

Regular Meeting of City Council held on Monday, May 5, 2014 in Council Chambers, City Hall.

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

ABSENT: Coun. Luhnig

CALL TO ORDER

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

PUBLIC ACKNOWLEDGEMENTS

Councillor Mitchell rose to acknowledge the Moose Jaw & District Labour Council's recognition of workers injured or killed on the job. The event was held on Monday, April 28, 2014 to acknowledge and encourage safety in the workplace.

Mayor Higgins rose to acknowledge Matt Noble, City Manager, who received his 10 year pin for service in municipal government from the Canadian Association of Municipal Administrators.

Mayor Higgins rose to acknowledge the "National Day of Honour" being held on May 9, 2014 which will commemorate the end of the Afghanistan mission. This day will acknowledge the strength and sacrifices made by members of the Canadian Armed Forces in Afghanistan, and to recognize and support the friends and families of the fallen.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of April 21, 2014
Regular Meeting of City Council**

327 Moved by Coun. Swanson, seconded by Coun. Eby
THAT the minutes of the regular meeting of City Council held on Monday, April 21, 2014, be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

328 Moved by Coun. Mitchell, seconded by Coun. Boyle
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:

Communication #42 – Department Quarterly Report – Fire Services

Considered was a report (Communication #42) dated May 5, 2014 from the Fire Chief to provide City Council with the attached information outlining activities of the Fire Department for the period January 1 to March 31, 2014.

- 329 Moved by Coun. Boyle
THAT the Fire Department Quarterly Report for the period January 1, 2014 to March 31, 2014 be received and filed.
- Carried.

Communication #43 – Department Quarterly Report – City Clerk/Solicitor

Considered was a report (Communication #43) dated May 5, 2014 from the City Clerk/Solicitor to provide City Council with the attached information outlining activities of the City Clerk/Solicitor's Department for the period January 1 to March 31, 2014.

- 330 Moved by Mayor Higgins
THAT the City Clerk/Solicitor's Department Quarterly Report for the period January 1, 2014 to March 31, 2014 be received and filed.
- Carried.

Communication #44 – Department Quarterly Report – Parks and Recreation

Considered was a report (Communication #44) dated April 30, 2014 from the Director of Parks and Recreation to provide City Council with information respecting activities of the Parks and Recreation Department for the period of January 1, 2014 to March 31, 2014.

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

Communication #45 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #45) dated April 29, 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, May 20, 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.

- 332 Moved by Coun. Eby
THAT Communication #45 dated April 29, 2014 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.
- Carried.

Communication #46 – Decisions of the Development Appeals Board

Considered was a report (Communication #46) dated April 29, 2014 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 were discussed and decided upon at the meeting of the Development Appeals Board held on April 22, 2014.

Moved by Coun. Kirkpatrick

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

{5 – 2014} James Legare
801 Athabasca Street West

{6 – 2014} Vince Magee
161 Iroquois Street East

{7 – 2014} Building Solutions Apogee Inc.
129 – 3rd Avenue North East

{8 – 2014} Brett Schultz
855 Grey Avenue

Carried.

Tabled Matter:

Moved by Coun. Eby

334 THAT report (Communication #39) dated April 16, 2014 from the Human Resource Services Department be lifted from the table.

Carried.

Communication #39 – Department Quarterly Report – Human Resource Services

Again considered was a report (Communication #39) dated April 16, 2014 from the Human Resource Services Department to provide City Council with information respecting activities of the Human Resource Services Department for the period of January 1, 2014 to March 31, 2014.

Moved by Mayor Higgins

335 THAT report (Communication #39) dated April 16, 2014 from the Human Resource Services Department, be received and filed.

Carried.

Communication #47 – Department Quarterly Report – Human Resource Services

Considered was a report (Communication #47) dated April 16, 2014 from the Human Resource Services Department to provide City Council with additional information respecting activities of the Human Resource Services Department for the period of January 1, 2014 to March 31, 2014.

Moved by Mayor Higgins

336

THAT Communication #47, being the Human Resource Services Department Quarterly Report, dated April 16, 2014, for the period January 1, 2014 to March 31, 2014 be received and filed.

Carried.

