

Council Chambers
City Hall, Saskatoon, Sask.
Monday, January 17, 2005
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

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

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT the minutes of meeting of City Council held on January 4, 2005, be approved.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Penner,

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

CARRIED.

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

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

Committee arose.

Councillor Wyant, 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:

“ADMINISTRATIVE REPORT NO. 2-2005

Section A – COMMUNITY SERVICES

**A1) Community Grant Reserve Status
National Aboriginal Achievement Awards
(File No. CK. 1870-1)**

RECOMMENDATION: that the direction of City Council issue.

BACKGROUND

During its November 1, 2004, meeting, City Council approved the use of Community Grant Reserve funds in the amount of \$15,000 as a contribution to the presentation of the 2005 National Aboriginal Achievement Awards in Saskatoon.

The amount requested by the National Aboriginal Achievement Foundation was \$20,000. Council was reluctant to draw the full amount from the Community Grant Reserve, as the total amount awarded by the Community Grants program includes an over-allocation of up to ten percent, to allow for projects that remain incomplete and funds that are not claimed. The reserve can be used, as it was in 2003-04, to cover any shortfall caused by the over-allocation of yearly program funds.

The Administration agreed to report in early January on the status of the Community Grant Reserve as at December 31, 2004, so as to determine whether an additional contribution of \$5,000 could be made from this source.

REPORT

Attachment 1, Community Grant Reserve Account Status, summarizes the recent history of the Community Grant Program and the transfers to the Reserve by the annual accumulation of unpaid or unclaimed funds.

Until the funding year 2002-03, over-allocation was low and annual transfers to the reserve were as high as \$20,000. In that year, the percentage of over-allocation was increased from three percent to ten percent in order to absorb the surplus. Since then, the amount transferred into the reserve has been low or negative.

As of December 31, 2004, following the commitment to the National Aboriginal Achievement Awards of \$15,000, the amount in the reserve was \$7,295.67. The over-allocation for 2004-05

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amounts to \$20,640, and groups have reported that they will not be using \$14,218.52. This leaves an over-allocation of \$6,421.48 still outstanding.

It is difficult to determine at this time whether the \$6,421.48 will be used by the groups. Community Grant recipients have until March 31, 2005 to complete projects funded in the current period. They then submit follow-up reports to claim payment. Estimates of final figures are not normally available until August, at the earliest. Should the organizations use the amount allocated, there would be a balance of \$874.19 (\$7,295.67 - \$6,421.48) available in the Community Grant Reserve.

PUBLIC NOTICE

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

ATTACHMENT

1. Community Grant Reserve Account Status

Item AA1 of Communications to Council was brought forward and considered.

**“AA1) Mark Regier, Vice Chair
Tourism Saskatoon, dated December 6**

Encouraging support for the proposal submitted to City Council by the management committee for the 11th Annual National Aboriginal Achievement Awards management committee. (File No. CK. 1870-1)”

IT WAS RESOLVED: that the information be received.

**A2) Future Growth – East Sector Study
Planning and Infrastructure Requirements
Award of Planning/Engineering Services
(File No. PL 4110-12-5)**

RECOMMENDATION: 1) that the proposal for planning/engineering services submitted by Associated Engineering (Sask.) Ltd. for the East Sector Study at a total fixed cost of \$85,000 plus GST be accepted; and

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- 2) that the City Solicitor be instructed to prepare the necessary Consulting Services Agreement for execution by the Mayor and City Clerk under the Corporate Seal.

ADOPTED.

REPORT

On September 15, 2004, the Community Services and Infrastructure Services Departments issued a request for proposals to conduct a Planning and Engineering Feasibility Study to accommodate future urban growth in the East Sector. This project is a continuation of the Future Growth Study, which was endorsed by City Council in September 2000.

Proposals were received from two (2) consulting firms listed below.

Associated Engineering (Sask.) Ltd.
Saskatoon, Saskatchewan

UMA Engineering Ltd.
Saskatoon, Saskatchewan

After a systematic evaluation of the proposals by the project Steering Committee (Infrastructure Services and Community Services Departments and the RM of Corman Park staff), the proposal from Associated Engineering (Sask.) Ltd. was ranked as being superior.

The cost to the City for the proposal submitted by Associated Engineering (Sask.) Ltd. will be \$85,000.00 plus GST. It should be noted that the City of Saskatoon will receive a 100% rebate of the G.S.T. on the project. Capital Project 1726 has \$85,000 of approved funding allocated in the 2004 Capital Budget. As such, sufficient funding is in place to allow for the contract to be signed and the planning and engineering services to commence.

Project Completion is expected by November 2005. The results of the study will be brought forward to City Council upon completion for adoption of a general concept plan and servicing scheme for the East Sector.

PUBLIC NOTICE

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

ATTACHMENT

1. Map of Study Area – East Sector

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**A3) Land-Use Applications Received by the Community Services Department
For the Period Between December 3, 2004 and January 10, 2005
(For Information Only)
(File No. CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No. 1/05: 615-619 Saskatchewan Crescent
Applicant: Webster Surveys for River Crest Condominiums Inc.
Legal Description: Lot 4, Block 102, Plan 101845986
Current Zoning: RM4
Neighbourhood: Buena Vista
Date Received: January 5, 2005

Discretionary Use

- Application No. D14/04: 803-31st Street West
Applicant: Jack Wur for Montana Construction
Legal Description: Lot 19, Block 28, Plan G4296
Current Zoning: R2
Proposed Use: 2 Unit Dwelling
Neighbourhood: Hudson Bay Park
Date Received: December 23, 2004

Subdivision

- Application No. 70/04: 419 Ludlow Street
Applicant: Webb Surveys for Inter-West Ag Resources Ltd.
Legal Description: Lot 4, Block 437, Plan 01SA04536
Current Zoning: M3
Neighbourhood: University Heights Suburban Centre
Date Received: December 13, 2004

Subdivision

- Application No. 71/04: Millar Avenue
Applicant: M. Marien for City of Saskatoon
Legal Description: Pt. S.E. ¼ 21-37-5-3
Current Zoning: IH
Neighbourhood: Marquis Industrial
Date Received: December 22, 2004

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Subdivision

- Application No. 72/04: 135 Pawlychenko Lane
Applicant: Jastek Master Builder 2004 Inc.
Legal Description: Lots 12,13,14, Block 433, Plan 101648808
Current Zoning: RM4
Neighbourhood: Lakewood Suburban Centre
Date Received: December 22, 2004

Subdivision

- Application No. 73/04: 118 Pawlychenko Lane
Applicant: Jastek Master Builder 2004 Inc.
Legal Description: Lots 4,5,6, Block 432, Plan 101648808
Current Zoning: RM4
Neighbourhood: Lakewood Suburban Centre
Date Received: December 22, 2004

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan of Proposed Condominium 1/05
2. Plan of Proposed Subdivision No. 70/04
3. Plan of Proposed Subdivision No. 71/04
4. Plan of Proposed Subdivision No. 72/04
5. Plan of Proposed Subdivision No. 73/04
6. Plan of Proposed Discretionary Use No. 14/04

Section B – CORPORATE SERVICES

**B1) Findings – Administrative Review Officer
Utility Collection Practices
(File No. CK. 1905-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

A report of the Administrative Review Officer was submitted to the Executive Committee on September 13, 2004. The Committee resolved that the recommendations in the report be referred to the Administration for a report to City Council.

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The Cities Act requires that the City of Saskatoon establish, by bylaw, an administrative review body. On October 6, 2003, City Council passed The Saskatoon Administrative Review Officer Bylaw, 2003, which established the required administrative review body, consisting of one individual appointed to investigate complaints received by the City of Saskatoon. The Administrative Review Officer is authorized to investigate administrative decisions of the City, not decisions of Council, Committees of Council, boards of a controlled corporation, appeal boards, or persons acting as lawyers for the City.

In May of 2004, the Administrative Review Officer investigated a complaint related to utility collection practices. In her conclusion, she indicated that she found no fault with the actions of Administration staff. However, she did offer a number of recommendations and suggestions for the City to consider. The purpose of this report is to provide an administrative response to these recommendations.

REPORT

One of the key recommendations made by the Administrative Review Officer was to make available to customers a “concise and short version” of the policies and procedures and legal authority of collecting payments for utilities. The Administration agrees. The Office of the City Treasurer is in the process of developing a Terms and Conditions for Service Bylaw that will clarify and consolidate the current terms and conditions that exist in the Electric and Water Bylaws. A number of the current provisions are out-dated and need to be clarified for many City utility customers. Once a Bylaw is completed and passed, a short version will be developed for distribution to customers on request and to all new customers, highlighting the key items affecting them.

