

Regular Meeting of City Council held on Monday, June 9, 2014 in Council Chambers, City Hall.

PRESENT: Coun. Luhning
Coun. Kirkpatrick
Coun. Mitchell
Coun. Eby
Coun. Swanson

ABSENT: Mayor Higgins
Coun. Boyle

CALL TO ORDER

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

Re: Appointment of Acting Mayor

397 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT Coun. Swanson be appointed as Acting Mayor for this meeting only, due to the absence of Mayor Higgins.

Carried.

Re: Appointment of Acting Deputy Mayor

398 Moved by Coun. Luhning, seconded by Coun. Eby
THAT Coun. Mitchell be appointed as Acting Deputy Mayor for this meeting only, due to the absence of Mayor Higgins.

Carried.

PUBLIC ACKNOWLEDGEMENTS

Councillor Eby rose to acknowledge the South Hill Block Party and the Provincial Track and Field meet both held on June 7, 2014. She congratulated and thanked the organizers of the events for all their hard work.

Councillor Mitchell rose to acknowledge Clara Hughes, six-time Canadian Olympian, who is biking across Canada to raise awareness for mental health issues. On June 8, 2014, "Clara's Big Ride" came through Moose Jaw with activities held in Kiwanis River Park in Wakamow.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of May 20, 2014
Regular Meeting of City Council**

399 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the minutes of the regular meeting of City Council held on Tuesday, May 20, 2014, be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

Carried.

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

Communication #57 – Natatorium Structural Issues

Considered was a report (Communication #57) dated June 3, 2014 from the Parks and Recreation Department to provide City Council with an update on an Engineering review that was completed on the temporary structural shoring which supports the underside of the deck surrounding the pool basin at the Natatorium and to obtain direction from City Council with regards to repairing this structural shoring.

401 Moved by Acting Mayor Coun. Swanson
THAT reinforcement and remediation work required for the existing shoring to support the underside of the deck in the Natatorium indoor pool be awarded to Leeville Construction at a cost of \$27,127.00 plus GST; and

THAT the budget for this project be set at \$30,000; and further

THAT the funding source for this project be the Facilities Building Reserve Fund.

Carried.

Communication #58 – Request for Exemption to Bylaw No. 4922, the City of Moose Jaw’s Noise Bylaw

Considered was a report (Communication #58) dated May 23, 2014 from the City Clerk/Solicitor’s Department to present to City Council a request for an exemption to Bylaw No. 4922, the City of Moose Jaw’s Noise Bylaw.

402 Moved by Coun. Luhning
THAT anyone in the gallery wishing to address members of City Council regarding the Noise Bylaw exemption request, be allowed to do so.

Carried.

Mr. Kevin Haakenson, owner of Bobby’s Place addressed members of City Council.

403 Moved by Acting Mayor Coun. Swanson
THAT permission be granted to Mr. Robert W. Haakenson, owner of Bobby’s Place, for an exemption to the City of Moose Jaw’s Noise Bylaw No. 4922, as amended, for an outdoor event including live music being held at Bobby’s Place, 63 High Street East, Moose Jaw, SK on July 19, 2014 from 5:00 p.m. until 12:00 a.m. on July 20, 2014.

Carried.

Communication #59 – Request to have City Council Proclaim that *June* is *Brain Injury Awareness Month*

Considered was a letter (Communication #59) dated May 20, 2014 from Glenda James, Executive Director of the Saskatchewan Brain Injury Association encouraging the City of Moose Jaw to proclaim *June* as *Brain Injury Awareness Month*.

404 Moved by Acting Mayor Coun. Swanson
THAT Ms. Emilia Becker, representative of the Saskatchewan Brain Injury Association be allowed to address members of City Council respecting Brain Injury Awareness Month.

Carried.

Ms. Becker addressed members of City Council.

405 Moved by Acting Mayor Coun. Swanson
THAT the month of *June* be proclaimed as *Brain Injury Awareness Month* in the City of Moose Jaw; and

THAT all citizens be encouraged to recognize the month of June as Brain Injury Awareness Month to increase awareness of the effects and causes of acquired brain injury across Canada.

Carried.

Communication #60 – Decision of the Development Appeals Board

Considered was a report (Communication #60) dated May 12, 2014 from the Secretary, Development Appeals Board to submit to members of City Council, for their information, the Decision of the Development Appeals Board respecting an application for variance under the City of Moose Jaw's Zoning Bylaw, being Bylaw No. 5346, that was discussed and decided upon at the meeting of the Development Appeals Board held on May 20, 2014.

