

Council Chambers
City Hall, Saskatoon, Sask.
Monday, April 24, 2006
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn,
Neault, Paulsen, Penner, and Wyant;
City Manager Richards;
City Solicitor Dust;
General Manager, Corporate Services Bilanski;
General Manager, Community Services Gauthier;
General Manager, Fire and Protective Services Bentley;
General Manager, Infrastructure Services Uzelman;
General Manager, Utility Services Totland;
City Clerk Mann; and
Council Assistant Mitchener

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meeting of City Council held on April 10, 2006, be approved.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT Council go into Committee of the Whole to consider the reports of the Administration and Committees.

CARRIED.

His Worship the Mayor appointed Councillor Heidt as Chair of the Committee of the Whole.

Council went into Committee of the Whole with Councillor Heidt in the Chair.

Committee arose.

Councillor Heidt, Chair of the Committee of the Whole, made the following report:

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THAT while in Committee of the Whole, the following matters were considered and dealt with as stated:

“REPORT NO. 5-2006 OF THE MUNICIPAL PLANNING COMMISSION”

Composition of Commission

Mr. John Waddington, Chair
Mr. Brad Sylvester, Vice-Chair
Councillor Bev Dubois
Mr. Jack Billinton
Mr. Gord Androsoff
Mr. Roy Ball
Mr. Michael Chyzowski
Ms. Debbie Marcoux
Mr. John McAuliffe
Mr. Kurt Soucy
Mr. Vern Waldherr
Mr. Randy Warick
Mr. Jim Zimmer

- 1. Farmers’ Market, Business Incubator and Riversdale Square
DCD1 (AC1)
414 Avenue B South
Riversdale Neighbourhood
Applicant: Chris Dekker, Special Projects Manager, City of Saskatoon
(File No. CK. 4129-22)**
-

- RECOMMENDATION:**
- 1) that the overall concept plans for the Farmers’ Market, Business Incubator, and Riversdale Square as outlined in Attachment 2 to the report of the General Manager, Community Services Department dated March 29, 2006, be approved; and
 - 2) that the General Manager, Community Services Department be authorized to issue Development Permits which are in substantial conformance with the approved plans and which comply with the conditions of approval under the Architectural Control District.

The Municipal Planning Commission has considered the attached report of the Community Services Department dated March 29, 2006, with respect to an application to develop a Farmers’

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Market, Business Incubator, and Riversdale Square on part of the lands commonly referred to as "River Landing".

Following review of the report with the Administration, the Commission supports the recommendation of the Community Services Department, as noted above.

IT WAS RESOLVED:

- 1) *that the overall concept plans for the Farmers' Market, Business Incubator, and Riversdale Square as outlined in Attachment 2 to the report of the General Manager, Community Services Department dated March 29, 2006, be approved;*
- 2) *that the General Manager, Community Services Department be authorized to issue Development Permits which are in substantial conformance with the approved plans and which comply with the conditions of approval under the Architectural Control District; and*
- 3) *that the operations portion of the report of the General Manager, Community Services Department dated March 29, 2006 be referred to the Executive Committee for further discussion.*

ADMINISTRATIVE REPORT NO. 8-2006

Section A – COMMUNITY SERVICES

**A1) Request For Encroachment Agreement
407 3rd Avenue North
Lot 54, Block 78, Plan 99SA24455
(File No.: CC 4090-2)**

RECOMMENDATION:

- 1) that City Council recognize the encroachment at 407 3rd Avenue North (Lot 54, Block 78, Plan 99SA24455);
- 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and,

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- 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

The owner of the property located at 407 3rd Avenue North has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached drawings, the front steps and landings encroach onto 25th Street East. The old steps and landings were encroaching likely since the building was constructed in 1910; however, the steps and landings were removed and reconstructed in 2005 due to deterioration and unsafe conditions. The total area of encroachment is approximately 14.5m² and will, therefore, be subject to an annual charge of \$50.00.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

ATTACHMENTS

1. Letter from the owner, received September 20, 2005.
2. Construction drawings received April 10, 2006, indicating the encroaching areas.

Section B – CORPORATE SERVICES

B1) 2006 Budget Approval Business Improvement Districts (File No: 1680-2, 1680-3, 1680-4, 1680-5)

- RECOMMENDATION:**
- 1) that the 2005 Financial Statements from The Partnership, Broadway Business Improvement District, Riversdale Business Improvement District, and the Sutherland Business Improvement District be received as information;
 - 2) that the 2006 Budget submissions from The Partnership, Broadway Business Improvement District, Riversdale Business Improvement District, and the Sutherland Business Improvement District be approved; and

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- 3) that the City Solicitor be requested to prepare the 2006 Business Improvement District Levy Bylaws for submission to City Council for consideration.

ADOPTED.

REPORT

As required by The Business Improvement District (BID) Bylaws, attached for Council's information are the 2005 Financial Statements of each BID.

Each BID has also submitted its 2006 budget, including their requested BID levy for the year, for Council's approval. The levy requests are:

- a) The Partnership – The levy request remains at \$403,000; the same as the 2005 levy.
- b) Broadway Business Improvement District - The levy request remains at \$82,000; the same as the 2005 levy.
- c) Riversdale Business Improvement District - The levy request is \$106,000, which is a \$6,000 increase from the 2005 levy.
- d) Sutherland Business Improvement District - The levy request remains at \$16,500; the same as the 2005 levy.

