

Regular Meeting of City Council held on Monday, May 4, 2015 in Council Chambers, City Hall.

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

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Councillor Luhning rose to acknowledge and congratulate Moose Jaw citizen, Ken Dalgarno, who won the First Book Award in Regina at the Saskatchewan Book Awards for his photography on the Badlands.

Councillor Eby rose to acknowledge the opening of the Moose Jaw Dog Park. The Parks and Recreation Department was acknowledged for completion of the project.

Councillor Boyle rose to acknowledge and congratulate the Moose Jaw Touch Football League who set a Guinness Book record in Moose Jaw on Saturday, May 2, 2015 for the longest played football game (62 hours). Funds raised will be donated to the Children's Wish Foundation. City of Moose Jaw employee, Bob Craig, was recognized for his involvement with the event.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of April 20, 2015
Regular Meeting of City Council**

278 Moved by Coun. Boyle, seconded by Coun. Eby
THAT the minutes of the regular meeting of City Council held on Monday, April 20, 2015, be approved and adopted. Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

279 Moved by Coun. Luhning, 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 Swanson reported that Committee of the Whole considered the following communications, delegations and petitions:

Tabled Matter:

280 Moved by Coun. Mitchell
THAT the following motions from the April 13, 2015 Executive Committee meeting be lifted from the table and considered in conjunction with Communication #43:

“THAT City Council authorize Administration to proceed with the necessary next steps to establish a non-petitionable Local Improvement Plan to cover 30% of the cost of watermain replacements in the City of Moose Jaw.”

“THAT the motion be tabled to the next meeting of Executive Committee (April 27, 2015) for debriefing and a report on the Henry Street project.”

Carried.

Communication # 33 – City of Moose Jaw’s Community Clean-Up Week

Considered was a report (Communication #33) dated April 20, 2015 from the Engineering Department to advise members of City Council of the City of Moose Jaw’s Community Clean-Up Week scheduled for May 3 – May 9, 2015.

281 Moved by Coun. Eby
THAT City Council endorse the “Community Clean-Up Week” initiative scheduled from May 3 to May 9, 2015.

Carried.

**Communication #34 – Summary Report for 2014 Assessment Appeals
Moose Jaw Board of Revision**

Considered was a report (Communication #34) dated April 17, 2015 from the City Clerk/Solicitor’s Department to provide a summary of the activities of the Moose Jaw Board of Revision in hearing appeals involving the 2014 Assessment Roll.

282 Moved by Coun. Boyle
THAT the report dated April 17, 2015 from the Secretary of the Moose Jaw Board of Revision regarding activities of Moose Jaw’s Board of Revision be received and filed.

Carried.

Communication #35 – Dust Control Program for 2015

Considered was a report (Communication #35) dated April 21, 2015 from the City Clerk/Solicitor’s Department to advise City Council as to the status of the 2015 Dust Control Program.

283 Moved by Coun. Eby
THAT City Administration be authorized to proceed with the 2015 Dust Control Program as set forth in Schedule “A” to Communication #12, being a report dated January 27, 2015 from the Engineering Department.

Carried.

**Communication #36 – Temporary Street Closure for 2015 Farmer’s Market
Wednesdays, July 8 to August 26, 2015; and
Saturdays, May 30 to October 10, 2015
(7:00 a.m. to 1:30 p.m.)**

Considered was an email (Communication #36) dated April 14, 2015 from Mr. Todd Gray requesting the City of Moose Jaw’s permission to temporarily close Langdon Crescent from Cordova Street to Athabasca Street West to accommodate the 2015 Farmer’s Market.

Moved by Coun. Mitchell

284 THAT Mr. Todd Gray be permitted to address members of City Council with respect to the 2015 Farmer’s Market request for temporary street closures.

Carried.

Mr. Gray addressed members of City Council with respect to the street closure request for the 2015 Farmer’s Market.

Moved by Mayor Higgins

285 THAT permission be granted to the Farmer’s Market to be held every Wednesday, commencing July 8 through to August 26, 2015 and every Saturday, commencing May 30 through to October 10, 2015 from 7:00 a.m. until 1:30 p.m. and subsequently to close Langdon Crescent from Cordova Street to Athabasca Street, 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 businesses along the street 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 keep the middle lane open in the event access down Langdon Crescent is needed; 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 must obtain 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 insurance must be provided to the Engineering Department a minimum of 2 weeks prior to the event; and further

(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 #37 – Decisions of the Development Appeals Board

Considered was a report (Communication #37) dated April 29, 2015 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 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 April 21, 2015.

Moved by Coun. Luhnig

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

{1 – 2015} James Forbes
1136 – 4th Avenue N.W.