406 Moved by Coun. Luhnig
THAT the following Decision of the Development Appeals Board be received and filed:

{9 – 2014} Jean Pierre Berube
1213 Willow Avenue

Carried.

Tabled Matter:

407 Moved by Coun. Eby
THAT report (Communication #54) dated May 15, 2014 from the Engineering Department be lifted from the table. Carried.

Communication #54 – Department Quarterly Report – Engineering

Considered was a report (Communication #54) dated May 15, 2014 from the Director of Engineering to provide City Council with information respecting activities of the Engineering Department for the period January 1 to March 31, 2014.

408 Moved by Coun. Eby
THAT the Engineering Department Quarterly Report for the period January 1, 2014 to March 31, 2014 be received and filed. Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

409 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
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 – May 22, 2014

410 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Personnel Committee dated May 22, 2014 be taken as read. Carried.

Executive Committee – May 26, 2014

411 Moved by Coun. Eby, seconded by Coun. Luhning
THAT the report of the Executive Committee dated May 26, 2014 be taken as read. Carried.

The reports of the Personnel Committee dated May 22, 2014 and the Executive Committee dated May 26, 2014 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Personnel Committee

- 415 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Personnel Committee dated May 22, 2014 be received and adopted as originally circulated at the June 9, 2014 regular Council meeting. Carried.

Report of the Executive Committee

- 416 Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the report of the Executive Committee dated May 26, 2014 be received and adopted. Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Youth Advisory Committee

Acting Mayor Coun. Swanson reported on the minutes of the Youth Advisory Committee meeting held on May 20, 2014.

- 417 Moved by Acting Mayor Coun. Swanson, seconded by Coun. Eby
THAT the report of the Youth Advisory Committee meeting held on May 20, 2014 be received as presented. Carried.

Cultural Diversity Advisory Committee

Coun. Mitchell reported on the minutes of the Cultural Diversity Advisory Committee meeting held on May 21, 2014.

- 418 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Cultural Diversity Advisory Committee meeting held on May 21, 2014 be received as presented. Carried.

Municipal Planning Commission

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on May 27, 2014.

**Re: Part 3 – Proposed Subdivision of
Parcel D, Plan No. 102150379
Moose Jaw, SK**

419 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Proposed Plan of Subdivision of Parcel D, Grandview, Plan No. 102150379 be approved subject to the following conditions:

1. THAT the subdivision review process be completed by City Administration and that no negative comments are received; and
2. 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
3. THAT all water, sanitary, storm and traffic related infrastructure be designed and constructed to the satisfaction of the Director of Engineering Services; and
4. THAT the developer be responsible for all costs associated with construction and completion of the Municipal Reserve Land; and
5. 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

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.

Vote Delayed by Procedure.

On the request of Acting Mayor Coun. Swanson, the presiding officer being satisfied that the motion contained distinct propositions directed that a separate vote take place as follows:

419a *“THAT the Proposed Plan of Subdivision of Parcel D, Grandview, Plan No. 102150379 be approved subject to the following conditions:*

1. *THAT the subdivision review process be completed by City Administration and that no negative comments are received; and*
2. *THAT all water, sanitary, storm and traffic related infrastructure be designed and constructed to the satisfaction of the Director of Engineering Services; and*

3. *THAT the developer be responsible for all costs associated with construction and completion of the Municipal Reserve Land; and*
4. *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*

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.

419b

“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.”

Carried.

**Re: Part 4 – Proposed Subdivision
Part of Parcel A, Plan 102019115
West Park Phase 4**

420

Moved by Coun. Mitchell, seconded by Coun. Eby

THAT the Proposed Plan of Subdivision respecting a Part of Parcel A, Plan 102019115, be approved subject to:

1. No negative comments being received; 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*; and further

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

Carried.

- Re: Part 5 – 1. Proposed Zoning Bylaw Amendment
Rezoning 93 Diefenbaker Drive from M3 Mixed Use Business
Park Industrial District to C3 Vehicle-Oriented Commercial
District; and**
- 2. Proposed Amendment to the Official Community Plan – Future
Land Use Map**

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick

421

1. THAT City Administration be authorized to commence rezoning procedures respecting:

- a. Lot 4, Block 1, Plan 84MJ02724 from M3 Mixed Use Business Park Industrial District to C3 Vehicle-Oriented Commercial District as shown on the sketch attached to the Municipal Planning Commission minutes dated May 27, 2014; and

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 City of Moose Jaw.

2. THAT City Administration be authorized to commence procedures to amend the Official Community Plan – Future Land Use Map as shown in the sketch attached to the Municipal Planning Commission minutes dated May 27, 2014; and

THAT the City Solicitor be authorized to prepare the necessary amendments to Bylaw No. 5345, the Official Community Plan; and further

THAT all expenses incurred by this application be borne by the City of Moose Jaw.