These levies, if approved by City Council, will be raised by a BID Levy on the tax notice for commercial and industrial properties in each BID area.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. 2005 Financial Statements, Saskatoon Downtown BID, Partnership
2. 2005 Financial Statements, Broadway BID
3. 2005 Financial Statements, Riversdale BID
4. 2005 Financial Statements, Sutherland BID
5. December 14, 2005 letter and 2006 proposed budget, The Partnership
6. 2006 Proposed Budget, Broadway BID
7. January 27, 2006 letter and 2006 proposed budget, Riversdale BID
8. March 16, 2006 letter and 2006 proposed budget, Sutherland BID

Section D – INFRASTRUCTURE SERVICES

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**D1) Proposed General Loading Zone
(File No. 6145-1)**

RECOMMENDATION: that a five minute General Loading Zone be installed on the north side of the 400 block of Nelson Road.

ADOPTED.

Infrastructure Services has received a request from Milano Pointe Condo Association located at 407 Nelson Road, for the installation of a five minute General Loading Zone, in front of their building on the north side of the street as shown on Plan No.210-0069-001r001 (Attachment 1).

The loading zone conforms to City guidelines with respect to Loading Zones and the applicant agrees to pay the \$300 installation fee.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 210-0069-001r001

**D2) Proposed Yield Sign Installation
46th Street West & Wheaton Avenue (South Leg)
(File No. 6280-2; CK. 6280-1)**

RECOMMENDATION: that yield signs be installed for both westbound and eastbound vehicles at the intersection of 46th Street West and Wheaton Avenue, as shown on Plan No. 210-0005-009r001.

ADOPTED.

REPORT

Infrastructure Services has received a request to review the intersections of 46th Street West and Wheaton Avenue for stop or yield sign installation. Both streets are classified as local roadways and carry a daily traffic volume of approximately 700 vehicles per day. The intersections are in an industrial area. The sightlines of these intersections are obstructed by buildings. The 3-year collision history reports that there were 4 collisions and 1 injury at these intersections. These roadways are T-intersection and are currently controlled by the right-of-way rule.

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T-intersections can be confusing to the public when there is no stop or yield control. Most people naturally assume that the street that terminates yields the right-of-way, which is an incorrect assumption. Unless otherwise signed, the right-of-way rule applies to all intersections.

Infrastructure Services is proposing yield signs be installed for both westbound and eastbound vehicles on 46th Street West.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 210-0005-009r001
2. Plan No. 210-0005-009

**D3) Enquiry – Councillor D. Birkmaier (November 28, 2005)
Crosswalk – Assiniboine Drive and Athabasca Crescent
(File No: CK. 6150-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The following enquiry was made by Councillor Birkmaier at the meeting of City Council held on November 28, 2005:

“Would the Administration please review and report what improvements could be done at the crosswalk between Assiniboine Drive and Athabasca Crescent.”

REPORT

Infrastructure Services has completed a review of Assiniboine Drive and Athabasca Crescent. Currently, there is a standard pedestrian crosswalk at this location. This street is considered a collector street with an average daily traffic (ADT) of 4,969. A six year collision history shows that there was one collision but it did not involve a pedestrian. A vehicle and pedestrian count was conducted on March 6, 2006. The results of these counts are outlined in Table 1:

TABLE 1: Vehicle and Pedestrian Count – March 6, 2006

Vehicles	Pedestrians
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Time	(Southbound) Athabasca Crescent	(Northbound) Albany Crescent	(Eastbound) Assiniboine Drive	(Westbound) Assiniboine Drive	West Crosswalk	East Crosswalk
08:00-09:00	10	9	130	261	0	5
11:30-13:30	5	3	152	136	1	7
15:30-18:30	10	3	236	163	3	9
Total	25	15	518	560	4	21

During the 6 hour count period, there were 1,078 vehicles entering the intersection and 25 pedestrian crossings. Of the pedestrians, twelve were adults, eleven were elementary school students, and two were high school students.

The data from these studies were used in warrant calculations to assess the need for a pedestrian corridor, active pedestrian corridor or pedestrian actuated traffic signals. The warrant for a pedestrian corridor determines the number of 15-minute periods of pedestrian activity during which the installation of this facility may prove effective at enhancing pedestrian safety. A warrant of at least one 15-minute period is required for the installation of a pedestrian corridor and three 15-minute periods is required for active pedestrian corridor. Similar calculations of the data were undertaken for a pedestrian actuated traffic signal. The minimum requirement for the installation of this signal to be considered is a warrant rating of 100 points or greater.

From this study, the pedestrian corridor study warranted no points, and the pedestrian actuated traffic signals warranted 15 points. Therefore, none of these devices are proposed at this location. Infrastructure Services proposes that the crosswalks be updated by painting the crosswalk lines and additional signage be installed. Specifically, we will be placing new pedestrian crosswalk signs on both sides and in both directions. Infrastructure Service will also be making sure that these signs are visible to motorists.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Plan No. 202-0503-002r003

**D4) Sound Attenuation Wall Construction
College and Circle Drive – South Side**

**Capital Project No. 2002
Contract 6-0028
(File No. CK. 375-2)**

- RECOMMENDATION:**
- 1) that the bid submitted by Carmont Construction Ltd. for Sound Attenuation Wall Construction – South Side Contract 6-0028 in the total estimated amount of \$1,236,430.69 be accepted; and
 - 2) that the City Manager and the City Clerk be authorized to execute the Contract Documents, as prepared by the City Solicitor, under the Corporate Seal.

