

AT REGINA, SASKATCHEWAN, MONDAY, SEPTEMBER 23, 2019

AT A SPECIAL MEETING OF CITY COUNCIL

AT 5:30 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Mayor Michael Fougere, in the Chair
Councillor Lori Bresciani
Councillor Sharron Bryce
Councillor John Findura
Councillor Jerry Flegel
Councillor Bob Hawkins
Councillor Jason Mancinelli
Councillor Joel Murray
Councillor Mike O'Donnell
Councillor Andrew Stevens
Councillor Barbara Young

Also in Attendance: City Clerk, Jim Nicol
Deputy City Clerk, Amber Ackerman
City Manager, Chris Holden
City Solicitor, Byron Werry
Chief of Police, Evan Bray
Executive Director, Financial Strategy & Sustainability, Barry Lacey
Executive Director, Citizen Experience, Innovation & Performance, Louise Folk
Executive Director, Citizen Services, Kim Onrait
Executive Director, City Planning & Community Development, Diana Hawryluk
Superintendent, Corey Zaharuk
Director, Citizen Experience, Jill Sveinson
Manager, Public Policy, Dawn Martin

CONFIRMATION OF AGENDA

Councillor Sharron Bryce moved, seconded by Councillor Lori Bresciani, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted, and that the delegations be heard in the order they are called forward by Mayor Fougere.

DELEGATIONS AND RELATED REPORTS

DE19-123 Marilyn Degelman: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Marilyn Degelman addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-124 Ed Smith: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Ed Smith addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-125 Fred Hill: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. A representative of Fred Hill addressed Council. There were no questions of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-126 Nicole Pivovar: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Nicole Pivovar addressed Council. There were no questions of the delegation.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-127 Daria Frostad: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Daria Frostad addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-128 Lidija Spasic: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Lidija Spasic addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-129 Jane Gattinger: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Jane Gattinger addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-130 Bruce Ellergodt: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Bruce Ellergodt addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-131 Arlene Stinson: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Arlene Stinson addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-132 Devon Hill: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Devon Hill addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-133 Lisa Miller, Regina Sexual Assault Centre: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Lisa Miller, representing the Regina Sexual Assault Centre, addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-134 Graham Beke: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Graham Beke addressed Council and answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

DE19-135 Steve Selenski: Regulation of Massage Parlours

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. Steve Selenski addressed Council. There were no questions of the delegations.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw No. 9004, this brief was tabled until after consideration of CR19-78, a report from the Priorities and Planning Committee respecting the same subject.

RECESS

Pursuant to the provisions of Section 33 (2.1) of City Council's Procedure Bylaw No. 9004, Mayor Fougere called for a 15 minute recess.

Council recessed at 7:54 p.m.

Council reconvened at 8:13 p.m.

CM19-13 Supplemental Report – Regulation of Massage Parlours

Recommendation

1. That this report be received and filed.
2. That item PPC19-7 be removed from the Priorities and Planning Committee's List of Outstanding Items.

Councillor Mike O'Donnell moved, seconded by Councillor Barbara Young, AND IT WAS RESOLVED, that this report be received and filed.

CR19-78 Priorities and Planning Committee: Regulation of Massage Parlours

Recommendation

RECOMMENDATION OF THE PRIORITIES AND PLANNING COMMITTEE

- JUNE 20, 2019

1. That an approach to massage parlours in Regina be adopted that regulates the industry as a business and that focuses on harm reduction for workers, operators and their clients.