The second recommendation identifies a need to “expedite the payment of arrears” without incurring substantial costs to collect small balances due. The Administration believes the current collection process is quite aggressive, but also believe there are opportunities to make improvements with some refinements to collection strategies.

The Office of the City Treasurer follows a very specific collections process that begins when a customer’s account moves into thirty-day arrears and is over \$50. The collections policies, procedures, and systems ensure that all accounts are monitored closely and proper steps are followed to provide notification to the customer and work with the customer to clear the arrears. It should be noted that the City of Saskatoon’s normal write-off percentage to sales is between 0.2% and 0.5% while industry average (depending on the type of utility) is between 1 and 2.5%. The Administration is developing additional strategies to reduce write-offs even further.

The third recommendation suggests the possibility of alternative methods to the disconnection of services. The two options mentioned were load limiters and “Pay As You Go” electricity.

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Load limiters are devices that can be placed on a meter that limits the amount of electricity that can be used. This allows limited electrical energy to be consumed in order to operate electrical appliances (such as a furnace and refrigerator) but does not provide enough power to operate other appliances without tripping the device. We have eight load limiters and the Administration is in the process of testing this device over the next few months to evaluate its effectiveness.

Timer-type limiters are also used in the industry however the City does not own any of these devices at this time. This limiter allows full energy service but can disrupt service for specific time intervals (the last 5 minutes of each half hour, for example). The City may consider this type of limiter in the future if warranted.

The other alternative mentioned by the Administrative Review Officer is “Pay As You Go” (pre-paid) electricity. This is a longer-term decision due primarily to the capital costs of implementation. Purchase cards allow a customer to purchase an established amount of electrical energy in advance. The card is then “swiped” into the meter to allow energy to be made available equal to the amount purchased. The technology is widespread in Europe but relatively new and scarce in North America. However, there seems to be an increasing amount of interest in this option in the United States. While there may be some benefit in using pre-paid cards, the cost of implementing such a system needs to be considered.

On October 19, 2004, City Council referred a letter from the President of Woodstock Hydro to the Administration for a report on the concept. The Electric System Branch is currently preparing a report on this “Pay As You Go” electricity.

PUBLIC NOTICE

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

B2) Saskatoon S.P.C.A. – Contract
(File No. CK. 151-1)

- RECOMMENDATION:**
- 1) that the City of Saskatoon acquire title to all buildings, and associated property, currently occupied by the Saskatoon S.P.C.A.;
 - 2) that, in exchange for the title to the property occupied by the Saskatoon S.P.C.A., the City of Saskatoon will:
 - a) pay the Saskatoon S.P.C.A. \$100,000;

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- b) enter into a lease agreement with the Saskatoon S.P.C.A. for the lease of the property at a cost of \$1.00 for the period during which the Saskatoon S.P.C.A. retains the contract to provide Pound-keeping Services for the City of Saskatoon;
- 3) that City Council approve the expenditure of \$100,000 to make the repairs identified in the building condition assessment;
- 4) that City Council extend its current one-year contract with the Saskatoon S.P.C.A., for the provision of Pound-keeping Services, for a further four years at the following rates:
 - a) May 1, 2005 to April 30, 2006 \$317,373
 - b) May 1, 2006 to April 30, 2007 \$321,499
 - c) May 1, 2007 to April 30, 2008 \$325,678
 - d) May 1, 2008 to April 30, 2009 \$329,912
- 5) that the terms and conditions of the new contract include the requirement to provide quarterly financial statements;
- 6) that the terms and conditions of the new contract include a provision to extend the contract for a further five-year period;
- 7) that the City of Saskatoon continue to provide the Saskatoon S.P.C.A. with a grant of \$10,000 per month for humane services, effective May 1, 2005, and that the terms and conditions of that grant include the provision of animal cruelty services and investigations within the boundaries of the City of Saskatoon; and,
- 8) that the Administration provide a further report on the source of funding for the capital expenditures totalling \$200,000.

ADOPTED.

The City of Saskatoon entered into a contract with the Saskatoon S.P.C.A. for the provision of Pound-keeping Services at an annual cost of \$313,300. While the contract proposal identified a five-year term, City Council only approved a one-year term (to expire April 30, 2005) that would be subject to a further review once Council had received a business plan from the S.P.C.A. In addition, City Council also agreed to provide a grant of \$120,000 to the Saskatoon S.P.C.A. to assist them in providing humane services. Both the contract amount and the annual grant are

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included in the City of Saskatoon 2004 Operating Budget. Effective August 17, and ending December 31, 2004, City Council also approved an unbudgeted increase to the grant, of \$7,500 per month, in order to further assist the Saskatoon S.P.C.A. in delivering their humane services, especially in light of their decision to no longer provide animal cruelty investigations due to budgetary constraints.

Your Administration has met with the Board of the Saskatoon S.P.C.A. to discuss their most recent decision to no longer provide animal cruelty services and investigations effective January 1, 2005. In addition, at the public meeting of the Executive Committee of January 10, 2005, the Committee met with the Saskatoon S.P.C.A. and received an update on their draft business plan. In light of both of these discussions, your Administration is in a position to request City Council's approval of an Administrative proposal that was made to the Board of the Saskatoon S.P.C.A. and approved in principle by the Board.

It is your Administration's opinion that there is a definite congruency between the services that are provided by the Saskatoon S.P.C.A., and the pound services required to be provided by the City of Saskatoon. Neither the S.P.C.A. nor the City can provide either service as efficiently if they are operated independent of one another. The synergy that is provided by the dual operation positively impacts both organizations. The intent of the Administrative proposal was to ensure that this synergy can be maintained and to allow both organizations to concentrate on the work that they do best – the City would assume responsibility for the infrastructure, and the Saskatoon S.P.C.A. would concentrate its efforts on programming, including the provision of pound-keeping services under contract with the City.

There are two issues involved in this proposal – the extension of the pound services contract, and the provision of animal cruelty services and investigations. This section of the report will address each separately.

As part of the terms of the current pound-keeping contract, the S.P.C.A. was to provide City Council with a business plan that would identify how the S.P.C.A. would deal with any capital deficiencies inherent in their building, how it might accommodate a pound contract for a further four years at a cost equal to the current contract and, finally, how it might attain Council's objective of reducing its grant for humane services.

The draft business plan did not address facility issues and has limited opportunity, from a funding capacity, to address any emerging problems that might arise at the facility. The City's proposal, therefore, includes the transfer of title to the building (approximately 12,000 square feet), as well as the associated 40 acres of land. In return, the City of Saskatoon will provide the S.P.C.A. with \$100,000 and assume responsibility to attend to the deficiencies identified in the facility condition assessment (copy attached) at an estimated cost of \$100,000. By obtaining title to the property, the building would also qualify for the Civic Buildings Comprehensive Maintenance Reserve (by making an annual contribution to the reserve). The City of Saskatoon and the Saskatoon S.P.C.A. would enter into lease arrangements for the building, at a cost to the Saskatoon S.P.C.A. of \$1 per year.

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The response by the S.P.C.A. to continuing with the pound services contract at the current contract rate was to identify the need for an inflationary increase of 1.3%. That increase was included in the proposal that was made. The proposal also included an opening for discussion in 2008 for a further five-year extension of the contract with a review of inflationary factors as the primary basis. This acknowledged that the service levels that are currently in place, and the costs associated with delivering that service level, have been accepted as benchmarks. It should be noted that the only other bid received in 2004 for pound keeping was for \$300,000 plus annual inflationary adjustments. The City's investment in the building structure, if amortized, does not add greatly to the rate proposal made by the S.P.C.A. Therefore, it is the opinion of your Administration that the negotiated rate included in the proposal is in line with what might be available through another request for proposal. It should also be noted that the only other bidder in 2004 encountered zoning problems with the R.M. of Corman Park. Your Administration has also prepared some preliminary estimates as to the cost of providing pound services by civic staff and have determined that, because the synergies provided by a dual operation will be lost, the cost of providing services in-house are substantially greater than those included within the proposal.

To provide the Saskatoon S.P.C.A. with some assurance of a lasting partnership with the City of Saskatoon, the Administrative proposal also included a provision to negotiate a further five-year extension to the contract, with negotiations starting one year prior to completion of the current contract. Both parties would enter these negotiations committed to continuing the terms of the contract once agreement had been reached as to an appropriate inflationary adjustment. Any service level adjustments would require the agreement of both parties, but the inability to reach such an agreement on new levels of service would not constitute a reason to refuse to enter into a contract on the pre-existing contracted conditions.