IT WAS RESOLVED: that the matter be considered with Item A2 of Communications to Council.

Section E – UTILITY SERVICES

**E1) 2006 Capital Budget
Capital Project 713 – WTP Reservoir – Pumping Capacity
Reservoir & Fill Mains Evaluation Study – Water Treatment Plant
Award of Engineering Services
(File No. 7960-72-1; CK. 7920-1)**

- RECOMMENDATION:**
- 1) that the proposal for engineering services for the Reservoir & Fill Mains Evaluation Study at the Water Treatment Plant, from EarthTech (Canada) Inc., for a total upset fee of \$212,716 (including G.S.T.) be accepted; and,
 - 2) that the City Solicitor be instructed to prepare the necessary Engineering Services Agreement for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

As part of the overall long-term capital improvement plan at the Water Treatment Plant, the 2006 Capital Budget includes funding of \$667,000 for the design work required for upgrade and expansion of the 42nd Street Reservoir Pumphouse – Project 713 – WTP Reservoir – Pumping Capacity.

The scope of the upgrade work is based on the “Preliminary Design Report, City of Saskatoon, 42nd Street Reservoir Pumphouse”, prepared by Associated Engineering Ltd. in 2001. Subsequently, the

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decision was made to postpone the construction work beyond 2006, as there was no urgent need for the expansion.

Since that time, the City has expanded with several new and proposed neighbourhood/sector developments underway. As a result, it was decided to re-evaluate and confirm city-wide reservoir requirements before proceeding with the detailed design for an expansion to this reservoir.

The proposed study will provide for a review of existing storage capacity, pressures, fill main capacity, water quality and water age in the water distribution system and reservoirs. It will define detailed demands in various sectors of the city including industrial, commercial and residential growth based on the long-term development plan for the city.

As well, the study will establish the future storage capacity for the entire city, the fill main capacities, pressure zones for the various areas of the city and establish the “best” location(s) for future reservoirs while optimizing existing distribution and meeting peak demands. The study will consider reliability of the system (providing sufficient quantities) while maintaining high water quality within the distribution system.

In February of 2006, five consulting firms were invited to submit proposals for engineering services. Proposals were received from the following three firms:

- Associated Engineering (Sask.) Ltd.
- EarthTech (Canada) Inc.
- Stantec Consulting Ltd.

The Administration evaluated the submitted proposals. After a systematic evaluation of the submissions was completed, the proposal from EarthTech (Canada) Inc. was found to be the most favorable.

The upset fee for the Engineering Services is as follows:

Basic Upset Fee	\$198,800.00
G.S.T. @ 7%	<u>13,916.00</u>
Contract Amount	\$212,716.00
G.S.T. Rebate @ 7%	<u>(\$13,916.00)</u>
Net Cost to the City	<u>\$198,800.00</u>

Capital Project 713 has sufficient approved funding allocated within the total project funding to allow this engineering services proposal to be accepted.

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PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

LEGISLATIVE REPORT NO. 6-2006

Section A – OFFICE OF THE CITY CLERK

**A1) Hours of Voting
2006 Local Government Elections
(File No. CK. 265-1)**

RECOMMENDATION: that polls be open for voting between 9:00 a.m. and 8:00 p.m. on election day.

The Local Government Election Act stipulates that polls must be open for voting between 9:00 a.m. and 8:00 p.m., as a minimum, on election day, and that the Returning Officer may open polls for voting earlier than 9:00 a.m. on election day. Prior to 2003, there was no discretion allowed, and voting took place between the hours of 10:00 a.m. and 8:00 p.m.

It is not recommended that polls open any earlier than 9:00 a.m. on election day. The voting hours of 9:00 a.m. to 8:00 p.m. are consistent with those of federal and provincial elections, and there has not been any public demand for increased morning voting hours.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

IT WAS RESOLVED: that polls be open for voting between 8:00 a.m. and 8:00 p.m. on election day.

**A2) Establishment of Polls and Polling Places
2006 Civic Elections
(File No. CK. 265-1)**

RECOMMENDATION:

- 1) that City Council approve the division of the City into polling areas as outlined on the attached map; and
- 2) that City Council approve the polling places outlined in the attached list.

ADOPTED.

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Section 17(1) of *The Local Government Election Act* states that City Council shall divide the municipality into as many polling areas as considered necessary for the convenience of voters, and name the polling place for each of the polling areas so established.

Attached is a map dividing the City into 49 polling areas, as well as a list of polling places. (The map is provided for Council members and the libraries only. A copy is available for viewing in the City Clerk's Office and is also posted on the City's website.)

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

**A3) Advance Polls
2006 Civic Elections
(File No. CK. 265-1)**

<u>RECOMMENDATION:</u>	that City Council authorize the establishment of an Advance Poll in Committee Room E, City Hall, on the following dates:
	Saturday, October 14 11:00 a.m. – 5:00 p.m.
	Tuesday, October 17 1:00 p.m. – 8:00 p.m.
	Wednesday, October 18 1:00 p.m. – 8:00 p.m.
	Thursday, October 19 1:00 p.m. – 8:00 p.m.
	Friday, October 20 1:00 p.m. – 8:00 p.m.
	Saturday, October 21 11:00 a.m. – 5:00 p.m.
 <i>ADOPTED.</i>	

Subsection 92(2) of *The Local Government Election Act* states that City Council shall authorize the establishment of one or more advance polls for eligible electors to cast their vote in advance of election day, and fix the days and hours for advance voting.