{2 – 2015} Horizon Homes
1049 Athabasca Street West

{3 – 2015} Mark Krevenky
883 – 8th Avenue N.W.

Carried.

Communication #38 – Department Quarterly Report – Parks and Recreation Department

Considered was a report (Communication #38) dated April 28, 2015 from the Parks and Recreation Department to provide City Council with information respecting activities of the Department for the period January 1, 2015 to March 31, 2015.

Moved by Coun. Eby

287 THAT the Parks and Recreation Department Quarterly Report for the period January 1, 2015 to March 31, 2015 be received and filed.

Carried.

Communication #39 – Department Quarterly Report – City Clerk/Solicitor's Department

Considered was a report (Communication #39) dated April 27, 2015 from the Clerk/Solicitor's Department to provide City Council with information respecting activities of the Department for the period January 1, 2015 to March 31, 2015.

288 Moved by Coun. Mitchell
THAT the City Clerk/Solicitor's Department Quarterly Report for the period January 1, 2015 to March 31, 2015 be received and filed.

Carried.

Communication #40 – Department Quarterly Report – Fire Department

Considered was a report (Communication #40) dated May 4, 2015 from the Fire Department to provide City Council with information respecting activities of the Department for the period January 1, 2015 to March 31, 2015.

289 Moved by Coun. Kirkpatrick
THAT the Fire Department Quarterly Report for the period January 1, 2015 to March 31, 2015 be received and filed.

Carried.

Communication #41 – Crack Sealing Tender – Information on Scope Change

Considered was a report (Communication #41) from the Engineering Department to provide information to Council on a scope change to the crack sealing program.

290 Moved by Coun. Eby
THAT City Council approve the Engineering Services Department to proceed with the 2015 Crack Sealing Program.

Carried.

Communication #42 – Cast Iron Water Main Replacement Program Charter and RFP Approval

Considered was a report (Communication #42) dated May 4, 2015 from the Engineering Department to request City Council's approval for the Cast Iron Water Main Replacement – Program Charter and RFP Approval.

291 Moved by Coun. Eby
THAT the report (Communication #42) dated May 4, 2015 from the Engineering Services Department be approved as the Program Charter for the Cast Iron Water Main Replacement; and

THAT Council approve the RFP substantially in the form attached; and further

THAT the Engineering Services Department proceed with the 2015 Cast Iron Water Main Replacement Program.

Vote Delayed by Amendment.

Amendment Moved by Coun. Mitchell

THAT City Council be provided with monthly reports on the status of the Cast Iron Water Main Replacement project.

Defeated.

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

- 291a 1. THAT the report (Communication #42) dated May 4, 2015 from the Engineering Services Department be approved as the Program Charter for the Cast Iron Water Main Replacement
Carried.
- 291b 2. THAT Council approve the RFP for the Cast Iron Water Main replacement project substantially in the form attached to Communication #42 dated May 4, 2015 from the Engineering Department.
Carried.
- 291c 3. THAT the Engineering Services Department proceed with the 2015 Cast Iron Water Main Replacement Program.
Carried.

Communication #43 – Henry Street Assessment

Considered was a report (Communication #43) dated April 29, 2015 from the City Manager to provide information to Council regarding the results of the test infrastructure renewal program undertaken on the 900 block Henry Street.

Moved by Coun. Kirkpatrick

THAT Administration continue to apply technologies used on the Henry Street project where it makes economic and administrative sense to do so.

Motion Withdrawn.

The motion lifted at the beginning of Committee of the Whole was considered again as follows:

- 292 *“THAT City Council authorize Administration to proceed with the necessary next steps to establish a non-petitionable Local Improvement Plan to cover 30% of the cost of watermain replacements in the City of Moose Jaw.”*

Councillor Eby requested a recorded vote on the motion.

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

FOR

Coun. Eby
Coun. Boyle
Mayor Higgins
Coun. Kirkpatrick

AGAINST

Coun. Swanson
Coun. Mitchell
Coun. Luhning

Carried.

293 Moved by Councillor Kirkpatrick
THAT Administration continue to apply technologies used on the Henry Street project where it makes economic and administrative sense to do so.
Carried.

Councillor Boyle left the meeting at 9:04 p.m.

Councillor Boyle returned to the meeting at 9:06 p.m.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

294 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
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 – April 27, 2015

295 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated April 27, 2015 be taken as read.
Carried.

The report of the Executive Committee dated April 27, 2015 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee – April 27, 2015

301 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated April 27, 2015 be received and adopted.

Carried.

Councillor Luhning left the meeting at 9:20 p.m.

