating “The floor area of a licensed facility shall not exceed 50% of the public assembly floor area of the adjoining restaurant or 100 square metres, whichever is less.”; and

11. That the term “portable signs” be removed from Section 11.4(a); and
12. That the Front Yard Requirement for “Restaurants” be amended in Section 7.4.1 from 15m to 6m; and
13. That Type 3 Residential Care Homes be removed from Section 6.8.2 High Density Residential District Permitted Uses; and
14. That Type 2 Residential Care Homes be removed from Section 6.8.2 High Density Residential District Discretionary Uses; and
15. That the North West Zoning Bylaw Map be amended to move the C3 on the corner of Highway One and 24th Avenue N.W. to the corner of Highway One and 16th Avenue N.W. and rezone the corner of 24th Avenue N.W. and Highway One back to UH as per the sketch attached to the January 22, 2013 minutes of the Municipal Planning Commission; and
16. That the North West Zoning Bylaw Map be amended to amend the FW line adjacent to the Iron Bridge Development as per the sketch attached to the January 22, 2013 minutes of the Municipal Planning Commission; and

THAT all necessary changes to the Table of Contents sections and repaginating of the Bylaw be completed where necessary to maintain continuity; and

THAT all costs incurred by these amendments be borne by the City of Moose Jaw.

Carried.

Disposition of Report

Moved by Coun. Mitchell, seconded by Coun. Eby

71 THAT the report of the Municipal Planning Commission meeting held on January 22, 2013 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Re: Housing Sell-Off

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick

WHEREAS the public housing units available to Moose Jaw families were financed and constructed over the past 60 years through tripartite agreements with the city, provincial and federal government;

AND WHEREAS there has been no consultation with the city of Moose Jaw about disposing of this vital shared community resource;

AND WHEREAS these housing rental units have rents related to income and are made affordable to lower income families, including single parent families;

AND WHEREAS there is currently and continuously a long waiting list of families wishing to access these homes;

AND WHEREAS these family rental units are located in established neighbourhoods throughout the city with nearby services, including schools;

THEREFORE BE IT RESOLVED that the Mayor and council of the city of Moose Jaw express opposition and concern over the announced plans to sell 114 of 124 of the existing family housing units in Moose Jaw to be replaced by apartment projects at undisclosed and undeveloped locations.

Vote Delayed by Tabling Motion.

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the following motion:

“WHEREAS the public housing units available to Moose Jaw families were financed and constructed over the past 60 years through tripartite agreements with the city, provincial and federal government;

AND WHEREAS there has been no consultation with the city of Moose Jaw about disposing of this vital shared community resource;

AND WHEREAS these housing rental units have rents related to income and are made affordable to lower income families, including single parent families;

AND WHEREAS there is currently and continuously a long waiting list of families wishing to access these homes;

AND WHEREAS these family rental units are located in established neighbourhoods throughout the city with nearby services, including schools;

THEREFORE BE IT RESOLVED that the Mayor and council of the city of Moose Jaw express opposition and concern over the announced plans to sell 114 of 124 of the existing family housing units in Moose Jaw to be replaced by apartment projects at undisclosed and undeveloped locations.”

be tabled to the next regular meeting of City Council.

The Tabling Motion was Defeated.

The Main Motion was Defeated.

BYLAWS

Introduction of Bylaw:

#5425 – Downtown Facility and Soccer/Field-House Facility Bylaw 2013

- 72 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the Deputy Mayor, Councillor Luhnig, be allowed to introduce **Bylaw No. 5425, DOWNTOWN FACILITY AND SOCCER/FIELD-HOUSE FACILITY BYLAW 2013.** Carried.
- 72a Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5425 be now read a first time. Carried.
- 72b Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5425 be now read a second time. Carried.
- 72c Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Luhnig to consider Bylaw No. 5425. Carried.
- 72d Amendment Moved by Coun. Swanson
THAT proposed Bylaw no. 5425 be amended by adding:
Clause 3(1)(f) *“Minimizing any operating grant or subsidy from the City of Moose Jaw.”*
The Amendment was Carried.
- Amendment Moved by Coun. Swanson
THAT proposed Bylaw no. 5425 be amended by deleting *“eight persons as follows”* in subsection 5(3); and
THAT clause 5(3)(a) be revised to state *“a minimum of three and up to six members of Council.”*
The Amendment was Defeated.
- 72e Amendment Moved by Coun. Swanson
THAT proposed Bylaw no. 5425 be amended by revising clause 5(3)(b) to state *“four members that are residents of the City of Moose Jaw and 18 years of age or older”*; and
THAT subsection 5(5) be deleted.