Carried.

Disposition of Report

Moved by Coun. Mitchell, seconded by Coun. Eby

422

THAT the report of the Municipal Planning Commission meeting held on May 27, 2014 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Nil.

BYLAWS

Introduction of Bylaw:

#5481 – City of Moose Jaw Pension Plan Amendment Bylaw, 2014

423 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the Acting Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5481, CITY OF MOOSE JAW PENSION PLAN AMENDMENT BYLAW, 2014.**

Carried.

423a Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5481 be now read a first time.

Carried.

423b Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5481 be now read a second time.

Carried.

423c Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Acting Deputy Mayor, Coun. Mitchell to consider Bylaw No. 5481.

Carried.

423d 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. 5481, CITY OF MOOSE JAW PENSION PLAN AMENDMENT BYLAW, 2014** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Mitchell
A/Chairperson

423e Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.

Carried.

423f Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5481 be submitted for Third reading forthwith.

Carried But Not Unanimously.

Introduction of Bylaw:

#5482 – Dog Bylaw Amendment 2014 (No. 2)

- 424 Moved by Coun. Luhning, seconded by Coun. Eby
THAT the Acting Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5482, DOG BYLAW AMENDMENT 2014 (NO. 2)**.
Carried.
- 424a Moved by Coun. Eby, seconded by Coun. Luhning
THAT Bylaw No. 5482 be now read a first time.
Carried.
- 424b Moved by Coun. Luhning, seconded by Coun. Eby
THAT Bylaw No. 5482 be now read a second time.
Carried.
- 424c Moved by Coun. Eby, seconded by Coun. Luhning
THAT we now go into Committee of the Whole under the Chairmanship of Acting Deputy Mayor, Coun. Mitchell to consider Bylaw No. 5482.
Carried.
- 424d Moved by Coun. Luhning
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. 5482, DOG BYLAW AMENDMENT 2014 (NO. 2)** begs to report that the Bylaw passed this Committee without amendment.
(Sgd). Coun. Mitchell
A/Chairperson
- 424e Moved by Coun. Luhning, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted.
Carried.
- 424f Moved by Coun. Eby, seconded by Coun. Luhning
THAT Bylaw No. 5482 be submitted for Third reading forthwith.
Carried Unanimously.
- 424g Moved by Coun. Luhning, seconded by Coun. Eby
THAT Bylaw No. 5482 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.
Carried.

Introduction of Bylaw:

#5483 – Dangerous Dog Bylaw Amendment 2014

- 425 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the Acting Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5483, DANGEROUS DOG BYLAW AMENDMENT 2014.** Carried.
- 425a Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5483 be now read a first time. Carried.
- 425b Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5483 be now read a second time. Carried.
- 425c Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Acting Deputy Mayor, Coun. Mitchell to consider Bylaw No. 5483. Carried.
- 425d Moved by Coun. Kirkpatrick
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. 5483, DANGEROUS DOG BYLAW AMENDMENT 2014** begs to report that the Bylaw passed this Committee without amendment.
(Sgd). Coun. Mitchell
A/Chairperson
- 425e Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted. Carried.
- 425f Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5483 be submitted for Third reading forthwith. Carried Unanimously.
- 425g Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5483 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed. Carried.

Introduction of Bylaw:

#5485 – 2014 Traffic Bylaw Amendment (No. 5)

426 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the Acting Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5485, 2014 TRAFFIC BYLAW AMENDMENT (NO. 5)**.

Carried.

426a Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5485 be now read a first time.

Carried.

426b Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT Bylaw No. 5485 be now read a second time.

Carried.

426c Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Acting Deputy Mayor, Coun. Mitchell to consider Bylaw No. 5485.

Carried.

426d 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. 5485, 2014 TRAFFIC BYLAW AMENDMENT (NO. 5)** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Mitchell
A/Chairperson

426e Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the report of the Committee of the Whole be received and adopted.

Carried.

426f Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5485 be submitted for Third reading forthwith.

Carried Unanimously.

426g Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT Bylaw No. 5485 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 when construction can be expected to begin for the Off-Leash Dog Park and the Bicycle Skills Park, which was answered by City Administration.

Councillor Eby asked a verbal enquiry regarding how the petition regarding speed bumps on Valleyview Drive is coming to Council, which was answered by City Administration.

Councillor Luhning submitted the following written enquiry:

9 – 2014: Status of Road Condition

“1100 block 13th Ave. N.W. – end of Carleton 700 block Athabasca W.”

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Nil.

The meeting adjourned at 7:47 p.m.

MAYOR

CITY CLERK