Communication #48 – Request to Exempt Off-Street Parking Requirements for Lot 46, Block 110, Plan No. 99MJ06781 – 33 High Street West

Considered was a report (Communication #48) dated April 30, 2014 from the Planning and Development Services Department to obtain City Council's approval for an application by Mr. David Hinderager to exempt the entire off-street parking requirement in exchange for a payment of \$5,000 per exempted space, in association with a current building permit application to renovate the 2nd and 3rd floors of the property at 33 High Street West to develop 5 residential suites.

Moved by Coun. Mitchell

337

THAT City Council exempt the entire off-street parking requirement for Lot 46, Block 110, Old 96, Plan 99MJ06781, civically known as 33 High Street West in exchange for a payment of \$5,000 per exempted space.

Carried.

Communication #49 – City of Moose Jaw's Community Clean-Up Week

Considered was a report (Communication #49) dated April 30, 2014 from the Engineering Department to advise City Council of the City of Moose Jaw's Community Clean-Up Week scheduled for May 4 – 10, 2014.

Moved by Coun. Eby

338

THAT City Council endorse the "Community Clean-Up Week" initiative scheduled from May 4 – May 10, 2014.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

339 Moved by Coun. Eby, 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

Executive Committee – April 28, 2014

340 Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated April 28, 2014 be taken as read.

Carried.

The report of the Executive Committee dated April 28, 2014 follows:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee

346 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Executive Committee dated April 28, 2014 be received and adopted.
Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Youth Advisory Committee

Mayor Higgins reported on the minutes of the Youth Advisory Committee meeting held on April 17, 2014.

347 Moved by Mayor Higgins, seconded by Coun. Eby
THAT the report of the Youth Advisory Committee meeting held on April 17, 2014 be received as presented.
Carried.

Municipal Planning Commission

Coun. Mitchell reported on the minutes of the Municipal Planning Commission meeting held on April 22, 2014.

**Re: Part 3 – Discretionary Use Application
Proposed “Type 2 Residential Care Home”
Lots 1 & 2, Block 14, Westheath, Plan 78MJ08458
27 Brigham Road
R2 Residential District (Medium Density Residential)
(Mr. Victor Salzsauer)**

348 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Discretionary Use Application for a “Type 2 Residential Care Home” on Lots 1 & 2, Block 14, Westheath, Plan 78MJ08458 as submitted by Mr. Victor Salzsauer, be approved; and

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

Carried.

**Re: Part 4 – Discretionary Use Application
Proposed “One Unit Dwelling”
Lots 22 & 23, Block 81, Plan 101059916 and 101059916
337 – 3rd Avenue N.E.
R4 Residential District (Core Mixed Residential District)
(Mr. Rod Van Slyck)**

349 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the Discretionary Use Application for a “One Unit Dwelling” on Lots 22 & 23,
Block 81, Plan 101059905 and 101059916, be approved; and

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

Carried.

Disposition of Report

350 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the report of the Municipal Planning Commission meeting held on April 22,
2014 be received as presented.

Carried.

Transportation Services Advisory Committee

Coun. Kirkpatrick reported on the minutes of the Transportation Services Advisory
Committee special meeting held on April 23, 2014.

**Re: Part 4.3 – Email dated November 21, 2014 from Bill Elliott, Rehabilitation
Facility at YMCA, re: Request for Special Needs Parking in front of the
Natatorium (the “horseshoe”)**

Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT consideration be given to extending parking meters on both sides of Fairford
Street East, east of 2nd Avenue N.E. to 3rd Avenue N.E.

Councillor Kirkpatrick Withdrew the Motion.

Disposition of Report

351 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT the report of the Transportation Services Advisory Committee special meeting
held on April 23, 2014 be received as presented.

Carried.

GIVING NOTICE

Nil.

MOTIONS

Nil.

BYLAWS

Introduction of Bylaw:

#5475 – Dog Bylaw Amendment 2014

352 Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5475, DOG BYLAW AMENDMENT 2014.**

Carried.

352a Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5475 be now read a first time.

Carried.

352b Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5475 be now read a second time.

Carried.

352c 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. 5475.

Carried.

352d 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. 5475, DOG BYLAW AMENDMENT 2014** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

352e Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT the report of the Committee of the Whole be received and adopted.

Carried.

352f Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5475 be submitted for Third reading forthwith.

Carried Unanimously.

352g Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5475 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Introduction of Bylaw:

#5476 – Cat Bylaw Amendment 2014

353 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5476, CAT BYLAW AMENDMENT 2014.**

Carried.