2. That the City Solicitor be directed to prepare the necessary bylaw to amend the *Regina Zoning Bylaw No. 9250* and its successor which may be in force at the time of implementation (*The Regina Zoning Bylaw, 2019 No. 2019-19*) to:
 - (a) distinguish between massage parlours and therapeutic massage by:
 - (i) amending the definition of *Personal Service Establishment* to include *massage therapy*, defined as therapy provided by a Registered Massage Therapist within the context of the bylaws and ethics of the Massage Therapist Association of Saskatchewan, Inc. (MTAS) or the Natural Health Practitioners of Canada (NHPC); and
 - (ii) removing the term *Massage Parlour* and substituting *Body Rub Establishment* wherever it occurs; and
 - (b) allow massage parlours as a discretionary use in industrial and major arterial commercial zones (MAC or the equivalent in any new zoning bylaw). This amendment would:
 - (i) apply separation distances equal to the equivalent of one city block between massage parlours and:
 - schools;
 - churches;
 - daycares; and
 - other massage parlours; and
 - (ii) apply the separation distances in (i) to existing massage parlours as follows:
 - the separation distance between massage parlours and schools, churches and daycares would apply immediately. This will require some massage parlours to relocate or shut down as soon as the bylaw comes into force; and
 - existing massage parlours that do not meet separation distances between massage parlours, but otherwise comply with zoning regulations, would be grandfathered until one of the establishments moves or shuts down.
3. That the plan to develop a licensing program for massage parlours as outlined in Option B of this report be approved. That plan requires massage parlours to:
 - (a) operate only within specified hours of operation;
 - (b) comply with health and safety standards;
 - (c) ensure workers are of legal age and legally able to work in Canada; and
 - (d) ensure that workers receive training in safe practices and

community resources as determined by the City of Regina.

4. That the Administration return to City Council with details of the licensing program in accordance with the policy intentions outlined in Recommendation 3 by March 31, 2020 to allow the City Solicitor to prepare bylaw amendments and/or new bylaws by June 30, 2020.
5. That the implementation plan contained in Appendix A – High Level Implementation Plan be approved.

Councillor Lori Bresciani moved, seconded by Councillor Sharron Bryce that:

- 1. Massage parlour/body rub establishments be fully banned within the city of Regina;**
- 2. A plan be developed to assist workers with information and support mechanisms to leave the industry, which would include the following:**
 - a) Engage massage parlour/body rub establishment owners to ensure proposed changes are understood;**
 - b) Engage workers to ensure changes are understood and provide options to exit the industry;**
 - c) Collaborate with stakeholder groups to create an exit strategy for workers who want to leave the industry;**
 - d) Advice from Regina Police Service for options available to law enforcement for closing these establishments;**
 - e) Report back to City Council with an annual review of the ban;**
- 3. That Administration report back to City Council with details of an implementation plan of the ban and engagement strategy for owners and workers by March 31, 2020; and**
- 4. That the City Solicitor be directed to prepare the necessary bylaws to authorize the respective *Regina Zoning Bylaw No. 9250* and *The Regina Zoning Bylaw, 2019* amendments.**

Mayor Michael Fougere stepped down to enter debate.

Councillor Mike O'Donnell assumed the Chair.

Mayor Michael Fougere returned to the Chair prior to the vote.

(Councillor Bresciani requested a recorded vote.)

Councillor Lori Bresciani	Yes
Councillor Barbara Young	No
Councillor Sharron Bryce	Yes
Councillor Jerry Flegel	No
Councillor John Findura	Yes
Councillor Bob Hawkins	Yes

Councillor Mike O'Donnell	No
Councillor Jason Mancinelli	No
Councillor Joel Murray	No
Councillor Andrew Stevens	No
Mayor Michael Fougere	Yes

The motion was put and declared LOST.

Councillor Andrew Stevens moved, seconded by Councillor Barbara Young, that the recommendation contained in the report be concurred in.

Councillor Jason Mancinelli moved, in amendment, seconded by Councillor Lori Bresciani, that licensing for workers be included in item #3, and that any associated licensing costs be at a minimum, and that the licensing regulations for workers include the following criteria:

- A plan to develop licensing for the worker, attendants;**
- Must be 18 years of age;**
- Criminal Record Check;**
- Home Address and phone number;**
- Proof of identity and photo required; and**
- Proof of Canadian citizenship and residency status.**

The motion was put and declared LOST.

Councillor Hawkins moved, seconded by Councillor Bryce that this matter be referred back to the Administration.

The motion was put and declared LOST.

The main motion was put and declared CARRIED.

ADJOURNMENT

Councillor Bob Hawkins moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that the meeting adjourn.

The meeting adjourned at 10:01 p.m.

Chairperson

Secretary