

Regular Meeting of City Council held on Monday, July 22, 2013 in Council Chambers, City Hall.

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

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Councillor Mitchell rose to acknowledge MOTIF held in Moose Jaw on July 12 – 14, 2013. He congratulated and thanked the many volunteers and groups who contributed to making the event a success. Also, a special acknowledgement to Mary Tkach Vangsnes, Board Chair of MOTIF.

Mayor Higgins rose to acknowledge the Saskatchewan Festival of Words held July 18 – 21, 2013. The event is a four day celebration of written and spoken words. She thanked and acknowledged the Board of Directors and the Executive Director, Donna Lee Howes.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of July 8, 2013
Regular Meeting of City Council**

509 Moved by Coun. Boyle, seconded by Coun. Luhning
THAT the minutes of the regular meeting of City Council held on Monday, July 8, 2013, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

Communication #67 – Decisions of the Development Appeals Board

Considered was a report (Communication #67) dated July 17, 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 July 16, 2013.

Moved by Coun. Eby

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

{ 11 – 2013 } Cliff and Sharon Penner
1034 Chestnut Avenue

{ 12 – 2013 } Brock Craik
330 Hall Street West

Carried.

**Communication #68 – Temporary Street Closure Request for Farmer’s Market
Wednesdays – July 24 – August 28, 2013
(7:00 a.m. to 1:30 p.m.)**

Considered was an email (Communication #68) dated July 17, 2013 from Mr. Todd Gray, River Street Farmer’s Market, requesting permission to temporary close River Street West from Main Street to the back lane to accommodate a Farmer’s Market.

Moved by Coun. Mitchell

512 THAT Mr. Todd Gray, River Street Farmer’s Market, be allowed to address members of City Council.

Carried.

Mr. Todd Gray, River Street Farmer’s Market, addressed members of City Council.

Moved by Coun. Mitchell

513 THAT permission be granted to the Farmer’s Market to be held every Wednesday, commencing July 24, 2013 through to August 28, 2013 from 7:00 a.m. until 1:30 p.m. and subsequently to close the 0 Block of River Street West from Main Street to the back lane, subject to the following specific conditions:

- (a) The Farmer’s Market is responsible for ensuring that all intersections are properly barricaded and manned for traffic control and that all barricades are properly setup, manned and promptly removed following the event;
- (b) The Farmer’s Market must ensure that all abutting businesses are aware of the event and the temporary closure of affected streets; and

- (c) The Farmer's Market is responsible for directing vehicular traffic and controlling the affected intersections and complying with any additional requirements that may be imposed by the City Engineer and the Chief of Police regarding traffic safety; and
- (d) The Farmer's Market must provide access for emergency vehicles; and
- (e) The Farmer's Market is responsible for street cleaning and garbage/debris pick up prior to the street being reopened for vehicular traffic; and
- (f) The Farmer's Market obtaining all required approvals from Public Health; and
- (g) The Farmer's Market must obtain public liability insurance at a minimum of two million dollars, with a deductible satisfactory to the City of Moose Jaw. Evidence of the additional insurance (adding the Wednesday Farmer's Market to the existing insurance) must be provided to the Engineering Department prior to the event; and
- (h) All costs must be borne by the promoters; and further

THAT the Engineering Department be authorized to proceed with any action deemed necessary to facilitate the event.

Carried.

Communication #69 – Mosaic Place and Yara Centre – Monthly Update

Considered was a report (Communication #69) dated July 15, 2013 from the Director of Parks and Recreation to submit to City Council the monthly update on Mosaic Place and Yara Centre.

Moved by Coun. Luhning

514 THAT report (Communication #69) dated July 15, 2013 from the Director of Parks and Recreation be received and filed.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Coun. Swanson, seconded by Coun. Mitchell

515 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 – July 8, 2013

Moved by Coun. Kirkpatrick, seconded by Coun. Boyle

516 THAT the report of the Executive Committee dated July 8, 2013 be taken as read.

Carried.