The City Solicitor has provided her opinion that the City of Saskatoon is not responsible for providing animal cruelty investigations. However, Councillors have also stated that, irrespective of legal responsibility, they are not prepared to allow this service to be ignored if there is no agency that will ultimately provide the service. Other than a police officer, the City of Saskatoon does not have any staff authorized to do such investigations. Your Administration has examined other alternatives to the Saskatoon S.P.C.A., with the clearest and most expedient being the Saskatchewan S.P.C.A. While the Saskatchewan S.P.C.A. would likely address a gap in services should that occur, they are unable to do that without funding. To this date, the Province of Saskatchewan only provides funds for investigation services for large animals and services for small animals in limited small town/rural settings. The Saskatchewan S.P.C.A. would be seeking compensation if they were to enter into an arrangement whereby they would be requested to perform animal cruelty investigations within the City of Saskatoon. Preliminary estimates, based on verbal discussions only, is that those costs could exceed \$100,000 for staff and associated costs, plus the cost of veterinarians and sheltering. These costs closely match the estimate of \$120,000 provided by the Saskatoon S.P.C.A. and, therefore, have been included in our proposal to that organization. This will also ensure continuity of existing processes and, as a result, less confusion by the general public.

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It would be your Administration's intent to assist the Saskatoon S.P.C.A. in their negotiations with the Province of Saskatchewan to fund services (shelter services and animal cruelty investigations) that are a direct result of the administration and enforcement of Provincial laws.

Your Administration will need to provide a separate report identifying a source of funding for the payment to the S.P.C.A. of \$100,000, as well as the cost of the building repairs, estimated at \$100,000. Aside from these one-time costs, the only incremental cost for this proposal, to the City's existing budgetary base, is the provision to the Civic Buildings Comprehensive Maintenance Reserve of approximately \$12,000, and the inflationary increase for the last eight months of the extended pound service contract (\$2,700).

PUBLIC NOTICE

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

ATTACHMENT

1. Saskatoon S.P.C.A. Building Condition Assessment.

**B3) Corporate Desktop Component Blanket Order
And Warranty Repair of IBM Personal Workstations
(File No. 1100-1)**

- RECOMMENDATION:**
- 1) that the proposal submitted by NexInnovations for the supply of desktop components and warranty repair of IBM Personal System Workstations, with a term of 24 months, or maximum expenditure cost of \$1,500,000.00, whichever comes first, with the option of a 12-month extension and \$750,000.00, be accepted; and,
 - 2) that the Corporate Services Department, Purchasing Services, issue the appropriate purchase order.

ADOPTED.

REPORT

In the interest of ensuring quality, as well as promoting corporate standardization and on-site warranty, the City of Saskatoon issues, on an annual basis, a Request for Proposal for its desktop computer needs. The successful bidder is issued a Blanket Order that Departments use to purchase computer equipment based on their specific requirements. The existing blanket order will expire on

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January 13, 2005, so there is a need to issue a new order for the next 24-month period, or to a maximum of \$1,500,000.00, whichever occurs first, with the option of a 12-month extension and \$750,000.00.

Four firms responded to the Request for Proposal. A summary of the proposals is attached. Each bidder is evaluated against the published weighting factors. The highest ranked proposal was submitted by NexInnovations.

PUBLIC NOTICE

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

ATTACHMENT

1. Summary of Proposals.

**B4) 2005 Capital Budget (2006 – 2009 Capital Plan)
(File No. 1702-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

At its meeting held on December 13, 2004, City Council approved the 2005 Capital Budget (2006-2009 Capital Plan). Attached, for Council's information, is the final version of that budget which incorporates the changes which were confirmed at that meeting.

PUBLIC NOTICE

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

ATTACHMENT

1. 2005 Capital Budget (2006-2009 Capital Plan).

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**B5) Property Tax Liens – 2004
(File No. 1920-3)**

RECOMMENDATION: that City Council instruct the City Solicitor to take the necessary action under the provisions of *The Tax Enforcement Act* with respect to properties with 2004 tax liens.

ADOPTED.

The Tax Enforcement Act

The purpose of *The Tax Enforcement Act* is to secure payment of tax arrears under the threat of the loss of title to the property. The statute is not intended to provide a vehicle for the acquisition of property by the City. Each property owner (taxpayer) has certain fundamental rights concerning his/her land. The taxpayer must be kept fully aware of the proceedings being taken, and be given a reasonable time frame during which arrangements can be made for payment of the outstanding amount.

The proceedings under *The Tax Enforcement Act* are scheduled as follows:

1. **Section 10:** Allows the City to register a tax lien against a property where taxes have been due and unpaid after the 31st day of December of the year in which the taxes were originally levied.
2. **Section 22 (1):** Where the taxes remain unpaid and the lien has not been withdrawn, the City may apply to Council to commence proceedings to take title after the expiration of six months following the registration of the tax lien at Information Services Corporation – Land Registry. (Previously the Land Titles Office.)
3. **Section 24:** Final application for transfer of title to the City may commence six months after the first application. The City must, at this point in the proceedings, obtain consent of the Provincial Mediation Board to obtain the title. The Board may, subject to certain conditions being met by the taxpayer, put the proceedings on hold, even after this consent is granted.

Your Administration now requests authorization to proceed regarding those properties which became subject to tax liens in 2004.

2004 Tax Liens (Attachment 1)

With respect to the properties listed in Attachment 1, proceeding under *The Act* commenced on February 28, 2004. At that time, the City of Saskatoon, in accordance with *The Act*, published in The StarPhoenix, the legal descriptions of all properties in arrears of property taxes subject to tax

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liens. The assessed owners were notified of the action being taken and were advised that if the taxes remained unpaid after 60 days following the date of the advertisement, a tax lien would be registered against the property on the official title held in ISC – Land Registry.

The City has made considerable effort to contact the assessed owners of the various properties identified in Attachment 1 to obtain payment or to negotiate reasonable payment schedules. However, as of the date of this report, the City has not received payment from the respective owners and the property tax arrears are still outstanding.

These properties are now subject to first proceedings pursuant to Section 22(1) of *The Act*. This action involves notification by registered mail to: each registered owner; each assessed owner; and all others with an interest set out on the title to the property, that they have 60 days to contest the City's claim.

Pursuant to Section 24, the next stage of *The Act*, six months following service of notices, the City will be in a position to make final application for title for any properties for which the arrears have not been cleared.

PUBLIC NOTICE

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

ATTACHMENT

1. 2004 Property Tax Liens.

**B6) Labour Standards Regulations
Part-time Hours
(File No. 4610-1)**

RECOMMENDATION: that City Council write to the Provincial Government expressing its opposition to the proposed legislation pertaining to part-time hours of work.

IT WAS RESOLVED: that the matter be considered with Item A4 of Communications to Council.

Section D – INFRASTRUCTURE SERVICES

**D1) Enquiry - Councillor G. Penner (June 21, 2004)
Train Activity – Shunting – East College Park
(File No. CK. 375-2)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following enquiry was made by Councillor Penner at the meeting of City Council held on June 21, 2004:

“I have received reports from residents of East College Park, in the area of Western Crescent, that there is increased train activity during the evening and night time hours as a result of shunting.

Could I please have a report answering two questions:

- 1) Has the shunting increased in the area adjacent to East College Park as a result of the build up of houses and condominiums just north of Highway 5, adjacent to the railway yards?
- 2) Is it possible to construct an earth berm adjacent to East College Park to assist in limiting the noise irritation?”

Municipal Engineering contacted Canadian Pacific Railway (CPR) to enquire about any increase in shunting activity in the CPR yards. CPR has indicated that there has not been any increase in the levels of shunting during the evening and nighttime hours.

In regard to sound levels adjacent to East College Park, 24-hour sound level readings were taken in November at two homes adjacent to the CPR tracks. The first reading was taken at 365 Brock Crescent on November 9, 2004. The sound levels recorded at this location resulted in a sound level of 52 dBA Ldn. The second reading was taken at 34 Brandon Place on November 10, 2004. The sound levels recorded at this location resulted in a sound level of 60 dBA Ldn.

City policy states that a minimum noise level of 65 dBA Ldn, resulting from traffic noise is required in order for an area to qualify for noise attenuation. The City is not obligated or mandated to provide noise attenuation for rail related activity.

There is an existing earth berm that separates the CPR mainline from homes in East College Park. There is a break in this berm from just south of the Highway 5 overpass to Moncton Place. There is a possibility to construct an earth berm in a portion of this area, however, there is a 84 inch storm

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sewer line and a 36 inch sanitary sewer line which cross the CPR mainline just south of the Highway 5 overpass which cannot be overburdened by an earth berm. Municipal Engineering will forward this location to Public Works for possible inclusion as a clean fill site to extend the existing berm to the north as far as possible.

PUBLIC NOTICE

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

**D2) School Signing Revisions
(File No. CK. 6280-1)**

RECOMMENDATION: that the school signing revisions, as set out in the following report, be approved.

