

Regular Meeting of City Council held on Monday, July 14, 2014 in Council Chambers, City Hall.

PRESENT: Mayor Higgins
Coun. Luhnig
Coun. Kirkpatrick
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

Mayor Higgins rose to acknowledge the Sidewalk Days Committee for their hard work and the success of the event.

Mayor Higgins rose to acknowledge Motif for their hard work and the success of the event.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of June 23, 2014
Regular Meeting of City Council**

469 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT the minutes of the regular meeting of City Council held on Monday, June 23, 2014, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

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

**Communication #69 – Saskatchewan City Mayor’s Caucus Meeting
May 7 – 9, 2014 in Lloydminster, SK**

Considered was a report (Communication #69) dated June 24, 2014 from Mayor Higgins, to provide City Council with a report on the outcome of the Saskatchewan City Mayors’ Caucus meeting held in Lloydminster, SK on May 7 – 9, 2014.

Moved by Mayor Higgins

471 THAT Communication #69 dated June 24, 2014 from Mayor Higgins, respecting the Saskatchewan City Mayors’ Caucus meeting, be received and filed.

Carried.

Communication #70 – Request to Address City Council regarding Recycling

Considered was a letter (Communication #70) dated July 8, 2014 from Mr. Michel Labonte, citizen, requesting permission to address members of City Council regarding recycling in the City of Moose Jaw.

Moved by Coun. Kirkpatrick

472 THAT Mr. Michel Labonte, citizen, be allowed to address members of City Council regarding recycling.

Carried.

Mr. Michel Labonte, citizen, addressed members of City Council.

Moved by Coun. Mitchell

473 THAT letter (Communication #70) dated July 8, 2014 from Mr. Michel Labonte be received and filed.

Carried.

Communication #71 – Department Quarterly Report – City Clerk/Solicitor

Considered was a report (Communication #71) dated July 9, 2014 from the City Clerk/Solicitor’s Department to provide City Council with information respecting activities of the Department for the period April 1 to June 30, 2014.

Moved by Mayor Higgins

474 THAT the City Clerk/Solicitor’s Department Quarterly Report for the period April 1, 2014 to June 30, 2014 be received and filed.

Carried.

Communication #72 – Department Quarterly Report – Planning and Development Services Department

Considered was a report (Communication #72) dated July 9, 2014 from the Planning and Development Services Department to provide City Council with information respecting activities of the Department for the period April 1 to June 30, 2014.

Moved by Coun. Mitchell

475 THAT the Planning and Development Services Department Quarterly Report for the period April 1, 2014 to June 30, 2014 be received and filed.

Carried.

Communication #73 – Department Quarterly Report – City Manager

Considered was a report (Communication #73) dated July 9, 2014 from the City Manager to provide City Council with information respecting activities of the Department for the period April 1 to June 30, 2014.

Moved by Coun. Eby

476 THAT the City Manager's Department Quarterly Report for the period April 1, 2014 to June 30, 2014 be received and filed.

Carried.

Communication #74 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #74) dated June 26, 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 the Scoop Lewry Room, 2nd Floor, City Hall at 5:00 p.m. on Tuesday, July 15, 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. Eby

477 THAT Communication #74 dated June 26, 2014 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

Communication #75 – Debt Limit Renewal

Considered was a report (Communication #75) dated July 7, 2014 from the Financial Services Department to request City Council's approval for City Administration to request the Saskatchewan Municipal Board to renew the City's debt limit at \$95 million.

478 Moved by Coun. Kirkpatrick
THAT pursuant to section 133 of *The Cities Act*, City Administration is authorized to request the Saskatchewan Municipal Board to establish the debt limit for the City of Moose Jaw at \$95,000,000.

Carried.

Communication #76 – Background Information – Notice of Motion – West Park Village – Pedestrian Crossing

Considered was a report (Communication #76) dated July 8, 2014 from the Engineering Department to provide City Council with background information in respect to a pedestrian crossing at the intersection of Thatcher Drive and 11th Ave. N.W.