On the request of Councillor Mitchell, the presiding officer being satisfied that the motion contained distinct propositions directed that a separate vote take place on each of the amendments as follows:

- 72f 1. THAT clause 5(3)(b) be amended to state: *“four members that are residents of the City of Moose Jaw”*; and

THAT subsection 5(5) be deleted.

The Amendment was Carried.

- 72g 2. THAT clause 5(3)(b) be amended by adding the following: *“and 18 years of age or older”*.

The Amendment was Carried.

Clause 5(3)(b), as amended, reads as follows:

“5(3)(b) four members that are residents of the City of Moose Jaw and 18 years of age or older”

Amendment Moved by Coun. Swanson

THAT proposed Bylaw no. 5425 be amended by deleting section 7 as follows:

“7 The Board may establish a Governance and Nomination Committee for the purpose of reviewing and evaluating prospective candidates for appointment as a director to the Board, which review and evaluation shall be based on the Board’s Competency Matrix, and which recommendations will be presented to Council.”

The Amendment was Defeated.

Amendment Moved by Coun. Mitchell

THAT proposed Bylaw no. 5425 be amended by adding the following *“and a listing of all available candidates”* to section 7 after the words *“and which recommendations”*.

The Amendment was Defeated.

Amendment Moved by Coun. Kirkpatrick

- 72h THAT proposed Bylaw no. 5425 be amended by deleting the word “may” and replacing it with the word “will” before the words “at the direction of Council,” and delete the words “resolve to” after with words “at the direction of Council,” in subsection 6(5).

The Amendment was Carried.

Subsection 6(5) as amended, reads as follows:

“6(5) Where a Board Member’s appointment expires or is terminated under this section, the members of the Corporation will, at the direction of Council, appoint another person to fill the vacancy for the remainder of the term of the Board Member being replaced.”

Moved by Coun. Eby

- 72i 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. 5425, DOWNTOWN FACILITY AND SOCCER/FIELD-HOUSE FACILITY BYLAW 2013**, begs to report that the Bylaw passed this Committee with amendments.

(Sgd). Coun. Luhning
Chairperson

72j Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.

Carried.

72k Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5425 be submitted for Third reading forthwith.

Carried But Not Unanimously.

Consideration/3rd Reading of Bylaw:

Bylaw No. 5434 – Zoning Amendment Bylaw 2013 (No. 1)

73 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Bylaw No. 5434 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

ENQUIRIES

Councillor Eby asked a verbal enquiry regarding the path in the Westheath subdivision, which was answered by City Administration.

Councillor Eby submitted the following written enquiry:

3 – 2013: CPR Dam

Could the Engineering Department please put together a full written time line history of the procedures and reports (directions & actions) for the replacement of the CPR Dam structure since it was first placed on the Capital Budget up until the present day?

Councillor Eby submitted the following written enquiry:

4 – 2013: Snow Removal

What has been spent on Snow Removal this winter season? (fall '12 – winter '13)

Councillor Eby submitted the following written enquiry:

5 – 2013: Third Party Organizations

Could we please have a complete list of all the documents & reports (a list for information purposes only) that the City is to be receiving on an annual or regular basis from Third Party Organizations (ie. Humane Society, MJ Cultural Centre, etc.) and whether all these submissions are current?

Councillor Swanson asked a verbal enquiry regarding the bridge analysis report, which was answered by City Administration.

Councillor Boyle asked a verbal enquiry regarding ice on city streets, which was answered by City Administration.

Councillor Mitchell submitted the following written enquiry:

6 – 2013: Sewage Charges for Septic Tank Households

Do residents who have and use septic tanks as their option for sewage collection and disposal, have their water consumption metered for water charges only or does their water rate also include sewage charges?

Councillor Luhning submitted the following written enquiry:

7 – 2013: Pathways Cleaning

Please advise why some of the paths on the East side of town have not been cleared of snow vs. some of the paths on the west side have been cleared. Why the difference?

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Luhning acknowledged receipt of Enquiry #1 of 2013.
Councillor Swanson acknowledged receipt of Enquiry #2 of 2013.

The meeting adjourned at 10:26 p.m.

MAYOR

CITY CLERK