ADOPTED.

Infrastructure Services has been requested to revise the signing at the following schools:

- Aden Bowman Collegiate
- Buena Vista School

Consultations with the principal, representative of the school board, and a member of Infrastructure Services have resulted in the preparation of new school signing plans (using the School Signing Guidelines) to address the particular needs of the facility. The following changes have been reviewed and approved by Infrastructure Services, the school board, and the schools' principal.

The recommended signing changes are described below and shown on the attached plans:

Buena Vista School, Plan No. 212-0051-001r004 (Attachment 1)

Install a "DISABLED PERSONS LOADING ZONE", (RB-58G) on the south side of 6th Street.

Aden Bowman Collegiate School, Plan No. 212-0053-001r004 (Attachment 2)

Remove the existing '5 MINUTE LOADING ZONE', (RB-58C) on the south side of Taylor Street and install a 'DISABLED PERSONS LOADING ZONE', (RB-58G) in its place.

PUBLIC NOTICE

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

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ATTACHMENTS

1. Plan No 212-0051-001r004
2. Plan No. 212-0053-001r004

**D3) Yield Sign – Avenue Q and 23rd Street
(File No. 6332-01)**

RECOMMENDATION: that yield signs be installed for east and westbound vehicles at the intersection of Avenue Q and 23rd Street as shown on Plan No. 211-0037-001r001_C98 (Attachment 1).

ADOPTED.

Infrastructure Services has completed an investigation of traffic control at the intersection of Avenue Q and 23rd Street. Both Avenue Q and 23rd Street are local roadways in a residential neighbourhood. The intersection is currently not controlled with stop or yield signs, leaving the right-of-way rule to apply. The sight lines at the intersection were observed and do not pose a safety hazard.

In the past 5 years (1998-2003), 10 collisions were reported at the intersection of Avenue Q and 23rd Street. Of these collisions, 9 were right angle collisions, which are indicative of vehicles not yielding to the right-of-way. The collision histories at the surrounding intersections were also analyzed in order to determine if there is a collision trend. Specifically, one block north at the intersection of Avenue Q and Bedford Road, there were 4 reported collisions in the previous 5 years. Comparing this and collision data from other uncontrolled intersections nearby indicates that a number of motorists are not yielding to the right-of-way at the intersection of Avenue Q and 23rd Street.

It is therefore proposed that yield signs be installed for east and westbound vehicles on 23rd Street, giving the right-of-way to vehicles travelling on Avenue Q. This orientation will provide the right-of-way to vehicles accessing the elementary school one block north and reduces the opportunity for 23rd Street to become a thoroughfare. The proposed yield signs will clearly assign the right-of-way. The proposed installation conforms to City Policy C07-007 – “Traffic Control – Use of Stop and Yield Signs” for the installation of stop and yield signs and will be funded with the 2005 Operating Budget.

PUBLIC NOTICE

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

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ATTACHMENT

1. Plan No. 211-0037-001r001_C98

**D4) Yield Sign – Dieppe Street and Simonds Avenue
(File No. CK. 6280-1)**

RECOMMENDATION: that yield signs be installed for northbound vehicles at the intersection of Dieppe Street and Simonds Avenue as shown on Plan No. 211-0015-001r001_C98 (Attachment 1).

ADOPTED.

Infrastructure Services has completed an investigation of traffic control at the intersection of Dieppe Street and Simonds Avenue. Both Dieppe Street and Simonds Avenue are local roadways in a residential neighbourhood. The T-intersection is currently not controlled with stop or yield signs, leaving the right-of-way rule to apply. Therefore, if an eastbound and northbound vehicle approach at the same time, the northbound vehicle would actually have the right of way. This may pose some confusion as all of the other intersections along Dieppe Street have controls for the side streets.

Although there have been no reported collisions at the intersection in the past 5 years, residents in the vicinity have indicated that there have been a number of near collisions and confusion among motorists. Furthermore, Dieppe Street is a bus route.

It is therefore proposed that a yield sign be installed for northbound vehicles on Simonds Avenue, giving the right-of-way to vehicles travelling on Dieppe Street. The proposed yield signs will clearly assign the right-of-way. The proposed installation conforms to City Policy C07-007 – “Traffic Control – Use of Stop and Yield Signs” for the installation of stop and yield signs and will be funded with the 2005 Operating Budget.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 211-0015-001r001_C98

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**D5) Saskatoon Centennial Auditorium – Noise Bylaw Exemption
(Project No. 621-12/04)**

RECOMMENDATION: that City Council approve an exemption from Bylaw No. 8244 (the Noise Bylaw) for demolition work planned for the Saskatoon Centennial Auditorium.

ADOPTED.

REPORT

The expansion of the Centennial Auditorium will involve the removal of all the pre-cast concrete cladding on the east elevation of the Auditorium, as well as a small portion of the pre-cast cladding on the west elevation of the Bay. This work is planned to begin by the end of January 2005.

To minimize interference with previously booked programming at the Centennial, it is proposed that the demolition could be completed at night. Contractors have stated a preference for this time, as there will be less activity in surrounding areas and usually little wind to interfere with lifting operations. The demolition is expected to take approximately three weeks.

There will be some noise generated by these activities and, if it is scheduled for night, will be outside of the hours set down in the Noise Bylaw. Noise sources would be from the operation of equipment, including sawing and some jack hammering. A review of the surrounding business operations would suggest that the only potential conflict could be with the Quality Hotel. With the building location and separation, and as most of the hotel's windows will be closed during this period, the impact should be minimized. The Quality Hotel has been advised of this proposed work.

PUBLIC NOTICE

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

Section F – CITY MANAGER

**F1) Federal Centennial Funding
(File No. 1860-1)**

RECOMMENDATION: that the information be received.

On December 20, 2004, the Honourable Ralph Goodale, Minister of Finance, announced that the Federal Government, through Western Economic Diversification, would be committing \$40M to

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commemorate the 100th anniversary of the Province of Saskatchewan. The actual press release and program details are attached.

Western Economic Diversification has indicated that approximately \$10M is available for Saskatoon. Although no formal criteria are available, the intent of the Federal Government is to, in part:

- 1) Provide a lasting legacy. (The Government would prefer a major legacy, versus several smaller projects.)
- 2) Improve, purchase, or construct community assets.

Although control and approval of spending these funds rests with the Federal Government, clearly municipal support for a project or projects will weigh heavily on their final decision.

PUBLIC NOTICE

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

ATTACHMENT

1. December 20, 2004, news release entitled “Government of Canada Invests in Capital Projects and Commemorative Events for Saskatchewan Centennial”.

IT WAS RESOLVED: that the matter be referred to the Executive Committee.

Moved by Councillor Wyant, Seconded by Penner,

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

CARRIED.

His Worship the Mayor resumed the Chair.

PRESENTATION

His Worship the Mayor presented Ms. Shannon Sather with the 2004 IBEW Local No. 319 and City of Saskatoon Joint Scholarship Award.

HEARINGS

- 4a) Proposed Development Plan Amendment
To Permit Integrated Community Facilities in
Suburban Centres or City Wide Parks
Applicant: Design and Building Committee for Joint Future Centre Facility
c/o Community Services Department, City of Saskatoon
Proposed Bylaw No. 8365
(File No. CK. 4110-3)**
-

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Bylaw No. 8365, a copy of which is attached.

Attached is a copy of Clause 1, Report No. 7-2004 of the Municipal Planning Commission which was adopted by City Council at its meeting held on October 18, 2004, as well as a copy of the Notice which appeared in the local press under dates of December 11, 2004 and December 18, 2004.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, indicated the Department's support of the proposed Development Plan Amendment.

Mr. Brad Sylvester, Vice Chair, Municipal Planning Commission, indicated the Commission's support of the proposed Development Plan Amendment.

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

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT Council consider Bylaw No. 8365.

CARRIED.

Councillor Paulsen did not take part in the discussion and voting, as she was not present during the entire hearing.

- 4b) Proposed Zoning Bylaw Amendment
To Permit Integrated Community Facilities in
Suburban Centres or City Wide Parks
Applicant: Design and Building Committee for Joint Future Centre Facility
c/o Community Services Department, City of Saskatoon
Proposed Bylaw No. 8366
(File No. CK. 4110-3)**
-

REPORT OF THE CITY CLERK:

“The purpose of this hearing is to consider proposed Bylaw No. 8366, a copy of which is attached.

Attached is a copy of Clause 1, Report No. 7-2004 of the Municipal Planning Commission which was adopted by City Council at its meeting held on October 18, 2004, as well as a copy of the Notice which appeared in the local press under dates of December 11, 2004 and December 18, 2004.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, indicated the Department's support of the proposed Zoning Bylaw Amendment.