353a Moved by Coun. Boyle, seconded by Coun. Eby
THAT Bylaw No. 5476 be now read a first time.

Carried.

353b Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5476 be now read a second time.

Carried.

353c Moved by Coun. Boyle, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Swanson to consider Bylaw No. 5476.

Carried.

353d Moved by Coun. Boyle
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. 5476, CAT BYLAW AMENDMENT 2014** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

353e Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Committee of the Whole be received and adopted.

Carried.

353f Moved by Coun. Boyle, seconded by Coun. Eby
THAT Bylaw No. 5476 be submitted for Third reading forthwith.

Carried Unanimously.

353g Moved by Coun. Eby, seconded by Coun. Boyle
THAT Bylaw No. 5476 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Introduction of Bylaw:

#5477 – Lane Closure Bylaw – Bradley Street and Brenda Street

354 Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5477, LANE CLOSURE BYLAW – BRADLEY STREET AND BRENDA STREET.**

Carried.

354a Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5477 be now read a first time.

Carried.

354b Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5477 be now read a second time.

Carried.

354c Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Swanson to consider Bylaw No. 5477.

Carried.

354d 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. 5477, LANE CLOSURE BYLAW – BRADLEY STREET AND BRENDA STREET** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

354e Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT the report of the Committee of the Whole be received and adopted.

Carried.

354f Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell
THAT Bylaw No. 5477 be submitted for Third reading forthwith.

Carried Unanimously.

354g Moved by Coun. Mitchell, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5477 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Introduction of Bylaw:

#5478 – Waste Management Amendment Bylaw, 2014

355 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the Deputy Mayor, Councillor Swanson, be allowed to introduce **Bylaw No. 5478, WASTE MANAGEMENT AMENDMENT BYLAW, 2014.**

Carried.

355a Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT Bylaw No. 5478 be now read a first time.

Carried.

355b Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Bylaw No. 5478 be now read a second time.

Carried.

355c Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Swanson to consider Bylaw No. 5478.

Carried.

355d 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. 5478, WASTE MANAGEMENT AMENDMENT BYLAW, 2014** begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Swanson
Chairperson

355e Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the report of the Committee of the Whole be received and adopted.

Carried.

355f Moved by Coun. Boyle, seconded by Coun. Mitchell
THAT Bylaw No. 5478 be submitted for Third reading forthwith.

Carried Unanimously.

355g Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Bylaw No. 5478 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried.

Consideration/3rd Reading of Bylaw:

#5474 – Commercial and Industrial Tax Phase In Bylaw

356 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT Bylaw No. 5474 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed.

Councillor Swanson requested a recorded vote on the motion:

Present: Mayor Higgins, Coun. Swanson, Coun. Eby, Coun. Boyle, Coun. Kirkpatrick,
Coun. Mitchell

FOR:

Coun. Eby
Coun. Boyle
Mayor Higgins
Coun. Kirkpatrick

AGAINST:

Coun. Swanson
Coun. Mitchell

Carried.

Consideration/3rd Reading of Bylaw:

#5473 – 2014 Property Tax Bylaw

357 Moved by Coun. Boyle, seconded by Coun. Eby
THAT Bylaw No. 5473 be now read a third time, adopted, signed by the Mayor and
City Clerk, dated and sealed.

Carried.

ENQUIRIES

Councillor Boyle asked a verbal enquiry regarding orders issued for derelict vehicles,
which was answered by City Administration.

Councillor Swanson made observations regarding the content of financial statements
for the Cultural Centre, Moose Jaw Museum and Art Gallery, and Tourism Moose Jaw.
He queried would it not be better if the facility costs be included in the financial
statements of these organizations?

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Council acknowledged receipt of Answer to Enquiry #29 of 2013.
Councillor Swanson acknowledged receipt of Answer to Enquiry #30 of 2013.
Councillor Swanson acknowledged receipt of Answer to Enquiry #4 of 2014.
Councillor Mitchell acknowledged receipt of Answer to Enquiry #7 of 2014.
Councillor Mitchell asked for further clarification on the response to Enquiry #7, which
City Administration agreed to provide.
Councillor Mitchell acknowledged receipt of Answer to Enquiry #8 of 2014.

The meeting adjourned at 8:00 p.m.

MAYOR

CITY CLERK

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