Councillor Luhning returned to the meeting at 9:22 p.m.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Environment Advisory Committee

Coun. Mitchell reported on the minutes of the Environment Advisory Committee meeting held on April 14, 2015.

302 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Environment Advisory Committee meeting held on April 14, 2015 be received as presented.

Carried.

Youth Advisory Committee

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on April 15, 2015.

303 Moved by Mayor Higgins, seconded by Coun. Boyle
THAT the report of the Youth Advisory Committee meeting held on April 15, 2015 be received as presented.

Carried.

Parks and Recreation Advisory Committee

Coun. Eby reported on the minutes of the Parks and Recreation Advisory Committee meeting dated April 15, 2015.

Re: Ice Policy Review

304 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the current Ice Policy Guidelines be approved, as amended and highlighted in the draft Ice/Non-Ice Policy attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015.

Carried.

**Re: Fees and Charges Review - Cemeteries for 2015 and 2016
Report dated April 13, 2015**

Moved by Coun. Eby, seconded by Coun. Mitchell

305 THAT the following Cemetery Fee increases and New Fees as listed below be implemented:

1. That a 10% overall increase to cemetery fees and charges be implemented effective June 1, 2015 and June 1, 2016 as outlined in the report attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015, and the attached 2015 and 2016 Proposed Cemetery Rates spreadsheet also attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015; and
2. That an additional 10% (20% overall) increase to the Opening and Closing Fee for Cremation Burials be implemented effective June 1, 2015 and June 1, 2016 as outlined in the report attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015, and the 2015 and 2016 Proposed Cemetery Rates spreadsheet also attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015; and
3. That a new Burial Vault Handling Fee of \$75 be implemented for all fiberglass burial vaults effective June 1, 2015 and June 1, 2016 as outlined in the report attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015, and the attached 2015 and 2016 Proposed Cemetery Rates spreadsheet also attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015; and further
4. That a 10% increase to the Outdoor Columbarium Niche & Scattering Garden rates be implemented effective June 1, 2015 and June 1, 2016 as outlined in the report attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015, and the attached 2015 and 2016 Proposed Outdoor Columbarium & Scattering Garden Rates spreadsheet also attached to the Parks and Recreation Advisory Committee minutes dated April 15, 2015.

Carried.

**Re: Applications from YMCA & Hillcrest Golf Re: 2015 Community Projects
Capital Grant Program**

Moved by Coun. Eby, seconded by Coun. Boyle

306 THAT funding from the 2015 Community Projects – Capital Grant Program be allocated to the following organizations for the following projects:

YMCA of Moose Jaw – Steam Room/Sauna Upgrades	6,000
Hillcrest Golf – Tee Box Repair and Flooring Replacement in Hillcrest Building	4,000
TOTAL	10,000

; and

THAT applications for the Community Projects – Capital Grant Program received after the deadline be considered based on the approved policy guidelines. This provision will be administered by the Parks and Recreation Department and will be applied only if the request cannot wait until the next annual review; and further

THAT any funding remaining at the end of 2015 be carried forward to the 2016 Community Projects – Capital Grant Program.

Carried.

Disposition of Report:

307 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Parks and Recreation Advisory Committee meeting held on April 15, 2015 be received as presented.

Carried.

Municipal Planning Commission

Coun. Kirkpatrick reported on the minutes of the Municipal Planning Commission meeting held on April 28, 2015.

**Re: Proposed Zoning Text Amendment
M4 Industrial District Photography Studio Text Amendment**

Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT City Council deny the request to amend Zoning Bylaw No. 5346 by adding the term “Photography Studios” to the list of Discretionary Uses in Section 8.4 M4 Environmental Low Service Industrial District.

Defeated.

308 Moved by Coun. Kirkpatrick, seconded by Coun. Luhnig
THAT City Administration commence procedures to amend Zoning Bylaw No. 5346 by adding the term “Photography Studios” to the list of Discretionary Uses in Section 8.4 M4 Environmental Low Service Industrial District; and

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

Carried.

**Re: Proposed Subdivision of
Parcel T, Plan No. 102050097
37 Hodges Crescent
Moose Jaw, SK**

309 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT the Proposed Plan of Subdivision of Parcel T, Plan No. 102050097, civically known as 37 Hodges Crescent, 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 the owner be responsible for all costs associated with subdivision.

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* subject to the owner being responsible for all costs associated with any servicing; and further

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

Carried.