Mr. Brad Sylvester, Vice Chair, Municipal Planning Commission, indicated 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.

Moved by Councillor Neault, Seconded by Councillor Hnatyshyn,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Hnatyshyn, Seconded by Councillor Alm,

THAT Council consider Bylaw No. 8366.

CARRIED.

MATTERS REQUIRING PUBLIC NOTICE

**5a) Proposed Road Closure
Portion of 108th Street
(File No. CK. 6295-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated January 12, 2005:

- RECOMMENDATION:**
- 1) that City Council consider Bylaw No. 8375;
 - 2) that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing; and
 - 3) that upon closing the portion of public right-of-way as described in Proposed Subdivision prepared by George, Nicholson, Franko & Associated Ltd., it be transferred to the University of Saskatchewan in exchange for the dedication of 1.03 hectares of land as public right-of-way.

A request has been received from Infrastructure Services, to proceed with the exchange for a portion of public right-of-way as shown in Proposed Subdivision Plan (Attachment 1). It is proposed that the closed portion of public right-of-way be

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transferred to the University of Saskatchewan in exchange for the dedication of 1.03 hectares of land as public right-of-way.

City Council, at its meeting held on March 8, 2004 when dealing with Clause D2, Administrative Report No. 5-2004 adopted the following recommendation with respect to this proposed land exchange:

“that Infrastructure Services be authorized to proceed with the exchange of land required for the realignment of 108th Street between Preston Avenue and Circle Drive”.

In fulfillment of this resolution, Infrastructure Services is proceeding with the closure of public right-of-way to facilitate this exchange.

Approval has been received from the Minister of Highways (Attachment 2).

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3b) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in the *Star Phoenix* and *Sun* on the weekends of January 8/9 and 15/16, 2005. (Attachment 4)
- Posted on City Hall Notice Board on Friday, December 17, 2004
- Posted on City Website on Tuesday, December 21, 2004.

ATTACHMENTS

1. Proposed Subdivision dated August 20, 2004
2. Copy of letter from Department of Highways dated November 25, 2004.
3. Proposed Bylaw No. 8375
4. Copy of Public Notice – Permanent Road Closure – Portion of Land for 108th Street Realignment”

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

Moved by Councillor Penner, Seconded by Councillor Heidt,

- 1) *that City Council consider Bylaw No. 8375;*

- 2) *that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing; and*
- 3) *that upon closing the portion of public right-of-way as described in Proposed Subdivision prepared by George, Nicholson, Franko & Associated Ltd., it be transferred to the University of Saskatchewan in exchange for the dedication of 1.03 hectares of land as public right-of-way.*

CARRIED.

**5b) Proposed Road Closure
Portion of Nelson Road near Attridge Drive
(File No. CK. 6295-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated January 10, 2005:

- RECOMMENDATION:**
- 1) that City Council consider Bylaw No: 8377;
 - 2) that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing; and
 - 3) that upon closing the portion of public right-of-way as described in Plan of Proposed Subdivision prepared by Tri-City Surveys Ltd., it be transferred to the City of Saskatoon in exchange for the dedication of 1.02 hectares of land as public right-of-way.

A request has been received from Infrastructure Services to close a portion of public right-of-way as shown on Plan of Proposed Subdivision (Attachment 1). It is proposed that the closed portion of public right-of-way be exchanged for 1.02 hectares of land as public right-of-way for the realignment of Nelson Road.

Infrastructure Services and SaskTel have approved this closing proposal subject to easements being granted for utility access or relocation. Approval has been received from the Minister of Highways (Attachment 2).

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3b) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in the *Star Phoenix* and *Sun* on the weekends of January 8/9 and 15/16, 2005. (Attachment 4)
- Posted on City Hall Notice Board on Friday, December 24, 2004
- Posted on City Website on Tuesday, December 21, 2004.

ATTACHMENTS

1. Plan of Proposed Subdivision prepared by Tri-City Surveys Ltd. dated June 4, 2004.
2. Copy of letter from Department of Highways dated September 16, 2004.
3. Proposed Bylaw No. 8377
4. Copy of Public Notice – Permanent Road Closure – Nelson Road near Attridge Drive.”

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

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 1) *that City Council consider Bylaw No: 8377;*
- 2) *that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing; and*
- 3) *that upon closing the portion of public right-of-way as described in Plan of Proposed Subdivision prepared by Tri-City Surveys Ltd., it be transferred to the City of Saskatoon in exchange for the dedication of 1.02 hectares of land as public right-of-way.*

CARRIED.

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5c) Communications to Council

From: Lis Baldo, Trudi Barlow and Marnie Deighton

Date: August 8, 2003

and

From: Gerard Lapointe

Date: August 15, 2003

**Subject: Intersection of Clarence Avenue and Main Street
(File No. CK. 6320-1, 6332-2)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated January 10, 2005:

‘RECOMMENDATION: that the eastbound and westbound through and left turn movements on Main Street at Clarence Avenue be prohibited.

BACKGROUND

The Planning and Operations Committee, at its meeting held on December 7, 2004, considered the above matter and resolved:

“that the Administration be authorized to proceed with Public Notice advertising in regard to restricting the eastbound and westbound through and left turn movements on Main Street at Clarence Avenue.”

Infrastructure Services has been working with the Nutana Community Association since 1998 to resolve traffic concerns in the Nutana neighbourhood. The study area was bounded by Broadway and Clarence Avenues and 12th and 8th Streets. Specific traffic concerns identified by the residents included:

- Excessive traffic volumes and speed along Main Street;
- Infiltration of non-local, through traffic in the neighbourhood;
- Traffic and pedestrian safety at the intersection of Main Street and Clarence Avenue;
- Safety at intersections in the study area not controlled by stop or yield signs; and progression of traffic on Broadway Avenue and the southbound left turn from Broadway Avenue to 8th Street.

An intensive study was completed and involved a review of collision history, traffic data collection, current traffic controls in the area and operational and safety

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conditions. In addition to the initial traffic characteristics data from previous studies in the neighbourhood, new traffic volume and speed data was collected in 2002 (and again in 2004) at selected locations, in order to obtain the most representative traffic patterns in the area and develop suitable solutions. Public consultations were conducted to obtain feedback from residents regarding the proposed modifications. As a result, the following modifications were made to address the traffic concerns in the neighbourhood:

- The existing 2-way stop signs were replaced with four-way stop signs at Main Street and Dufferin Avenue.
- Yield signs were installed at five uncontrolled intersections in the area, oriented to discourage non-local traffic from shortcutting through the neighbourhood.
- A second southbound left turn lane was provided at Broadway Avenue and 8th Street to improve progression along Broadway Avenue and to encourage eastbound commuter traffic to use these arterials instead of Main Street.

The final proposed modification was to force east/westbound right turns on Main Street at Clarence Avenue and install a crosswalk across Clarence Avenue as can be seen in Attachment 1. By physically prohibiting through movements, traffic volume on Main Street would be reduced by approximately 50 percent and collisions at the intersection by 60 percent. While the majority of residents and the Nutana Community Association Executive initially supported the proposed modifications, and City Council approved the modifications at their June 9, 2003 meeting, opposition was expressed to City Council on August 11, 2003, in the form of a petition from residents on 9th and 10th Streets. These residents were concerned about traffic shifting from Main Street onto neighbouring 9th and 10th Streets. The modifications to Main Street and Clarence Avenue were then put on hold and the matter referred back to the Planning and Operations Committee.

REPORT

Four-way stop signs, and in fact all stop signs, are installed to clearly assign the right-of-way at an intersection and are not used as speed control devices or to stop priority traffic over minor traffic. Since the vehicle delay is distributed equally to all approaches at a four way stop, four-way stop signs are most appropriate at the intersection of two streets with equivalent priority, as described by the road classification, traffic volumes and the existence of a transit route. As such, four-way stop signs are currently installed on Main Street at Cumberland Avenue and at Preston Avenue. The Administration was requested to evaluate and compare the traffic conditions at these intersections on Main Street with those at the intersection of Main Street and Clarence Avenue.

Main Street and Preston Avenue

The intersection of Main Street and Preston Avenue is controlled with four-way stop signs, with one travel lane intended per direction. Main Street near Preston Avenue is classified as a minor collector roadway, carrying 6,300 vehicles per day, while Preston Avenue is classified as a major arterial roadway, carrying 12,500 vehicles per day. A review of the collision history revealed that there were 41 collisions reported in the past 5 years, of which 8 were right angle collisions.

The current four-way stop signs were installed in the 1960's and were justified according to the Stop and Yield Sign Policy at that time. Four-way stop signs are still warranted at this intersection under the current Stop and Yield Sign policy based on the traffic volumes entering the intersection.