As in previous years, free transit will be available for all Advance Polls and on election day.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 (Public Notice Policy), is not required.

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**A4) Establishment of Special/Mobile Polls
2006 Local Government Elections
(File No. CK. 265-1)**

- RECOMMENDATION:**
- 1) that City Council approve the establishment of Special Polls on Wednesday, October 18, 2006 as follows:

Saskatoon Convalescent Home	10:00 a.m. - 1:00 p.m.
St. Georges Senior Citizens' Residence	2:00 p.m. - 5:00 p.m.
Parkridge Centre	2:00 p.m. - 5:00 p.m.
St. Joseph's Home	10:00 a.m. - 1:00 p.m.
Oliver Lodge/Oliver Place	10:00 a.m. - 1:00 p.m.
Porteous Lodge (Mt. Royal Crt, Fairview Crt) (Mt. Pleasant Crt, Jubilee Res)	2:00 p.m. - 5:00 p.m.
Bethany Manor	10:00 a.m.- 1:00 p.m.
Lutheran Sunset Home/ Luther Towers	10:00 a.m. - 1:00 p.m.
Luther Riverside Terrace	2:30 p.m. - 5:00 p.m.
Clinkskill Manor	10:00 a.m. - 1:00 p.m.
Shepherd Apartments (includes McNaughton Apts)	2:00 p.m. - 5:00 p.m.
Circle Drive Care Home	10:00 a.m. - 1:00 p.m.
Stensrud Lodge/Eamer Court	2:00 p.m. - 5:00 p.m.
St. Volodymyr Village	10:00 a.m. - 1:00 p.m.
Illarion Residence	10:00 a.m. - 1:00 p.m.
Scott/Forget Towers	2:00 p.m. - 5:00 p.m.
St. Ann's Senior Citizens' Village/ Cheshire Homes	2:00 p.m. - 5:00 p.m.
Legion Manor	10:00 a.m. - 1:00 p.m.
Sherbrooke Community Centre	2:00 p.m. - 5:00 p.m.
 - 2) that City Council approve the establishment of Hospital Polls on Wednesday, October 25, 2006 as follows:

St. Paul's Hospital	10:00 a.m. - 5:00 p.m.
Royal University Hospital	10:00 a.m. - 5:00 p.m.
City Hospital	10:00 a.m. - 5:00 p.m.
 - 3) that City Council approve the establishment of a Mobile Poll on Wednesday, October 25, 2006.

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ADOPTED.

Section 22 of *The Local Government Election Act* states that Council may establish a polling place in a hospital, personal care facility or similar institution at which an elector who is receiving care in that institution may vote.

In addition, Section 22.1 provides that City Council may establish a “mobile poll” in order to accommodate electors who are unable to leave their residence because of physical disability or limited mobility, as well as their resident care givers.

PUBLIC NOTICE

Public Notice, pursuant to Section 3 of Policy No. C01-021 Public Notice Policy, is not required.

REPORT NO. 1-2006 OF THE BUDGET COMMITTEE

Composition of Committee

Councillor T. Alm, Chair
His Worship Mayor D. Atchison
Councillor D. L. Birkmaier
Councillor B. Dubois
Councillor O. Fortosky
Councillor M. Heidt
Councillor E. Hnatyshyn
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner
Councillor G. Wyant

**1. 2006 Operating Budget
(File No. CK. 1704-1)**

RECOMMENDATION:

- 1) that the 2006 Estimates of Revenues and Expenditures as outlined in the attached summary document be approved;
- 2)
 - a) that the provision to the Civic Hospitality Fund be increased by \$8,000 in each of 2006, 2007 and 2008 until the annual provision reaches \$48,000 in 2008;
 - b) that City Council establish a Civic Hospitality Reserve in order to allow funding over a five-year rolling basis, and that unused balanced in current

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years be rolled over to the next year;

- 3) that the contributions to the Parks Infrastructure Reserve, the Traffic Noise Attenuation Reserve, and the Transportation Infrastructure Expansion Reserve be increased annually by the previous year's average monthly Consumer Price Index (CPI) for Saskatoon, and that the City Solicitor be requested to prepare the appropriate amendment to Bylaw No. 6774, *The Capital Reserves Bylaw*; and
- 4) that the City Solicitor be requested to prepare an amendment to Bylaw No. 6774, *The Capital Reserves Bylaw*, in order to expand the source of funding for the Civic Vehicles and Equipment Asset Disposition/Acquisition Reserve to include funds from an amount included in the rental rates.

ADOPTED.

The preliminary version of the 2006 Operating Budget Estimates was submitted to City Council on March 27 and referred to the Budget Committee for review. Your Committee met publicly on April 11 and reviewed the document.

Attached is a summary which reflects the decisions made by the Budget Committee during its deliberations.