479 Moved by Coun. Eby
THAT report (Communication #76) dated July 8, 2014 from the Engineering Department be received and filed.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

480 Moved by Coun. Swanson, 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

Personnel Committee – June 23, 2014

481 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Personnel Committee dated June 23, 2014 be taken as read.

Carried.

Executive Committee – July 7, 2014

482 Moved by Coun. Eby, seconded by Coun. Mitchell
THAT the report of the Executive Committee dated July 7, 2014 be taken as read.

Carried.

The report of the Personnel Committee dated June 23, 2014 and the Executive Committee dated July 7, 2014 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Personnel Committee

488 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT the report of the Personnel Committee dated June 23, 2014 be received and adopted.
Carried.

Report of the Executive Committee

489 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Executive Committee dated July 7, 2014 be received and adopted.
Vote Delayed by Procedure.

Councillor Swanson requested a second vote on the following motions from the July 7, 2014 Executive Committee meeting:

Re: Property Maintenance & Nuisance Bylaw

490 *“THAT the City Clerk/Solicitor bring forward proposed Bylaw No. 5484, Property Maintenance & Nuisance Bylaw as outlined in report dated June 27, 2014.”*
Carried.

Re: Urban Highway Connector Program

Councillor Eby left the meeting at 8:08 p.m.

491 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the matter of the Urban Highway Connector Program be tabled to Executive Committee pending a report detailing the projected operating and maintenance costs (operating and capital) and the long-term capital liabilities the City will be assuming.

Councillor Eby returned to the meeting at 8:09 p.m.

Councillor Swanson requested a recorded vote on the tabling motion.

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

FOR:

AGAINST:

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

The Tabling Motion was Carried.

Re: Request for Proposals for Redevelopment of the Natatorium/Phyllis Dewar Outdoor Pool

Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the option of the developer demolishing the outdoor pool and using the footprint of the outdoor pool for redevelopment (other than for redevelopment of the outdoor pool) be deleted from the RFP for Natatorium redevelopment.

Councillor Luhning left the meeting at 8:21 p.m.
Councillor Luhning returned to the meeting at 8:22 p.m.

Councillor Swanson requested a recorded vote on the motion.

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

<u>FOR:</u>	<u>AGAINST:</u>
Coun. Swanson	Coun Eby
Coun. Luhning	Coun. Boyle
	Mayor Higgins
	Coun. Kirkpatrick
	Coun. Mitchell

The Motion was Defeated.

The balance of the minutes were received and adopted.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Parks and Recreation Advisory Committee

Coun. Eby reported on the minutes of the Parks and Recreation Advisory Committee meeting held on June 19, 2014.

Re: Part 4 – Resignation of Gene Rizak from the Parks and Recreation Advisory Committee – Email dated June 4, 2014

492 Moved by Coun. Eby, seconded by Coun. Boyle
THAT Gene Rizak’s resignation from the Parks and Recreation Advisory Committee be accepted, effective immediately and that a letter of thanks be sent to Mr. Rizak.
Carried.

Re: Part 7 – Rosedale Cemetery Outdoor Columbarium Niche and Scattering Garden Memorialization Rates report dated June 3, 2014

493 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the Columbarium Niche and Scattering Garden Memorialization rates be amended as outlined in report dated June 3, 2014 from the Parks and Recreation Department, effective upon approval of City Council for 2014, July 1, 2015 and July 1, 2016.
Carried.

Disposition of Report

494 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Parks and Recreation Advisory Committee meeting held on June 19, 2014 be received as presented.
Carried.

Municipal Planning Commission

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on June 24, 2014.

**Re: Part 3 – Proposed Subdivision – Iron Bridge Estates
Part of Lot 26 and Consolidation with Lots 25, Plan 102046216
188 and 192 Iron Bridge Drive
Moose Jaw, SK**

495 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Proposed Plan of Subdivision of Part of Lot 26 and consolidation with Lot 25, Iron Bridge, Plan 102046216, be approved subject to the following condition:

1. 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.

Carried.