Main Street and Cumberland Avenue

The intersection of Main Street and Cumberland Avenue is controlled with four-way stop signs. Main Street near Cumberland Avenue is classified as a minor collector roadway with one travel lane in either direction, while Cumberland Avenue is a minor arterial, also with one travel lane in either direction. Current traffic volumes on Main Street and Cumberland Avenue are 5,500 and 8,300 vehicles per day, respectively. A review of the collision history indicates that there were 30 collisions in the past 5 years, of which 15 were right angle collisions.

Similar to the intersection of Main Street and Preston Avenue, the current four-way stop signs were installed in the 1960's and were justified according to the Stop and Yield Sign Policy at that time. Four-way stop signs are still warranted at this intersection under the current Stop and Yield Sign policy based on the traffic volumes entering the intersection.

Main Street and Clarence Avenue

Clarence Avenue is classified as a multi-lane major arterial roadway carrying 12,000 vehicles per day, with its primary function to provide for traffic movement. Conversely, Main Street is classified as a local roadway, with its primary function to provide access to residences. The intersection of Main Street and Clarence Avenue is currently controlled with stop signs on Main Street, providing the right of way to Clarence Avenue. Main Street carries approximately 3,200 vehicles per day, substantially more traffic than deemed acceptable for a local street. The 85th percentile speed, the speed at or below which 85 percent of motorists drive, is 52 kilometres per hour.

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A review of the collision history revealed that there were 77 collisions reported in the past five years at this location. Of these, 45 collisions (58%) were classified as right angle collisions. It is evident that motorists on Main Street are having difficulty judging gaps in oncoming traffic on Clarence Avenue. Poor sight lines and high traffic density on Clarence Avenue promote acceptance of unsafe gaps. The higher number and frequency of collisions at this intersection, compared to other adjacent intersections, is directly related to higher traffic volume on Main Street.

The City of Saskatoon's Stop and Yield Sign Policy considers several factors when evaluating traffic conditions at an intersection, including the classification of the roadways, collision history, balance of traffic volumes entering the intersection on each approach and the average vehicle delay from the minor roadway. The installation of four-way stop signs on multiple lane roadways with a significant amount of pedestrian traffic has the potential to create further conflicts as the pedestrian must judge more than one lane of traffic in either direction. Given that Clarence Avenue is an arterial roadway and Main Street is a local roadway, and that the traffic levels on Clarence Avenue are almost four times greater than those on Main Street, four-way stop signs would be inappropriate and may lead to increasing volumes. Infrastructure Services is therefore not proposing four-way stop signs at the intersection of Clarence Avenue and Main Street.

The following table outlines a summary of the comparison between 3 intersections on Main Street, being Clarence Avenue, Cumberland Avenue and Preston Avenue.

| Intersection | Street | Classification | # travel lanes | Volume (vpd) | Collisions | Bus route |
|--------------------------|----------------|-----------------------|-----------------------|---------------------|-------------------|------------------|
| Main St & Preston Ave | Main St | Minor Collector | 2 | 6300 | 41 | yes |
| | Preston Ave | Major Arterial | 2 | 12500 | | yes |
| Main St & Cumberland Ave | Main St | Minor Collector | 2 | 5500 | 36 | - |
| | Cumberland Ave | Minor Arterial | 2 | 8300 | | yes |
| Main St & Clarence Ave | Main St | Local | 2 | 3200 | 77 | - |
| | Clarence Ave | Major Arterial | 4 | 12000 | | yes |

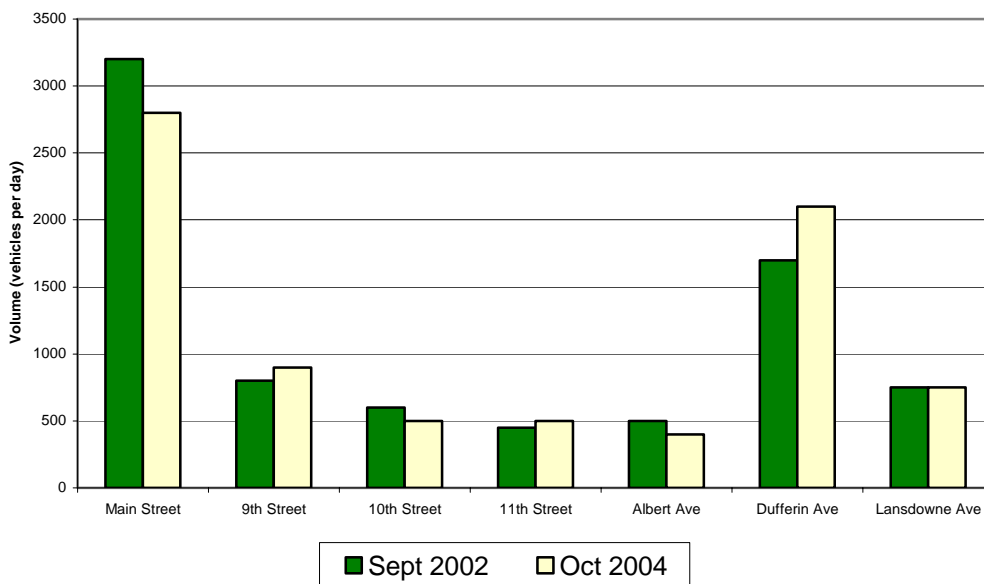
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Further traffic counts were collected in October 2004 to evaluate the effect of the traffic calming measures implemented throughout the Nutana neighbourhood to date. The counts indicate that on Main Street, the volume has slightly decreased to 2,800 vehicles per day (from the previous count in 2002 of 3,200 vehicles per day). Slight variations in traffic volumes on other roadways within the study area were also observed, as can be seen in the following figure. Speeds on all roadways were also collected. While there appears to be no speeding issues throughout the neighbourhood, further traffic calming measures are proposed to address excess traffic volume on Main Street.

Traffic Volumes



| Location | Speed* (kph) Sept. 2002 | Speed* (kph) Nov. 2004 |
|-----------------|------------------------------------|-----------------------------------|
| Main Street | 51 | 52 |
| 10th Street | 38 | 41 |
| 11th Street | 41 | 41 |
| Albert Ave | 40 | 42 |
| Dufferin Ave | 44 | 44 |
| Lansdowne Ave | 43 | 45 |

*note – 85th percentile speed (speed at which 85% of the vehicles are traveling at or below)

OPTIONS

Other traffic calming measures evaluated for the Nutana neighborhood include the installation of mini roundabouts and the closure of the median along Dufferin Avenue.

Mini Roundabout

A mini roundabout is a raised island located in the centre of an intersection, requiring vehicles to travel through the intersection in a counter-clockwise direction around the island. The purpose of a mini roundabout is to reduce vehicle speeds and conflicts through the intersection, and to minimize delays on the approaches. Roundabouts are typically installed at intersections where both roadways are of equal priority and have similar traffic volumes, similar to four-way stop signs. Installing mini roundabouts at locations along Main Street will not alleviate the traffic volumes on Main Street and subsequent safety concerns at Main Street and Clarence Avenue. Mini roundabouts are therefore not being recommended at this time.

Median Closure

The traffic calming measures proposed for Nutana are expected to be the most effective with the least restriction. Although median closures will reduce the volume of short cutting traffic, residential traffic will also be restricted. Median closures at select locations may be an option if evidence of traffic diversion is observed, however this measure is not being recommended at this time.

CONCLUSION

Based on the results of the investigation of the traffic characteristics at the intersection of Clarence Avenue and Main Street, Infrastructure Services does not propose the installation of four-way stop signs or traffic signals at the intersection.

Infrastructure Services proposes to proceed as per the June 9, 2003 resolution of City Council, that being the eastbound and westbound through and left turn movements on Main Street at Clarence Avenue be prohibited in a temporary manner for a period of six months and that a report on this matter follow.

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3c) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

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- Advertised in the Star Phoenix and Sun on the weekends of January 8/9 and 15/16, 2005. (Attachment 4)
- Posted on City Hall Notice Board on Friday, January 7, 2005.
- Posted on City Website on Friday, January 7, 2005.
- Flyers mailed to affected parties on Wednesday, January 5, 2005.

ATTACHMENTS

1. Proposed curb extensions to force right turns
2. Public Notice Advertisement'

Attached is a copy of a letter dated January 11, 2005 from Yvonne Leduc requesting permission to address Council with respect to the matter.

Attached is a copy of a letter dated January 17, 2005 from James B. Robinson requesting permission to address Council with respect to the matter.

Attached is a copy of letter dated January 17, 2005 from Lis Baldo submitting comments with respect to the matter.'"