The decisions made by the committee, which are reflected in the summary, are as follows:

- a) Revenue in Vote 3, from Grant-in-lieu taxation from Federal/Provincial Government Agencies, was increased by \$50,000;
- b) Provision to the Meewasin Valley Authority, in Vote 7, was increased by \$12,200, to match a recent increase in Provincial funding;
- c) Provision to civic hospitality in Vote 10 was increased by \$8,000;
- d) Assistance to community groups in Vote 11 was increased by \$1,800 in accordance with the population formula;
- e) Increased provision to the following reserves in Vote 13 were made:
 - Surface Infrastructure Reserve - \$57,900;
 - Transportation Expansionary Reserve, Parks Infrastructure Reserve, Traffic Noise Attenuation Reserve - \$57,600 in total;

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- f) Provision of \$40,000 was made to Sub-Vote 25-28 in order to address the issue of graffiti vandalism;
- g) Provision of \$6,000 was made to each of Sub-Votes 25-28 and 22-13 in order to allow paddling pools to be open on statutory summer holidays;
- h) The supplementary property levy provision in Vote 2 was increased by \$125,000.”

Moved by Councillor Heidt, Seconded by Councillor Alm,

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

CARRIED.

His Worship the Mayor assumed the Chair.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

- 1) **Dick Hildebrandt, President**
Willow Crest II Condominium Corp., dated April 5

Requesting that the City provide garbage pick up to the Willow Crest II Condominium Corp. (File No. CK. 7830-3)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the matter be referred to the Administration and Finance Committee.

CARRIED.

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**2) Bruce Kemp, Race Organizer
BCW Cycling Club, dated March 13**

Requesting permission to use the Silverwood Trails on May 28, 2006 for the Saskatchewan Cup #2 mountain bike race from 8:00 a.m. to 5:00 p.m. In addition, requesting permission to use the Sutherland Beach Trails on May 28, 2006 as a back up in the event of precipitation. (File No. CK. 250-1)

RECOMMENDATION: that the request be approved subject to administrative conditions.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT the request be approved subject to administrative conditions.

CARRIED.

C. INFORMATION ITEMS

**1) Mary Leggett, President
READ Saskatoon, dated April 4**

Submitting comments with respect to City Council's decision to not use library taxes for the Stonegate Retail development. (File No. CK. 4125-13)

**2) Chief Brian Bentley, General Manager
Fire and Protective Services Department, dated April 4**

Advising that Saskatoon Fire and Protective Services is hosting the 56th Annual Saskatchewan Association of Fire Chiefs Conference April 27 to 29, 2006 at TCU Place. (File No. CK. 250-1)

3) MaryAnn Roettger, undated

Submitting comments with respect to a discounted bus pass. (File No. CK. 1905-4)

**4) Rob Jones, Executive Director
TCU Place, dated April 6**

Submitting a copy of the 2005 Centennial Auditorium & Convention Centre Corporation Audited Financial Statements. (File No. CK. 1895-8)

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**5) Julie Munton, Finance and Personnel Officer
Tourism Saskatoon, dated April 5**

Submitting a copy of the 2005 Tourism Saskatoon Audited Financial Statements. (File No. CK. 1610-1)

6) Joe Kuchta, dated April 10

Submitting a copy of a letter sent to *The StarPhoenix* with respect to the Royal Canadian Legion Building. (File No. CK. 4129-21)

7) C. Cardinal, dated April 10

Submitting comments with respect to a youth curfew in the city. (File No. CK. 5000-1)

8) Patti Sparrow, dated April 12

Submitting comments with respect to the appearance of the west side of Saskatoon entering from Highway #7. (File No. CK. 150-1)

**9) Dr. Elmer Scheltgen, Coordinator
Kids for Honesty Program, undated**

Submitting information with respect to the Kids for Honesty Program. (File No. CK. 150-1)

10) Anne Galbraith, dated April 15

Expressing concerns with respect to accessibility of sidewalks in the winter. (File No. CK. 6315-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Nayyar Javed, President
Saskatchewan Intercultural Association, undated**

Submitting comments with respect to the selection of a Police Chief for Saskatoon. (File No. CK. 4510-3) **(Referred to the Board of Police Commissioners.)**

2) Tracy Jordan, dated April 9

Expressing concerns with respect to the speed of traffic on 11th Street West. (File No. CK. 5300-1) **(Referred to the Board of Police Commissioners.)**

**3) Arthur G. Baalim, Executive Director and Lisa Welter-Mills, Program Director
Saskatoon Crisis Nursery, dated April 11**

Requesting that the Board of Police Commissioners offer its thanks and appreciation to the “Law Enforcement Guardians” for their involvement in the SEASONS 4 CHANGE fund raising campaign. (File No. CK. 5000-1) **(Referred to the Board of Police Commissioners.)**

Moved by Councillor Dubois, Seconded by Councillor Hnatyshyn,

THAT the information be received.

CARRIED.