**Re: Part 4 – Proposed Subdivision
Part of Parcel B, Plan 76MJ16918
NE ¼ Sec 7-17-26-2
Moose Jaw, SK**

496 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the Proposed Plan of Subdivision of Part of Parcel B, Plan 76MJ16918, be approved subject to the following condition:

1. 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.

Carried.

**Re: Part 5 – Application to Rezone Lands
Lot 18, Block 174, Plan No. OLD96 Ext. 0
Lot 19, Block 174, Plan No. OLD96 Ext. 77
47 Home Street East**

497 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the application for rezoning of Lot 18, Block 174, Plan No. OLD96 Ext. 0 and
Lot 19, Block 174, Plan No. OLD96 Ext. 77, civically known as 47 Home Street East,
be denied at this time.

Carried.

**Re: Part 6 – Building Condominium Plan
944 Montgomery Street
Lot 70, Block 22, Plan 102092071
Moose Jaw, SK**

498 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the City Clerk, on behalf of the City of Moose Jaw, in accordance with Section
10(5)(a-d) of *The Condominium Property Act (1993)*, be authorized to execute Form B
for Lot 70, Block 22, Plan 102092071 in the SE ¼ Sec. 6, Twp. 16, Rge. 26, W2 Mer.,
civically known as 944 Montgomery Street, Moose Jaw, Saskatchewan; and

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

Carried.

Disposition of Report

499 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the report of the Municipal Planning Commission meeting held on June 24, 2014
be received as presented.

Carried.

Heritage Advisory Committee

500 Moved by Coun. Swanson, seconded by Coun. Eby
THAT Mr. Ira Dales, Chair of the Heritage Advisory Committee, be allowed to present
the July 3, 2014 minutes of the Heritage Advisory Committee special meeting.

Carried.

Mr. Ira Dales, Chair of the Heritage Advisory Committee, addressed members of City
Council.

Re: Part 2 – Sign at Timothy Eaton’s Building – 500 Main Street North

501 Moved by Coun. Swanson, seconded by Coun. Kirkpatrick
THAT the request from Moose Jaw Non-Profit Housing Corporation for permission to
place signage on the Timothy Eaton’s Building, a Municipal Heritage Designated
property, be denied.

Carried.

Disposition of Report

502 Moved by Coun. Swanson, seconded by Coun. Mitchell
THAT the report of the Heritage Advisory Committee special meeting held on July 3, 2014 be received as presented. Carried.

Heritage Advisory Committee

503 Moved by Coun. Swanson, seconded by Coun. Boyle
THAT Mr. Ira Dales, Chair of the Heritage Advisory Committee, be allowed to present the July 9, 2014 minutes of the Heritage Advisory Committee meeting. Carried.

Mr. Ira Dales, Chair of the Heritage Advisory Committee, addressed members of City Council.

Re: Part 5.1 – Walter Scott Building

504 Moved by Coun. Swanson, seconded by Coun. Eby
THAT approval be granted to the application to remove or repair, as necessary, the cornice on the Walter Scott building that is required for safety reasons; and

THAT approval be granted to 101192551 Sask. Ltd. being required to submit new plans for the Walter Scott building cornice repair or replacement, in kind, within six months from the building permit approval date; and

THAT 101192551 Sask. Ltd. be required to adhere to the Standards and Guidelines for the Conservation of Historic Places in Canada; and further

THAT the use of flat prefinished metal clad to replace the existing cornice on the Walter Scott building, be denied. Carried.

Re: Part 7.1 – Main Street Saskatchewan Program

505 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT approval be granted for City Administration to forward an application to the Government of Saskatchewan for the Main Street Saskatchewan Program.

Vote Delayed by Referral Motion.

505a Moved by Coun. Mitchell, seconded by Coun. Luhning
THAT the Government of Saskatchewan Main Street Program application be referred to City Administration for a report to Executive Committee for review and consideration.

The Referral Motion was Carried.

Disposition of Report

506 Moved by Coun. Swanson, seconded by Coun. Luhning
THAT the report of the Heritage Advisory Committee meeting held on July 9, 2014 be received as presented. Carried.