The City Clerk distributed a letter from L. David Dube, the Concorde Group of Companies, dated January 17, 2005 expressing opposition to the proposed traffic restriction on Main Street at Clarence Avenue.

Mr. John Perret, expressed concerns with respect to potential traffic increasing on 10th Street due to the proposed traffic restriction on Main Street at Clarence Avenue.

Mr. James Robinson, representing taxi drivers at United Blueline Taxis and Quality Taxis, indicated his objection to the proposed traffic restriction on Main Street at Clarence Avenue.

Ms. Ruth Lapointe, resident of Main Street, spoke with respect to safety concerns and indicated her support for the proposed traffic restriction on Main Street at Clarence Avenue.

Ms. Nancy Allen, resident of Main Street, spoke with respect to safety concerns and indicated her support for the proposed traffic restriction on Main Street at Clarence Avenue.

Moved by Councillor Hnatyshyn, Seconded by Councillor Penner,

THAT the eastbound and westbound through and left turn movements on Main Street at Clarence Avenue be prohibited.

IN AMENDMENT

Moved by Councillor Birkmaier, Seconded by Councillor Hnatyshyn

THAT the following be added to the motion:

“for a six month trial basis with a further report back to Council at that time.”

*THE AMENDMENT WAS PUT AND CARRIED.
THE MOTION AS AMENDED WAS PUT AND LOST.*

**5d) Proposed Closure of Right-of-Way
Portion of 14th Street adjacent to 674 Saskatchewan Crescent East
(File No. CK. 6295-1)**

Councillor Wyant excused himself from discussion and voting on the matter due to a conflict of interest.

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated January 10, 2005:

- ‘RECOMMENDATION:**
- 1) that City Council consider Bylaw No. 8376;
 - 2) that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;
 - 3) that upon closing the portion of right-of-way as described in Plan of Proposed Street Closure prepared by Webb Surveys, it be sold to Mr. Vaughn Wyant, through his corporation, Vaughn Wyant Investments Ltd. for \$12,741.21 plus GST; and

- 4) that all costs associated with this closing be paid by the applicant including solicitors' fees and disbursements.

An application has been received from AODBT Architecture Interior Design on behalf of Mr. Vaughn Wyant to close and purchase a portion of right-of-way as shown on Plan of Proposed Street Closure (Attachment 1).

The right-of-way closure is of interest to the property owner who wants to use it as part of his private yard. The portion of right-of-way to be closed is adjacent to 674 Saskatchewan Crescent East, which is currently the residence of the property owner.

Mr. Vaughn Wyant, through his corporation, Vaughn Wyant Investments Ltd. has agreed to purchase and consolidate this closed portion with 674 Saskatchewan Crescent East for the price of \$12,741.21 plus GST and those costs incurred in the processing of the closure request which includes a \$600 application fee, solicitors fee, and disbursements plus GST.

Approval for the closing of the portion of right-of-way has been received from the Minister of Highways (Attachment 2).

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3b) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in the *Star Phoenix* and *Sun* on the weekends of January 8/9 and 15/16, 2005. (Attachment 4)
- Posted on City Hall Notice Board on Friday, December 24, 2004
- Posted on City Website on Tuesday, December 21, 2004.
- Flyers distributed to affected parties on Thursday, January 6, 2005.

ATTACHMENTS

1. Plan of Proposed Street Closure dated October 4, 2004
2. Copy of letter from Department of Highways dated November 1, 2004.
3. Proposed Bylaw No. 8376
4. Copy of Public Notice – Permanent Closure of Right-of-way – 674 Saskatchewan Crescent East””

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

Moved by Councillor Paulsen, Seconded by Councillor Penner,

- 1) *that City Council consider Bylaw No. 8376;*
- 2) *that the City Solicitor be instructed to take all necessary steps to bring the intended closing forward and to complete the closing;*
- 3) *that upon closing the portion of right-of-way as described in Plan of Proposed Street Closure prepared by Webb Surveys, it be sold to Mr. Vaughn Wyant, through his corporation, Vaughn Wyant Investments Ltd. for \$12,741.21 plus GST; and*
- 4) *that all costs associated with this closing be paid by the applicant including solicitors' fees and disbursements.*

CARRIED.

Councillor Wyant re-entered the Council Chamber.

5e) Communications to Council

**From: Rob Jones, Executive Director
Saskatoon Centennial Auditorium and Convention Centre**
Date: February 27, 2004
**Subject: Proposed Expansion - Saskatoon Centennial Auditorium
Debenture Issuance**
(File No. 1870-1)

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Corporate Services Department dated January 4, 2005:

‘RECOMMENDATION: that the General Manager, Corporate Services, be authorized to borrow up to \$9,645,000 for the planned expansion of the Saskatoon Centennial Auditorium.

At its meeting on March 22, 2004, City Council approved, in principle, a request from the Saskatoon Centennial Auditorium for an expansion to that facility. City Council’s approval in principle was subject to a final decision on financing.

REPORT

The proposed expansion plan is included as Attachment 1.

The Administration notes that, since initial consideration in March, project estimates have increased from \$8,930,000 (of which \$7,730,000 would have been borrowed) to \$10,845,000 (of which \$9,645,000 is requested to be borrowed). The current intent would be to borrow funds (subject to favourable market conditions) late in 2005 or early in 2006 (after substantial completion of the project). However, formal approval of the project is being requested now (through a borrowing resolution) so planned work can begin in the next few weeks.

Incremental revenues from the planned expansion are sufficient to pay most of the debt charge on the proposed borrowing (exact repayment amounts are not known until borrowing terms, including interest rates are determined). In addition, the City has been repaying \$250,600 per year for a previous theatre renovation loan that will be fully paid in 2006. The Administration believes that this amount of base, as well as the incremental revenue generated from the expansion, will be sufficient to repay the requested borrowing.

PUBLIC NOTICE

Public Notice is required for consideration of a request to borrow money, lend money or guarantee the repayment of a loan, pursuant to Section 3e) of Policy No. C01-021, The Public Notice Policy. The following notice was given:

- Advertised in *The StarPhoenix* on Saturday, January 8 and Saturday, January 15, 2005 and in the *Saskatoon Sun* on Sunday, January 9 and Sunday, January 16, 2005.
- Posted on City Hall Notice Board on Wednesday, December 22, 2004.
- Posted on City Website on Tuesday, December 21, 2004.

ATTACHMENTS

1. Saskatoon Centennial Auditorium & Convention Centre Proposed Expansion Plan'

Also attached is a copy of the notice that was placed in the local press under dates of January 8, 2005 and January 15, 2005.”

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

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Moved by Councillor Heidt, Seconded by Councillor Neault,

- 1) that the General Manager, Corporate Services, be authorized to borrow up to \$9,645,000 for the planned expansion of the Saskatoon Centennial Auditorium; and*
- 2) that City Council approve the amended Capital Budget totalling \$10,845,000.*

CARRIED.

**5f) Debenture Issuance
(File No. 1750-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Corporate Services Department dated January 10, 2005:

RECOMMENDATION: that City Council grant authorization to the General Manager, Corporate Services Department, to accept the terms of a \$20,000,000 debenture sale from the City’s fiscal agency, subject to the approval of the appropriate Debenture Bylaw.

REPORT

The 2005 Capital Budget and the 2006-2009 Capital Plan include expenditures totalling approximately \$100,000,000 for the completion of various water and wastewater utility projects. These projects relate to the increased demands for treatment quality, public safety, system capacity, security and reliability. The two major projects scheduled for 2005 are the construction of a new upstream raw water intake and pumphouse facility and an expanded facility to address grit removal at the Wastewater Treatment Plant.

The 2004 Capital Budget also identified two major water and wastewater projects for which borrowing was required and approved. The projects involve the construction of a sludge recovery and disposal system at the Water Treatment Plant and the replacement of a single line pipe which transports sludge from the Wastewater Treatment Plant to the bio-solids handling facility.

The 2004 and 2005 cash flow requirements for the utilities is anticipated to be roughly \$5.6 million and \$12.5 million, respectively. City Council has previously approved the debt service requirement for a \$9.1 million borrowing through the

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2004 Operating Budget process. At its meeting held on Monday, December 13, 2004, City Council approved the 2005 Capital Budget which included an additional \$25.8 million in borrowing dedicated specifically to the water and wastewater utility projects.

The Investment Committee wishes to receive authorization to issue debentures in early 2005, provided that market conditions favour the issuance of same. Ongoing discussions with the City's fiscal agency indicate that borrowing costs remain at attractive levels and that market demand for high-quality municipal issues remains high. The strong investor demand for higher-quality bond issues is reflected by the very narrow yield spreads evident in the marketplace. Some economists anticipate that both short-term and long-term yields will move gradually higher in 2005. However, any significant rate increases will likely be observed in the latter part of the year. Given the above, the Investment Committee deems it advantageous to issue debentures earlier in 2005 as opposed to deferring the debenture sale.

