

Regular Meeting of City Council held on Monday, March 25, 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 March 11, 2013
Regular Meeting of City Council**

198 Moved by Coun. Kirkpatrick, seconded by Coun. Luhnig
THAT the minutes of the regular meeting of City Council held on Monday, March 11, 2013, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

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

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

Communication #30 – Moose Jaw Public Library Report 2012

Considered was a letter (Communication #30) dated March 12, 2013 from Ms. Karon Selzer, Head Librarian, Moose Jaw Public Library, to present to City Council the 2012 Moose Jaw Public Library report.

200 Moved by Coun. Eby
THAT Mr. Terry Gabel, Chairperson of the Moose Jaw Public Library Board, be allowed to present the 2012 Moose Jaw Public Library Annual Report. Carried.

Mr. Terry Gabel, Chairperson, and Ms. Karon Selzer, Head Librarian of the Moose Jaw Public Library, addressed members of City Council.

201 Moved by Coun. Kirkpatrick
THAT Communication #30, being a letter dated March 12, 2013 from Ms. Karon Selzer, Head Librarian, Moose Jaw Public Library, with respect to the 2012 Moose Jaw Public Library Report, be received and filed.

Carried.

Communication #31 – Request to Address City Council regarding Mercury Pollution in Thunder Creek and the Moose Jaw River

Considered was a letter (Communication #31) dated March 18, 2013 from Mr. Lorne Elkin, Citizen, requesting permission to address members of City Council regarding mercury pollution in Thunder Creek and the Moose Jaw River.

202 Moved by Mayor Higgins
THAT Mr. Lorne Elkin, Citizen, be allowed to address members of City Council regarding mercury pollution in Thunder Creek and the Moose Jaw River.

Carried.

Mr. Lorne Elkin, citizen, addressed members of City Council.

203 Moved by Coun. Kirkpatrick
THAT letter dated March 18, 2013 from Mr. Lorne Elkin, citizen, and the subsequent report, be referred to the Engineering consultant on the CPR Dam project and to the Wakamow Advisory Committee for comment and advice.

Carried.

Communication #32 – Decisions of the Development Appeals Board

Considered was a report (Communication #32) dated March 21, 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 March 19, 2013.

204 Moved by Coun. Eby
THAT the following Decisions of the Development Appeals Board be received and filed:

{5 – 2013} Civic Centre Plaza Inc.
1251 Main Street North

{6 – 2013} HD Drake Builders
3 Wellington Place

Carried.

Communication #33 – Background Information – Notice of Motion – Property Acquisition – 105 High St. W. and 122 – 1st Ave. N.W.

Considered was a report (Communication #33) dated March 21, 2013 from the City Manager to provide City Council with additional information with respect to the Notice of Motion being introduced regarding the property acquisition on 105 High St. W. and 122 – 1st Ave. N.W.

205 Moved by Mayor Higgins
THAT report (Communication #33) dated March 21, 2013 from the City Manager be received and filed.

Carried.

Communication #34 – Initial Application for Title under *The Tax Enforcement Act*

Considered was a report (Communication #34) dated March 12, 2013 from the Financial Services Department to obtain the authorization of City Council for the submission of the initial application for title to various properties covered under Tax Liens registered with ISC Land Registry.

206 Moved by Coun. Luhning
THAT authorization be and is hereby granted to make initial application for tax title pursuant to the provisions of the *Tax Enforcement Act* in respect to the list of properties attached to Communication #34.

Carried.

Communication #35 – Mosaic Place and Yara Centre – Monthly Update

Considered was a report (Communication #35) dated March 19, 2013 from the Director of Parks and Recreation to submit to City Council the monthly update on Mosaic Place and Yara Centre.

207 Moved by Coun. Boyle
THAT report (Communication #35) dated March 19, 2013 from the Director of Parks and Recreation, be received and filed.

Carried.

Communication #36 – Sole Source Purchase of Ultraviolet (UV) Lamps for Wastewater Treatment Plant

Considered was a report (Communication #36) dated March 20, 2013 from the Engineering Department to request City Council's approval for purchasing UV lamps for the Wastewater Treatment Plant through sole sourcing.

208 Moved by Coun. Eby
THAT the sole source contract for purchasing Trojan UV lamps be awarded to EDA Environmental Ltd. for the amount of \$32,760 plus taxes in 2013.

Carried.

Communication #37 – Request for the City of Moose Jaw to be the Endorsing Partner for the Healthy Active Living Committee’s Community Initiatives Fund Physical Activity Grant

Considered was a report (Communication #37) dated March 20, 2013 from the Parks and Recreation Department to obtain City Council’s approval for the City to be the endorsing partner for the Healthy Active Living Committee’s “Communities Get Active” project application for the Community Initiatives Fund (CIF) Physical Activity Grant in the amount of \$17,500.

209 Moved by Coun. Boyle
THAT the City of Moose Jaw be the endorsing partner for the Healthy Active Living Committee’s “Communities Get Active” project application for a Community Initiatives Fund (CIF) Physical Activity Grant in the amount of \$17,500.00; and

THAT the Mayor and City Clerk be authorized to sign the attached Declaration of Endorsement form (Page 8) of the application Healthy Active Living Committee’s “Communities Get Active” project – Community Initiatives Fund (CIF) – Physical Activity Grant in the amount of \$17,500.00.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Budget Committee

211 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Budget Committee dated March 18, 2013 be taken as read.

