



MINUTES

Regular Meeting of City Council

**Monday, July 8, 2019, 5:30 p.m.
Council Chambers, 2nd Floor, City Hall**

PRESENT: Mayor Tolmie
Councillor H. Eby
Councillor D. Luhning
Councillor S. McMann
Councillor C. Froese
Councillor C. Warren
Councillor B. Swanson

1. CALL TO ORDER

Mayor Tolmie called the meeting to order at 5:30 p.m.

2. PUBLIC ACKNOWLEDGEMENTS

Mayor Tolmie rose to acknowledge the organizing committees and volunteers who organized the Canada Day celebrations, including Moose Jawg Charity Race, Cosmo Senior Citizen's Centre, Western Development Museum, Park Art and other activities in Crescent Park, all culminating in a fireworks display. Mayor Tolmie acknowledged the organizers and participants in Sidewalk Days and the return of the Saskatchewan Airshow. Mayor Tolmie recognized the Wing Commander of 15 Wing Moose Jaw, organizing committee and volunteers, thanking them for their hard work and dedication to making the Airshow a success.

Mayor Tolmie rose to acknowledge Doris O'Reilly and Colonel D. P. O'Reilly, CD, by presenting them with Honorary Citizen Awards in

recognition of the high esteem in which they are held by the people of Moose Jaw.

Councillor Eby rose to acknowledge W. Thomas Molloy, Saskatchewan's Lieutenant Governor, who passed away July 2, 2019. Council observed a moment of silence.

3. ADOPTION OF MINUTES

a. Regular City Council Meeting Minutes - June 24, 2019

Resolution #: 2019-07-08-280

Moved by Councillor Swanson

Seconded by Councillor McMann

THAT the minutes of the regular meeting of City Council held on Monday, June 24, 2019 be approved and adopted.

Carried

4. MOTION TO GO INTO THE COMMITTEE OF THE WHOLE

Resolution #: 2019-07-08-281

Moved by Councillor McMann

Seconded by Councillor Swanson

THAT we now go into the Committee of the Whole under the Chairmanship of Deputy Mayor, Councillor Luhning to deal with original communications, delegations and petitions.

Carried

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

a. Request to Address City Council – Ms. Mickey Djuric, CC-2019-0099

Resolution #: 2019-07-08-282

Moved by Councillor Eby

THAT Ms. Mickey Djuric, Editor/Reporter, Daily Jaw, be allowed to address members of City Council.

Carried

Ms. Mickey Djuric, Editor/Reporter, Daily Jaw, addressed members of City Council.

Resolution #: 2019-07-08-283

Moved by Councillor Eby

THAT Communication #CC-2019-0099, being a letter dated June 28, 2019 from Ms. Mickey Djuric, Editor/Reporter, Daily Jaw, be received and filed.

Carried

b. Notice of Development Appeals Board Meeting, CC-2019-0072

Resolution #: 2019-07-08-284

Moved by Councillor Warren

THAT Communication #CC-2019-0072 dated June 21, 2019 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried

c. Notice of Decision of the Development Appeals Board, CC-2019-0079

Resolution #: 2019-07-08-285

Moved by Councillor McMann

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

{6 – 2019} Roy Krueger

833 Ominica Street West, Moose Jaw, SK

Carried

d. Council Appointment to the Moose Jaw Public and Palliser Regional Library Boards, CC-2019-0094

Resolution #: 2019-07-08-286

Moved by Mayor Tolmie

THAT Councillor Eby be appointed to the Moose Jaw Public and Palliser Regional Library Boards for a term of office to commence immediately and to conclude December 31, 2019, or until a successor is appointed.

Carried

e. Appointments to the City of Moose Jaw's Economic Development Commission, Environment Advisory Committee and Housing Advisory Committee, CC-2019-0077

Resolution #: 2019-07-08-287

Moved by Councillor Warren

THAT Jeffrey Borden be appointed as the industry representative to the Economic Development Commission for a term of office to commence immediately and to conclude December 31, 2019.

THAT Don Mitchell be appointed as a citizen-at-large and Sean Chase be appointed as the representative from Holy Trinity Catholic Separate School Division to the Environment Advisory Committee for a term of office to commence immediately and to conclude December 31, 2019.

THAT Don Mitchell be appointed as a citizen-at-large to the Housing Advisory Committee for a term of office to commence immediately and to conclude December 31, 2019.