**Re: Proposed Subdivision of
Parcel A, Plan No. 101101891
Parcel C, Plan No. Old 96
780 Home St. W
Moose Jaw, SK**

310 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the Proposed Plan of Subdivision of Parcel A, Plan No. 101101891 and Parcel C, Plan No. Old96, civically known as 780 Home St. W., be approved subject to the subdivision review process being 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.

Disposition of Report:

311 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the report of the Municipal Planning Commission meeting held on April 28, 2015 be received as amended.

Carried.

GIVING NOTICE

Councillor Mitchell rose to give notice that at the next regular meeting of City Council to be held on Tuesday, May 19, 2015, he intends to introduce the following motion:

Re: Hyperbaric Chamber at the New Regional Hospital

“WHEREAS the residents of the City of Moose Jaw through Municipal contributions are major financial partners in the new regional hospital facilities now under construction, Moose Jaw City Council urges the Saskatchewan Ministry of Health to reconsider the elimination of the hyperbaric chamber as an optional health service in Moose Jaw.

Through this motion Moose Jaw City Council joins with Moose Jaw residents, medical professionals, and emergency care workers in recognizing that the services of a hyperbaric chamber must remain accessible to residents throughout Saskatchewan. It is a life-saving facility and should be maintained.

City Council further recognizes that continuing financial support for this facility has been offered by a combination of agencies including the Five Hills Regional Health Foundation, and the Saskatchewan Firefighters Association.

THAT a letter be forwarded to the Minister of Health from the Mayor's office conveying this message of support for the hyperbaric chamber and urging reconsideration of its earlier announced exclusion from the new Five Hills hospital facility."

MOTIONS

Re: Capital Budget Item WW17, Cast Iron Water Main Replacement Program

Moved by Coun. Swanson, seconded by Coun. Mitchell

THAT there be a regular monthly report, including financial update, to Executive Committee regarding Capital Budget Item WW17, Cast Iron Water Main Replacement Program.

Defeated.

Re: Decorum in Council Chambers

Moved by Coun. Luhning, seconded by Coun. Boyle

312 THAT City Council delete the following clause from "Decorum in Council Chambers":

"No cameras, flashes or video recording equipment may be used in Council Chambers without the prior permission of the Mayor or presiding Member."

Vote Delayed by Referral Motion.

Moved by Coun. Boyle, seconded by Coun. Kirkpatrick

312a THAT the matter be referred to the Bylaw and Policy Review Committee for report back to City Council.

Carried.

Introduction of Bylaw:

#5499 – Zoning Amendment Bylaw 2015 (2)

Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell

313 THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5499 – ZONING AMENDMENT BYLAW 2015 (2)**.

Carried.

Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick

313a THAT Bylaw No. 5499 be now read a first time.

Carried.

313b Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5499 be now read a second time. Carried.

313c Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Deputy
Mayor, Coun. Swanson to consider Bylaw No. 5499. Carried.

313d 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. 5499 – ZONING
AMENDMENT BYLAW 2015 (2)** begs to report that the Bylaw passed this
Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

313e Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the report of the Committee of the Whole be received and adopted. Carried.

313f Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5499 be submitted for Third reading forthwith. Carried Unanimously.

313g Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5499 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed. Carried.

#5500 – Property Tax Bylaw, 2015

314 Moved by Coun. Boyle, seconded by Coun. Eby
THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No.
5500 – PROPERTY TAX BYLAW, 2015.** Carried.

314a Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5500 be now read a first time. Carried.

314b Moved by Coun. Boyle, seconded by Coun. Eby
THAT Bylaw No. 5500 be now read a second time. Carried.

314c Moved by Coun. Eby, seconded by Coun. Boyle
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Swanson to consider Bylaw No. 5500.

Carried.

314d 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. 5500 – PROPERTY TAX BYLAW, 2015** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

314e Moved by Coun. Boyle, seconded by Coun. Eby
THAT the report of the Committee of the Whole be received and adopted.

Carried.

314f Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5500 be submitted for Third reading forthwith.

Carried But Not Unanimously.

Consideration/3rd Reading of Bylaw:

**#5498 – City of Moose Jaw Pension Plan Amendment Bylaw, 2015
(3rd Reading)**

315 Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5498 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

ENQUIRIES

Councillor Swanson submitted the following written enquiries:

4 – 2015: Water Main Repairs and Crack Sealing

“What were the annual expenditures for water main repairs 2005 – 2014?”

What were the annual expenditures for crack sealing 2005 – 2014?”

5 – 2015: Parking Passes for the Scotties Tournament of Hearts

“How many parking passes for the Scotties were provided by City Hall and what revenue was derived?”

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES” – Nil.

PUBLIC FORUM – Nil.

The meeting adjourned at 10:50 p.m.

MAYOR

CITY CLERK