GIVING NOTICE

Nil.

MOTIONS

Re: West Park Village – Pedestrian Crossing

507 Moved by Coun. Boyle, seconded by Coun. Eby
THAT City Administration is directed to install a solar panel pedestrian crosswalk at the intersection of 11th Ave. N.W. and Thatcher Dr.; and

THAT the source of funding come from the off-site levies account for West Park Village.

Vote Delayed by Amendment.

507a Amendment Moved by Coun. Swanson, seconded by Coun. Boyle
THAT the motion be amended by deleting the words “solar panel”.

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

The motion, as amended, reads as follows:

“THAT City Administration is directed to install a pedestrian crosswalk at the intersection of 11th Ave. N.W. and Thatcher Dr.; and

THAT the source of funding come from the off-site levies account for West Park Village.”

BYLAWS

Introduction of Bylaw:

#5486 – Zoning Amendment Bylaw 2014 (3)

508 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Deputy Mayor, Councillor Boyle, be allowed to introduce **Bylaw No. 5486, ZONING AMENDMENT BYLAW 2014 (3)**.

Carried.

508a Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5486 be now read a first time.

Carried.

508b Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5486 be now read a second time.

Carried.

508c Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Boyle to consider Bylaw No. 5486.

Carried.

508d 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. 5486, ZONING AMENDMENT BYLAW 2014 (3)** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Boyle
Chairperson

508e Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.

Carried.

508f Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5486 be submitted for Third reading forthwith.

Carried Unanimously.

508g Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5486 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Introduction of Bylaw:

#5487 – Official Community Plan Amendment Bylaw 2014

- 509 Moved by Coun. Eby, seconded by Coun. Luhning
THAT the Deputy Mayor, Councillor Boyle, be allowed to introduce **Bylaw No. 5487, OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2014.** Carried.
- 509a Moved by Coun. Luhning, seconded by Coun. Eby
THAT Bylaw No. 5487 be now read a first time. Carried.
- 509b Moved by Coun. Eby, seconded by Coun. Luhning
THAT Bylaw No. 5487 be now read a second time. Carried.
- 509c Moved by Coun. Luhning, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Boyle to consider Bylaw No. 5487. Carried.
- 509d 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. 5487, OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2014** begs to report that the Bylaw passed this Committee without amendment.
(Sgd). Coun. Boyle
Chairperson
- 509e Moved by Coun. Eby, seconded by Coun. Luhning
THAT the report of the Committee of the Whole be received and adopted. Carried.
- 509f Moved by Coun. Luhning, seconded by Coun. Eby
THAT Bylaw No. 5487 be submitted for Third reading forthwith. Carried Unanimously.
- 509g Moved by Coun. Eby, seconded by Coun. Luhning
THAT Bylaw No. 5487 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed. Carried.

Consideration/3rd Reading of Bylaw:

#5479 – Procedure Amendment Bylaw 2014

510 Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5479 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed. Carried.

Consideration/3rd Reading of Bylaw:

#5480 – Remuneration Amendment Bylaw 2014

511 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5480 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed. Carried.

ENQUIRIES

Councillor Swanson asked a verbal enquiry regarding the outstanding item list, which
was answered by City Administration.

Councillor Swanson rose on a Point of Privilege regarding Enquiry #31 of 2013
regarding water main breaks.

Councillor Boyle asked a verbal enquiry regarding the removal of the rubble from the
fire at 1st Avenue N.W. and High St. W., which was answered by City Administration.

Councillor Mitchell asked a verbal enquiry regarding local improvement projects,
which was answered by City Administration.

Councillor Swanson asked a verbal enquiry in addition to Councillor Mitchell's enquiry
respecting local improvement programs scheduled to be completed in 2012, 2013 and
2014, which was answered by City Administration.

RESPONSES TO WRITTEN "ANSWERS TO ENQUIRIES"

Nil.

The meeting adjourned at 9:59 p.m.

MAYOR

CITY CLERK