Carried

f. Marquee Sign Replacement Funding, CC-2019-0082

Resolution #: 2019-07-08-288

Moved by Mayor Tolmie

THAT the Moose Jaw Cultural Centre Marquee Sign Replacement Project be approved at a total cost of \$62,289.55 (plus applicable taxes and overhead); and

THAT \$24,813.05 (plus applicable taxes and overhead) be funded from the Moose Jaw Cultural Centre Large Equipment Reserve to cover the sign replacement; and further

THAT \$37,476.50 (plus applicable taxes and overhead) be funded from PR 47 to cover the structural improvements required for the frame.

Carried

g. 1253 Wolfe Avenue – Development Permit in Slump Hazard Overlay Zone, CC-2019-0090

Resolution #: 2019-07-08-289

Moved by Mayor Tolmie

THAT the Development Permit to construct two new decks at 1253 Wolfe Avenue be permitted, subject to meeting all requirements of the City Building and Zoning Bylaw and adhering to the recommendations contained within the Geotechnical Report from Ground Engineering Consultants Ltd. dated June 17, 2019.

Carried

h. 670 Aldersgate Street – Development Permit in Slump Hazard Overlay, CC-2019-0089

Resolution #: 2019-07-08-290

Moved by Mayor Tolmie

THAT the Development Permit to construct a new deck at 670 Aldersgate Street be permitted, subject to meeting all requirements of the City Building and Zoning Bylaw and adhering to the recommendations contained within the Geotechnical Report from Ground Engineering Consultants Ltd. dated June 26, 2019.

Carried

i. Hot Water System Upgrades - Pla-Mor Palace and Kinsmen Sportsplex, CC-2019-0087

Councillor Warren declared a conflict of interest due to having a close connection with a member of the company involved in the procurement process.

Councillor Warren left the meeting at 6:14 p.m.

Resolution #: 2019-07-08-291

Moved by Mayor Tolmie

THAT \$32,725.00 (plus applicable taxes and overhead) be allocated from PR 47 in 2019 for the upgrade of the Kinsmen Sportsplex Arena hot water system; and

THAT the remaining funds in PR 47 be carried forward for the future upgrade of the Pla-Mor Palace hot water system.

Carried

j. Response to the Review Report 219-2018 by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC), CC-2019-0092

Councillor Warren returned to the meeting at 6:30 p.m.

Resolution #: 2019-07-08-292

Moved by Mayor Tolmie

THAT the City of Moose Jaw respond to the OIPC signifying its concurrence with the recommendations made at page 12 of the OIPC Review Report 219-2018; and

THAT City Council rescinds Resolution 102 of 2017 which read:

"THAT the contact email for each individual City Councillor on the City of Moose Jaw website be at the discretion of the individual Councillor."

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

Resolution #: 2019-07-08-293

THAT the City of Moose Jaw respond to the OIPC signifying its concurrence with the recommendations made at page 12 of the OIPC Review Report 219-2018.

Carried

Resolution #: 2019-07-08-294

THAT City Council rescinds Resolution 102 of 2017 which read:

"THAT the contact email for each individual City Councillor on the City of Moose Jaw website be at the discretion of the individual Councillor."

Carried

k. Management Services for Mosaic Place, CC-2019-0088

Councillor Swanson requested a recorded vote on the motion.

Resolution #: 2019-07-08-295

Moved by Mayor Tolmie

THAT the report re: Management Services for Mosaic Place, CC-2019-088, dated July 3, 2019 be received and filed.

For (5): Mayor Tolmie, Councillor Eby, Councillor Luhnig, Councillor Froese, and Councillor Warren

Against (2): Councillor McMann, and Councillor Swanson

Carried (5 to 2)

l. Carpere Moose Jaw Agreements, CC-2019-0101

Resolution #: 2019-07-08-296

Moved by Mayor Tolmie

THAT representative of Carpere be allowed to address members of City Council.

Carried

Ms. Rhonda Ekstrom, Chief Operating Officer for Carpere Canada, addressed members of City Council.

Mayor Tolmie requested a recorded vote on the motion.

Resolution #: 2019-07-08-297

Moved by Mayor Tolmie

THAT the City Clerk and Mayor be authorized to execute the Purchase Agreement and Master Development Agreement for both the Industrial and Residential Lands substantially in the form

as attached to report #CC-2019-0101 hereto as Attachment i;
and

THAT the City Clerk and Mayor be authorized to execute the Servicing Agreements for both the Industrial and Residential Lands upon review by the City Solicitor.