4) James and Alice Christie, dated April 10

Requesting information on previous sewer back up claims and sump pump installation. (File No. CK. 281-2) **(Referred to the Administration to respond to the writer.)**

**5) Jim Currie, General Manager
JCP Conservation Systems Limited, dated April 17**

Submitting information with respect to 3M window films solar solutions. (File No. CK. 375-5) **(Referred to the Administration.)**

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6) Dee McCartney, dated April 15

Submitting a suggestion for the relocation of the Gordie Howe statue. (File No. CK. 4040-1) **(Referred to the Visual Arts Placement Jury.)**

7) Taseen Desin, dated April 16

Requesting information with respect to a red-light camera fine. (File No. CK. 5300-8) **(Referred to the Administration to respond to the writer.)**

**8) Angie Molaro
Hallmark Committee, dated April 7**

Submitting a petition containing approximately 80 signatures with respect to a transit route in the downtown and the Sixth Avenue boulevard between 25th and 24th Streets. (File No. CK. 7300-1) **(Referred to the Administration to respond to the writer.)**

9) Marilyn Clark, dated April 12

Expressing concerns with respect to noise from the freeway near Eastview and the need for sound attenuation. (File No. CK. 375-2) **(Referred to the Administration to respond to the writer.)**

10) Pauline Beres, dated April 13

Submitting a suggestion with respect to wood chip recycling. (File No. CK. 7830-5) **(Referred to the Administration to respond to the writer.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

1) Angela Rempel, dated April 5

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Requesting Council proclaim April 30 – May 7, 2006 as Toastmasters Week in Saskatoon. (File No. CK. 250-5)

**2) Bob Lidington, President, North Saskatchewan Chapter
Canadian Cystic Fibrosis Foundation, dated April 5**

Requesting Council proclaim May 2006 as Cystic Fibrosis Awareness Month in Saskatoon. (File No. CK. 205-5)

**3) Leo Fritz, Woodshow Director
Saskatchewan Woodworkers' Guild, dated April 5**

Requesting Council proclaim May 28 – June 3 as Wood Workers Week in Saskatoon. (File No. CK. 205-5)

**4) Evelyn Reisner, Co-Chair
Saskatoon Diversity Network, dated May 2**

Requesting Council proclaim June 10 – 17, 2006 as Gay, Lesbian, Bisexual, and Transgender Pride Week in Saskatoon. Also requesting a flag raising ceremony in City Hall Square on June 12, 2006. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section E;
 - 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council; and
 - 3) that permission be granted to the Saskatoon Diversity Network to raise its flag in City Hall Square on June 12, 2006.

Moved by Councillor Penner, Seconded by Councillor Dubois,

- 1) that City Council approve all proclamations as set out in Section E;*
- 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council; and*
- 3) that permission be granted to the Saskatoon Diversity Network to raise its flag in City Hall Square on June 12, 2006.*

CARRIED.

ENQUIRIES

Councillor G. Wyant
Condition of Berm - Wanuskewin Road South of Firehall
(File No. CK. 4139-1)

Would the Administration please report on the berm beginning just south of the #7 Firehall on Wanuskewin Road. Last year there were a number of dead trees removed, however the berm is very unsightly and unkempt especially from the residential side.

Councillor G. Wyant
Lighting – Walkway - Entrance to W.J.L. Harvey Park
(File No. CK. 4205-1)

Would the Administration please report on placing an overhead light on the walkway entrance to W.J.L. Harvey Park located on Meilicke Road immediately behind the Villa Bonheur apartments.

ACKNOWLEDGEMENTS

His Worship the Mayor expressed appreciation on behalf of The City of Saskatoon to the General Manager, Community Services Department, the General Manager, Fire and Protective Services Department, The Red Cross, The Salvation Army and the Emergency Measures Services for their work with respect to providing shelter to the Red Earth Reserve at the Saskatoon Field House.

HEARINGS

4a) Discretionary Use Application
Residential Care Home – Type II (10 residents maximum)
Lot 1, Block 131, Plan 101851433
339 Brookdale Crescent (pre-designated care home lot)
Applicant: Randy Jacobson, R & D Fraser Homes
(File No. CK. 4355-1)

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider the above-noted discretionary use application.

The City Planner has advised that notification posters have been placed on site and letters have been sent to all adjacent property owners within 75 meters of the site.

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Attached is a report of the General Manager, Community Services Department dated March 15, 2006 recommending that the application submitted by R & D Fraser Homes requesting permission to use Lot 1, Block 131, Plan 101851433 (339 Brookdale Crescent) for the purpose of a Residential Care Home - Type II for up to ten residents be approved subject to:

- 1) the applicant obtaining a development permit and all other relevant permits (such as building and plumbing permits) and licenses;
- 2) the final plans submitted for the proposed Residential Care Home - Type II being substantially in accordance with those plans submitted in support of this Discretionary Use Application; and,
- 3) the applicant being solely responsible for the costs associated with the installation of a 50 mm (two inch) water connection to accommodate any required sprinkler system.

Attached is a report of the Municipal Planning Commission dated April 3, 2006 advising that the Commission supports the above-noted recommendation.”

His Worship the Mayor opened the hearing.

Mr. Tim Steuart, Community Services Department, expressed the Department’s support of the Discretionary Use Application.

Mr. Brad Sylvester, Vice Chair, Municipal Planning Commission, expressed the Commission’s support of the Discretionary Use Application.

His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved by Councillor Dubois, Seconded by Councillor Wyant,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT the application submitted by R & D Fraser Homes requesting permission to use Lot 1, Block 131, Plan 101851433 (339 Brookdale Crescent) for the purpose of a Residential Care Home - Type II for up to ten residents be approved subject to:

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- 1) *the applicant obtaining a development permit and all other relevant permits (such as building and plumbing permits) and licenses;*
- 2) *the final plans submitted for the proposed Residential Care Home - Type II being substantially in accordance with those plans submitted in support of this Discretionary Use Application; and,*
- 3) *the applicant being solely responsible for the costs associated with the installation of a 50 mm (two inch) water connection to accommodate any required sprinkler system.*

CARRIED.