The report of the Executive Committee dated July 8, 2013 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee

522 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Executive Committee dated July 8, 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 8, 2013 Executive Committee meeting:

523 *“THAT Praxis Research/Strategy be sole sourced for \$22,000 to perform a community survey to be delivered to the City of Moose Jaw by August 31, 2013; and*

THAT City Administration be authorized to proceed with the engagement immediately.”

Carried.

The balance of the minutes were received and adopted.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Heritage Advisory Committee

Coun. Swanson reported on the minutes of the Heritage Advisory Committee meeting held on July 10, 2013.

Re: Part 5 – Application for Alterations to 303 High Street West (former Chinese United Church)

524 Moved by Coun. Swanson, seconded by Coun. Kirkpatrick
THAT approval be granted to the proposed interior alterations, as submitted by Gary Power, to the former Chinese United Church located at 303 High Street West.

Carried.

Disposition of Report

525 Moved by Coun. Swanson, seconded by Coun. Eby
THAT the report of the Heritage Advisory Committee meeting held on July 10, 2013 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Nil.

BYLAWS

Introduction of Bylaw:

#5452 – Zoning Amendment Bylaw, 2013 (No. 9)

526 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the Deputy Mayor, Councillor Boyle, be allowed to introduce **Bylaw No. 5452, ZONING AMENDMENT BYLAW, 2013 (NO. 9)**.

Carried.

526a Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT Bylaw No. 5452 be now read a first time.

Carried.

526b Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5452 be now read a second time.

Carried.

526c Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Boyle to consider Bylaw No. 5452.

Carried.

526d 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. 5452, ZONING AMENDMENT BYLAW, 2013 (NO. 9)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Boyle
Chairperson

526e Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.

Carried.

526f Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT Bylaw No. 5452 be submitted for Third reading forthwith.

Carried Unanimously.

526g Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5452 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Introduction of Bylaw:

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

527 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the Deputy Mayor, Councillor Boyle, be allowed to introduce **Bylaw No. 5454, ZONING AMENDMENT BYLAW, 2013 (NO. 11).**

Carried.

527a Moved by Coun. Eby, seconded by Coun. Mitchell
THAT Bylaw No. 5454 be now read a first time.

Carried.

527b Moved by Coun. Mitchell, seconded by Coun. Eby
THAT Bylaw No. 5454 be now read a second time.

Carried.

527c Moved by Coun. Eby, 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. 5454.

Carried.

527d Moved by Coun. Luhnig
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. 5454, ZONING AMENDMENT BYLAW, 2013 (NO. 11)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Boyle
Chairperson

527e Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted.

Carried.

527f Moved by Coun. Eby, seconded by Coun. Mitchell
THAT Bylaw No. 5454 be submitted for Third reading forthwith.

Carried But Not Unanimously.

Consideration/3rd Reading of Bylaw:

#5451 – Zoning Amendment Bylaw, 2013 (No. 8)

528 Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT Bylaw No. 5451 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed. Carried.

Tabled Matter:

529 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT proposed Bylaw No. 5453 – Zoning Amendment Bylaw, 2013 (No. 10) be lifted
from the table. Carried.

Consideration/3rd Reading of Bylaw:

#5453 – Zoning Amendment Bylaw, 2013 (No. 10)

529a Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5453 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed. Carried.

ENQUIRIES

Councillor Kirkpatrick submitted the following written enquiry:

22 – 2013: Private Roads

What is the City responsible for vs. the “owner”? i.e. repairs, services, signage, etc.

Can the owner close the road if he/she desires?

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Luhning acknowledged receipt of Answer to Enquiry #18 of 2013.
Councillor Luhning acknowledged receipt of Answer to Enquiry #21 of 2013.

The meeting adjourned at 7:09 p.m.

MAYOR

CITY CLERK