For (6): Mayor Tolmie, Councillor Eby, Councillor Luhnig, Councillor McMann, Councillor Froese, and Councillor Warren

Against (1): Councillor Swanson

Carried (6 to 1)

Councillor Warren rose on a Point of Order regarding the speculative nature of a member's question, after which discussion focused on clarifying the member's question.

Councillor Eby left the meeting at 7:40 p.m.

Councillor Eby returned at 7:41 p.m.

5. ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Resolution #: 2019-07-08-298

Moved by Councillor Warren

Seconded by Councillor Froese

THAT the report of the Committee of the Whole be taken as read, received and adopted.

Carried

6. REPORTS OF THE STANDING COMMITTEES OF CITY COUNCIL

a. Personnel Committee - June 24, 2019

Resolution #: 2019-07-08-299

Moved by Councillor Eby

Seconded by Councillor Warren

THAT the report of the Personnel Committee meeting dated June 24, 2019 be taken as read.

Carried

b. Executive Committee - June 24, 2019

Resolution #: 2019-07-08-300

Moved by Councillor Luhning

Seconded by Councillor Eby

THAT the report of the Executive Committee meeting dated June 24, 2019 be taken as read.

Carried

c. Special Executive Committee - July 2, 2019

Resolution #: 2019-07-08-301

Moved by Councillor Warren

Seconded by Councillor Froese

THAT the report of the Special Executive Committee meeting dated July 2, 2019 be taken as read.

Carried

7. MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

a. Personnel Committee - June 24, 2019

Resolution #: 2019-07-08-302

Moved by Councillor Warren

Seconded by Councillor Eby

THAT the report of the Personnel Committee dated June 24, 2019 be received and adopted.

Carried

b. Executive Committee - June 24, 2019

Councillor Warren requested a second vote on the following motion from the Executive Committee meeting dated June 24, 2019.

THAT the Communications Policy be approved substantially in the form attached to this report as Schedule "A" as amended:

THAT the following text be deleted in the Communications Policy under the section entitled Media Relations on page 3: "They include: Daily Jaw, MJ Independent"; and

THAT the following sentence be removed in the Communications Policy under the section entitled Communication Goals on page 3: "The City reserves the right to stop accommodating requests in cases where the respective media outlet continues to have false information, bias or a specific slant within their stories.

Vote Delayed by Procedure

Resolution #: 2019-07-08-303

Moved by Councillor Warren

Seconded by Councillor Froese

THAT the report be tabled until such time as Administration has the opportunity to provide residents with one week for feedback on the Communications Policy; and

THAT the feedback be considered at the next meeting of Executive Committee.

Carried

Resolution #: 2019-07-08-304

Moved by Councillor Froese

Seconded by Councillor McMann

THAT the report of the Executive Committee dated June 24, 2019 be received and adopted.

Carried

c. Special Executive Committee - July 2, 2019

Resolution #: 2019-07-08-305

Moved by Councillor Warren

Seconded by Councillor Eby

THAT the report of the Special Executive Committee dated July 2, 2019 be received and adopted.

Carried

8. REPORTS OF ADVISORY AND OTHER COMMITTEES

a. Heritage Advisory Committee - June 19, 2019

Councillor Froese reported on the minutes of the Heritage Advisory Committee meeting held June 19, 2019.

Resolution #: 2019-07-08-306

Moved by Councillor Froese

Seconded by Councillor McMann

THAT anyone wishing to address members of City Council be allowed to do so.

Carried

Mr. Donald Booth and Mr. Jason Church, of Control Jiu Jitsu, addressed members of City Council.

244A River Street West

Moved by Councillor Froese

Seconded by Councillor Swanson

THAT the Downtown Façade Improvement Grant Application for 244A River Street West be denied due to the lack of Heritage Nature of the project.

Defeated

Resolution #: 2019-07-08-307

Moved by Councillor Warren

Seconded by Councillor Eby

THAT City Council approve a maximum reimbursement of \$2,310.00 to the owners of 244A River Street West for the

referenced façade improvements listed in Attachment 4 to the report to the Heritage Advisory Committee dated June 13, 2019.

Carried

50 Stadacona Street West

Resolution #: 2019-07-08-308

Moved by Councillor Froese

Seconded by Councillor Warren

THAT a maximum reimbursement of \$5,000.00 be provided to the owner(s) of 50 Stadacona Street West for the referenced façade improvements listed in Attachment 5 to the report to the Heritage Advisory Committee dated June 12, 2019.