**4b) Municipal Heritage Property Designation
The Bottomley House
1118 College Drive
(File No. CK. 710-1)**

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Bylaw No. 8485, a copy of which is attached.

Attached is an excerpt from the minutes of meeting of City Council held on January 23, 2006. As will be noted, Council adopted the following motion:

- “1) that the City Solicitor be requested to prepare, advertise, and bring forward a bylaw to designate the property at 1118 College Drive as a Municipal Heritage Property under the provisions of *The Heritage Property Act*, with such designation limited to the exterior of the building;
- 2) that the owners of 1118 College Drive receive the following assistance from the Heritage Conservation Program under the terms and conditions outlined in the report of the General Manager, Community Services Department dated December 5, 2005:
 - a) a property tax abatement to a maximum of \$34,345 amortized over ten years for the proposed property rehabilitation plan with the source of funding for the abatement being the Heritage Fund; and
 - b) a partial building permit refund to a maximum of \$122 to be paid when the project is completed;

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- 3) that the City Solicitor be requested to prepare the appropriate agreement regarding the tax abatement; and
- 4) that a maximum of \$1,200 be allocated from the Heritage Fund for the supply and installation of a recognition plaque for the property.”

A copy of the notice that appeared in the local press under dates of March 25 and April 1, 2006, is attached.

The following is a report of the City Solicitor, dated April 11, 2006:

“City Council at its meeting held on January 23, 2006 resolved that this Office take the necessary steps to bring forward a bylaw to designate the property located at 1118 College Drive as municipal heritage property (Clause 5, Report No. 1-2006 of the Planning and Operations Committee).

Pursuant to Council’s resolution we enclose proposed Bylaw No. 8485, *The Bottomley House Heritage Designation Bylaw, 2006*. *The Heritage Property Act* requires that a Notice of Designation be reserved on the Registrar of Heritage Property and all persons with an interest in the property. As well, the Notice of Intention must be registered against the title to the property and advertised in at least one issue of a newspaper in general circulation in the municipality. All prerequisites to the passing of the Bylaw have been undertaken. The date advertised in the Notice of Intention for consideration of the Bylaw by Council is April 24, 2006.

The Heritage Property Act further provides that anyone wishing to object to the proposed designation must serve Council with an objection stating the reason for the objection and providing the relevant facts. The objection must be served at least three days prior to the Council meeting at which the Bylaw is to be considered.

If an objection is received Council shall either refer the matter to a review board constituted under section 14 of the *Act* or withdraw the proposed bylaw.

The original and all required copies of the bylaw as well as a copy of the Notice of Intention to Designate are enclosed.””

His Worship the Mayor opened the hearing.

His Worship the Mayor ascertained there was no one present in the gallery who wished to address Council with respect to the matter and that no written objections to the proposed designation had been received.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

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THAT the hearing be closed.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Wyant,

THAT Council consider Bylaw No. 8485.

CARRIED.

**4c) Proposed Zoning Bylaw/Map Amendment
Portion SE ¼ 6-37-4 W3rd
Willowgrove Avenue/Willowgrove Square
R1A District to B1B District
Proposed Bylaw No. 8494
(File No. CK. 4351-1)**

REPORT OF THE CITY CLERK:

“The purpose of the hearing is to consider proposed Bylaw No. 8494, a copy of which is attached.

Attached is a copy of Clause 1, Report No. 4-2006 of the Municipal Planning Commission, which was adopted by City Council at its meeting held on March 27, 2006 as well as a copy of the notice that appeared in the local press under dates of April 1 and April 8, 2006.”

His Worship the Mayor opened the hearing.

Mr. Tim Steuart, Community Services Department, expressed the Department’s support of the proposed Zoning Bylaw Amendment.

Mr. Brad Sylvester, Vice Chair, Municipal Planning Commission, expressed the Commission’s support of the proposed Zoning Bylaw Amendment.

His Worship the Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT Council consider Bylaw No. 8494.

CARRIED.

COMMUNICATIONS TO COUNCIL- CONTINUED

A. REQUESTS TO SPEAK TO COUNCIL

**1) Bobbi Shields, Annual Giving Coordinator
The Salvation Army Red Shield Appeal, dated March 27**

Requesting permission for Major Judy Regamey, Executive Director, The Salvation Army Community Centre Saskatoon, to address Council requesting that May 2006 be proclaimed as Red Shield Month in Saskatoon. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that Major Judy Regamey be heard;
 - 2) that Council proclaim May 2006 as Red Shield Month in Saskatoon; and
 - 3) that the City Clerk be authorized to sign the proclamation on behalf of City Council.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Major Judy Regamey be heard.

CARRIED.

Major Judy Regamey, Executive Director, The Salvation Army, provided information on The Salvation Army and asked that Council proclaim May 2006 as Red Shield Month in Saskatoon.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

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- 1) *that Council proclaim May 2006 as Red Shield Month in Saskatoon; and*
- 2) *that the City Clerk be authorized to sign the proclamation on behalf of City Council.*

CARRIED.