Carried.

Executive Committee

212 Moved by Coun. Luhning, seconded by Coun. Boyle
THAT the report of the Executive Committee dated March 18, 2013 be taken as read.

Carried.

The report of the Budget Committee dated March 18, 2013 and the report of the Executive Committee dated March 18, 2013 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Budget Committee

222 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT the report of the Budget Committee dated March 18, 2013 be received and adopted.
Carried.

Report of the Executive Committee

223 Moved by Coun. Luhnig, seconded by Coun. Eby
THAT the report of the Executive Committee dated March 18, 2013 be received and adopted.
Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Housing Advisory Committee

Councillor Mitchell reported on the minutes of the Housing Advisory Committee meeting held on March 13, 2013.

224 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the report of the Housing Advisory Committee meeting held on March 13, 2013 be received as presented.
Carried.

Heritage Advisory Committee

Councillor Swanson reported on the minutes of the Heritage Advisory Committee meeting held on March 13, 2013.

225 Moved by Coun. Swanson, seconded by Coun. Luhnig
THAT the report of the Youth Advisory Committee meeting held on March 13, 2013 be received as presented.
Carried.

Special Needs Advisory Committee

Councillor Swanson reported on the minutes of the Special Needs Advisory Committee meeting held on March 13, 2013.

226 Moved by Coun. Swanson, seconded by Coun. Eby
THAT the report of the Special Needs Advisory Committee meeting held on March 13, 2013 be received as presented.
Carried.

Youth Advisory Committee

Councillor Luhning reported on the minutes of the Youth Advisory Committee meeting held on March 14, 2013.

- 227 Moved by Coun. Luhning, seconded by Coun. Boyle
THAT the report of the Youth Advisory Committee meeting held on March 14, 2013 be received as presented. Carried.

Economic Development Commission

Mayor Higgins reported on the minutes of the Economic Development Commission meeting held on March 14, 2013.

Re: Part 6 – Investment Attraction Sub-Committee Report

- 228 Moved by Mayor Higgins, seconded by Coun. Eby
THAT the Grayson Business Park Pilot Program be extended to include the remainder of the serviced lots in Grayson Business Park (18 lots described on the fact sheet attached to the March 14, 2013 Economic Development Commission minutes) with the following change:

“THAT any commission to be paid to a realtor be calculated on the “sales side” of the transaction (defined as 50% of the total sale price, not including the development levy); and

THAT the rate of commission paid be 2.5% on the first \$100,000 and 1.5% on the balance of the total sale price of the lot, excluding the development levy. All other policies, terms and conditions shall remain “as is” excluding the policies on the first Pilot Project’s two-year tax exemption.

Carried.

- 229 Moved by Mayor Higgins, seconded by Coun. Boyle
THAT the price of each of the lots for sale be approved as provided by the third party appraiser’s report, as per the Hellings Appraisal report dated January 7, 2013 (attached to the March 14, 2013 Economic Development Commission minutes).

Carried.

Disposition of Report

- 230 Moved by Mayor Higgins, seconded by Coun. Kirkpatrick
THAT the report of the Economic Development Commission meeting held on March 14, 2013 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Re: Property Acquisition – 105 High St. W. & 122 – 1st Avenue N. W.

231 Moved by Coun. Swanson, seconded by Coun. Eby
THAT any negotiations with respect to resolutions 651b and 652 dated September 17,
2012 be discontinued and the matter closed with no further action taken.

Carried.

BYLAWS

Introduction of Bylaw:

#5440 – 2013 Traffic Bylaw Amendment (No. 2)

232 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the Deputy Mayor, Councillor Mitchell, be allowed to introduce **Bylaw No. 5440,**
2013 TRAFFIC BYLAW AMENDMENT (NO. 2).

Carried.

232a Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5440 be now read a first time.

Carried.

232b Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5440 be now read a second time.

Carried.

232c Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Deputy
Mayor, Coun. Mitchell to consider Bylaw No. 5440.

Carried.

232d 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. 5440, 2013 TRAFFIC BYLAW**
AMENDMENT (NO. 2), begs to report that the Bylaw passed this Committee without
amendment.

(Sgd). Coun. Mitchell
Chairperson

232e Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted.

Carried.

232f Moved by Coun. Eby, seconded by Coun. Luhning
THAT Bylaw No. 5440, 2013 Traffic Bylaw Amendment (No. 2), be tabled to the April 8, 2013 regular meeting of City Council.

Carried.

Consideration/3rd Reading of Bylaw:

#5438 – Zoning Amendment Bylaw 2013 (No. 3)

233 Moved by Coun. Luhning, seconded by Coun. Boyle
THAT Bylaw No. 5438 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

ENQUIRIES

Councillor Mitchell asked a verbal enquiry regarding the Mercury Control Plan for the Thunder Creek Area report dated February, 1980, which was answered by City Administration.

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

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Councillor Swanson acknowledged receipt of Enquiry #10 of 2013.
Councillor Eby acknowledged receipt of Enquiry #11 of 2013.

The meeting adjourned at 7:45 p.m.

MAYOR

CITY CLERK