Carried

Disposition of Report:

Resolution #: 2019-07-08-309

Moved by Councillor Froese

Seconded by Councillor Eby

THAT the minutes of the Heritage Advisory Committee meeting held June 19, 2019 be received and adopted.

Carried

9. GIVING NOTICE – Nil

10. MOTIONS

a. Re: Strategy for 94 Calls to Action (Mayor Tolmie)

Resolution #: 2019-07-08-310

Moved by Mayor Tolmie

Seconded by Councillor Froese

THAT City Administration create a strategy for engaging with First Nations that will seek to respond to the 94 Calls to Action that pertain to the City of Moose Jaw; and

THAT a report be brought back to Executive Committee for discussion.

Carried

11. BYLAWS

a. Consideration of Bylaws

1. Bylaw No. 5591 – City Administration Bylaw Amendment, 2019 (3), CC-2019-0085

Resolution #: 2019-07-08-311

Moved by Councillor Luhning

Seconded by Councillor Eby

THAT Bylaw No. 5591 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried

2. Bylaw No. 5588, Traffic Bylaw Amendment, 2019 (1), CC-2019-0097

Resolution #: 2019-07-08-312

Moved by Councillor Warren

Seconded by Councillor Froese

THAT Bylaw No. 5588 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried

b. Introduction of Bylaws

1. Bylaw No. 5593, Carpere Development Levy Exemption Bylaw, 2019, CC-2019-0102

Councillor Swanson left the meeting at 8:16 p.m.

Resolution #: 2019-07-08-313a

Moved by Councillor Froese

Seconded by Councillor McMann

THAT Deputy Mayor Councillor Luhnig be allowed to introduce **Bylaw No. 5593, Carpere Development Levy Exemption Bylaw, 2019.**

Carried

Resolution #: 2019-07-08-313b

Moved by Councillor McMann
Seconded by Councillor Froese

THAT Bylaw No. 5593 be now read a first time.

Carried

Resolution #: 2019-07-08-313c

Moved by Councillor Eby
Seconded by Councillor Warren

THAT Bylaw No. 5593 be now read a second time.

Carried

Resolution #: 2019-07-08-313d

Moved by Councillor Warren
Seconded by Councillor Froese

THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Councillor Luhnig to consider Bylaw No. 5593.

Carried

Resolution #: 2019-07-08-313e

Moved by Councillor 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. 5593, Carpere Development Levy Exemption Bylaw, 2019**, begs to report that the Bylaw passed this committee without amendment.

(SGD) Coun. Luhning

Chairperson

Resolution #: 2019-07-08-313f

Moved by Councillor Eby

Seconded by Councillor Warren

THAT the report of the Committee of the Whole be received and adopted.

Carried

Resolution #: 2019-07-08-313g

Moved by Councillor Warren

Seconded by Councillor Eby

THAT Bylaw No. 5593 be submitted for Third reading forthwith.

Carried Unanimously

Resolution #: 2019-07-08-313h

Moved by Councillor Luhning

Seconded by Councillor Froese

THAT Bylaw No. 5593 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.

Carried

12. ENQUIRIES

Councillor Swanson returned to the meeting at 8:24 p.m.

Councillor Eby asked a verbal enquiry regarding whether the scope of the Cast Iron Water Main Replacement Program will include the full lift of pavement from curb to curb, which was answered by Administration.

Councillor Warren submitted the following written enquiry:

Re: Outstanding Council Motions

"There are several outstanding Council motions in the queue for one year or more that were to come to Council in June 2019.

1. Winter Maintenance Policy
2. Road Repair Policy
3. Water and Sewer Construction Division
4. Local Improvement Program for Paving Gravel Roads.

"When will these items be brought to Executive Committee for consideration?"

Councillor Swanson asked two verbal enquiries regarding the Cast Iron Water Main Replacement Program: does the City have a policy with our contractors with respect to the timeframe they have to provide estimates for work on private property, which was answered by Administration; and

Is 2,200 meters the extent of the 2019 Replacement Program, for which Administration will provide a written response.

13. **RESPONSE TO WRITTEN "ANSWER TO ENQUIRIES" - Nil**

14. **PUBLIC FORUM - Nil**

15. **ADJOURNMENT**

The meeting adjourned at 8:16 p.m.

MAYOR

CITY CLERK