**2) Raymond Wiebe
McDougall Gauley, dated April 20**

Requesting permission to address Council on behalf of Paving Stone Plus Ltd. with respect to Contract No. 6-0028, Sound Attenuation Wall 2006 – College and Circle Drive – Award of Tender. (File No. CK. 375-2)

RECOMMENDATION: that Clause D4, Administrative Report No. 8-2006 be brought forward and that Raymond Wiebe be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Clause D4, Administrative Report No. 8-2006 be brought forward and that Raymond Wiebe be heard.

CARRIED.

“ADMINISTRATIVE REPORT NO. 8-2006

**D4) Sound Attenuation Wall Construction
College and Circle Drive – South Side
Capital Project No. 2002
Contract 6-0028
(File No. CK. 375-2)**

- RECOMMENDATION:**
- 1) that the bid submitted by Carmont Construction Ltd. for Sound Attenuation Wall Construction – South Side Contract 6-0028 in the total estimated amount of \$1,236,430.69 be accepted; and
 - 2) that the City Manager and the City Clerk be authorized to execute the Contract Documents, as prepared by the City Solicitor, under the Corporate Seal.

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Tenders were received and publicly opened on March 29, 2006 for the construction of sound attenuation walls along the south side of College Drive from Circle Drive to Central Avenue, and along the east side of Circle Drive from College Drive to 14th Street. Six bids were received for the above construction as summarized below:

Bidder	Bid
Paving Stone Plus Ltd. (Edmonton, AB)	\$1,171,149.24
Carmont Construction Ltd. (Saskatoon, SK)	\$1,236,430.69
Wilco Landscaping (Saskatoon, SK)	\$1,248,352.95
Ornacraft (Meath Park, SK)	\$1,253,735.05
DGS Construction Ltd. (Sherwood Park, AB)	\$1,318,133.00
KAP's Construction Ltd. (Saskatoon, SK)	\$1,754,369.33

The apparent low bidder, Paving Stone Plus Ltd. failed to complete the required Schedule C "Declaration of Equipment and Labour Force and Schedule D "Subcontractors and Material Suppliers List" contained within the Tender Form. As a result of discussions with the City Solicitor's Office, Paving Stone Plus's bid is being rejected as an incomplete bid.

Paving Stone Plus Ltd. has been advised in writing that it is the intention of the Infrastructure Services Department to recommend that their bid be rejected and that Contract 6-0028 be awarded to the next low bidder, Carmont Construction Ltd., Saskatoon, who has met all of the requirements of the bidding documents.

The net cost to the City for the bid submitted to the City by Carmont Construction Ltd. would be as follows:

Base Tender	\$1,055,542.70
Contingency	<u>\$100,000.00</u>
Subtotal	\$1,155,542.70
G.S.T.	<u>\$80,887.99</u>
Total Contract Price	\$1,236,430.69
G.S.T. Rebate	<u>(\$80,887.99)</u>
Net Cost to City	\$1,155,542.70

Carmont Construction Ltd. has performed work for the City of Saskatoon in the past and has the resources required to undertake a project of this scope and nature.

There is adequate funding in the College and Circle Drive Interchange budget under Capital Project No. 2002 to complete this work.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.”

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Mr. Raymond Wiebe, McDougall Gauley LLP, spoke on behalf of his client Paving Stone Plus Ltd. Mr. Wiebe noted that his client had received a letter from the City of Saskatoon stating that Paving Stone Plus Ltd. had been accepted as the low bidder for Contract No. 6-2006 and stated that the City has a legal obligation to honour that award.

Council went into Committee of the Whole (In Camera) to seek legal advice and resumed the public meeting at 7:50 p.m.

Moved by Councillor Wyant, Seconded by Councillor Penner,

- 1) that the bid submitted by Carmont Construction Ltd. for Sound Attenuation Wall Construction – South Side Contract 6-0028 in the total estimated amount of \$1,236,430.69 be accepted; and*
- 2) that the City Manager and the City Clerk be authorized to execute the Contract Documents, as prepared by the City Solicitor, under the Corporate Seal.*

CARRIED.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

THAT the process for awarding tenders be referred to the Audit Committee for review.

CARRIED.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8485

Moved by Councillor Heidt, seconded by Councillor Alm,

THAT permission be granted to introduce Bylaw No. 8485, being “The Bottomley House Heritage Designation Bylaw, 2006”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Heidt, Seconded by Councillor Penner,

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THAT Bylaw No. 8485 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT Council go into Committee of the Whole to consider Bylaw No. 8485.

CARRIED.

Council went into Committee of the Whole with Councillor Heidt in the Chair.

Committee arose.

Councillor Heidt, Chair of the Committee of the Whole, made the following report:

That while in Committee of the Whole, Bylaw No. 8485 was considered clause by clause and approved.

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

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

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8485 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT Bylaw No. 8485 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

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Bylaw 8494

Moved by Councillor Heidt, seconded by Councillor Alm,

THAT permission be granted to introduce Bylaw No. 8494, being "The Zoning Amendment Bylaw, 2006 (No. 6)" and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT Bylaw No. 8494 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT Council go into Committee of the Whole to consider Bylaw No. 8494.

CARRIED.

Council went into Committee of the Whole with Councillor Heidt in the Chair.

Committee arose.

Councillor Heidt, Chair of the Committee of the Whole, made the following report:

That while in Committee of the Whole, Bylaw No. 8494 was considered clause by clause and approved.

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

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

CARRIED.

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Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8494 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT Bylaw No. 8494 be now read a third time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

Moved by Councillor Heidt,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 7:54 p.m.

Mayor

City Clerk