Upon receiving authorization to borrow, the Investment Committee, with the assistance of the City's fiscal agency, will continue to monitor the capital markets in order to determine an opportune time to effect a debenture sale. The Investment Committee proposes to issue a one to ten-year serial debenture issue with interest paid on a semi-annual basis. Based on the current shape of the yield curve, the all-in-cost of borrowing for a one to ten-year debenture issue would fall in the range of 4.25% to 4.75%.

OPTIONS

The alternative option is not to proceed with the construction of the various water and wastewater utility projects.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPACT

City Council has previously approved a three-year utility rate structure to fund the required borrowing.

PUBLIC NOTICE

Public Notice is required for consideration of this matter, pursuant to Section 3e) of Policy No. C01-021 (The Public Notice Policy). The following notice was given:

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1. Advertised in The StarPhoenix on Saturday, January 8, and Saturday, January 15, 2005, and in the Saskatoon Sun on Sunday, January 9, and Sunday, January 16, 2005.
2. Posted on City Hall Notice Board on Wednesday, December 22, 2004.
3. Posted on City Website on Tuesday, December 21, 2004.

ATTACHMENT

1. Photocopy of Public Notice.”

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

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT City Council grant authorization to the General Manager, Corporate Services Department, to accept the terms of a \$20,000,000 debenture sale from the City's fiscal agency, subject to the approval of the appropriate Debenture Bylaw.

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

1) Loretta Iris, dated December 9

Requesting permission to address Council with respect the South Downtown development. (File No. CK. 4130-2)

RECOMMENDATION: that Loretta Iris be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Loretta Iris be heard.

CARRIED.

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Ms. Iris was not present in the gallery.

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

2) Frank Regier, dated January 10

Requesting permission to address Council with respect to the Police Service and the SPCA. (File No. CK. 151-1)

RECOMMENDATION: that Frank Regier be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Frank Regier be heard.

CARRIED.

Mr. Frank Regier spoke with respect to crime and vandalism in his neighbourhood.

Moved by Councillor Neault, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

**3) Laura Small, President
Greater Saskatoon Chamber of Commerce, dated January 11**

Requesting permission for Kent Smith-Windsor, Executive Director, Greater Saskatoon Chamber of Commerce, to address Council with respect to environmentally-sound development and expansion of value-added processing of Saskatchewan's mined and grown-raw resources. (File No. CK. 3500-1)

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RECOMMENDATION: that Kent Smith-Windsor be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Kent Smith-Windsor be heard.

CARRIED.

Mr. Kent Smith-Windsor, Executive Director, Saskatoon Chamber of Commerce, provided information with respect to the Chamber's support for the environmentally-sound development and expansion of value-added processing of Saskatchewan's mined and grown-raw resources and requested that Council support the same.

Moved by Councillor Wyant, Seconded by Councillor Alm,

THAT the matter be referred to the Executive Committee.

CARRIED.

**4) Shirley Ryan, Executive Director
North Saskatoon Business Association, dated January 11**

Requesting permission to address Council with respect to the Provincial Government's "most available hours" legislation. (File No. CK. 4610-1)

RECOMMENDATION: that Clause B6, Administrative Report No. 2-2005 be brought forward and considered and that Shirley Ryan be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Item AA19 of Communications to Council and Clause B6, Administrative Report No. 2-2005 be brought forward and considered and that Shirley Ryan be heard.

CARRIED.

**"AA19) Alan H. J. Thomarat, Executive Director
Saskatoon & Region Home Builders' Association, Inc., dated January 17**

Submitting comments opposing the proposed implementation of minimum hours legislation. (File No. CK. 4610-1)

ADMINISTRATIVE REPORT NO. 2-2005

**B6) Labour Standards Regulations
Part-time Hours
(File No. 4610-1)**

RECOMMENDATION: that City Council write to the Provincial Government expressing its opposition to the proposed legislation pertaining to part-time hours of work.

As Council is aware, the Provincial Government is considering new legislation dealing with part-time employees. The intent of this report is to identify for City Council the difficulties that will arise for the City of Saskatoon should that legislation be enacted. Undoubtedly, some of our concerns might be rectified through amendments to the proposed legislation and/or through tests of interpretation. However, the ultimate purpose of this report is to express our opposition to the legislation, not to seek change.

The following are a few of the major areas of concern that your Administration has noted:

- **Full-time Hours of Work** – the proposed legislation provides a definition of full-time hours of work. While it may appear that most of our hours of work are defined in legislation as those covered in collective agreements, interestingly enough, the hours of work for members of the Exempt Staff Association and the Saskatoon Civic Middle Management Association are not defined. In most cases, those hours are deemed to be 36 2/3rds hours per week. Based on an additional definition of the full-time hours of work included in the legislation, those staff could qualify for additional hours of work to the maximum of 40 hours per week. Keep in mind that those additional hours need not be within their existing position. Those hours may be from any of the unions where the employees believe themselves to be qualified.
- **Qualifications** – the proposed legislation provides a definition of who qualifies for the additional hours of work that are being offered. Setting qualifications for a job is one of management's key rights. It ensures that staff who are responsible for our quality of water, the assessment of properties, engineering of capital projects, firefighting, police service, etc. have all of the necessary qualifications based on the best judgment of the management responsible for the delivery of these services. These qualifications would normally exceed the legislation's intent which is "*the knowledge, skill and ability to perform work after a reasonable period of familiarization in the position with respect to which additional hours are being offered*". The concern is that the City will be challenged to fill up the part-time employees' schedules to 40 hours per week merely on the basis of the employee's assertion that he/she can do the work in question. Education, training, related experience and certification credentials are essential to qualification, but not to the legislation.

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- Application of the legislation to “every employer with 50 or more employees employed at any location...” - The City of Saskatoon operates a diverse number of businesses at numerous locations. It is not clear whether the definition is intended to entrench all part-time positions under the umbrella of the one corporation known as The City of Saskatoon, or whether each business location would be considered unique. Regardless, the notion of topping up part-time employees’ schedules is an invitation to inefficiency. Where once there was a rational bundling of similar work together in the form of a full-time job, now the very opposite will be regulated. Bits and pieces of a (full-time) job will be redistributed to several part-time employees in an effort to make them full time. There will be no new full-time jobs created until all part-time employees have been offered enough hours of work to become full-time, 40-hour per week employees. Future vacant positions of the City will be regulated in the same manner.

The City could not post job vacancies in accordance with its collective agreements until it has actively canvassed 817 current part time employees to verify whether any one of them believe that he or she has both the interests and attributes for the work. In order for the City to make an informed opinion on the claims of employees, there would be a need to interview each part-time employee in an attempt to analyze properly the levels of knowledge, skills and abilities of each employee. Periodic interviewing would be required to keep up with employee changes in experience. Giving work to the part-time employee rather than promoting the (usually more senior) full-time employee will, in the majority of cases, result in grievances and arbitrations on the point of which legislation takes priority (*The Labour Standards Act* or *The Trade Union Act*).

The City performs personnel administration for several civic Boards that have significant numbers of part-time employees. Generally, those employees are not intermingled between the Corporation and the Boards due to the opportunity for such employees to gather more than 40 hours and thus garner overtime amongst more than one City employer. The City would be required to ensure that 817 part-time employees, including employees of Boards, would get all available work, but not in excess of 40 hours. This is a huge job (if it actually can be done at all), with significant opportunity for compromise errors.

- Availability list and requirement to offer additional hours– the proposed legislation defines how an availability list is prepared and requires the employer to offer additional hours to those who have declared themselves available for work. While the City has various arrangements regarding part-time hours, there is sufficient flexibility to be able to increase those hours to those that best satisfy the needs identified at any particular time. Those needs may be as simple as to extend the hours of a staff member who is already doing similar work (regardless of seniority) or to offer new hours of work to the best qualified person (which may include new staff hired from outside the corporation).

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- Administrative costs associated with the management of availability lists and offers of additional hours – currently, the City of Saskatoon employs 817 part-time employees. Each of these employees would have the right to declare their availability for additional hours and to change that availability three times per year. Those employees then have the right, subject to “qualifications”, to receive any additional hours available on a seniority basis. The City would also be required to ensure that those hours, if bundled, are scheduled to ensure that the employee works as many hours as possible in the same day. Only when the City had reached the bottom of the list of available employees, could it offer the additional hours to anyone not currently employed by the City.

Your Administration is unable, at this time, to provide a reliable cost of administering the requirements of the proposed legislation. It is not unreasonable to assume that the larger departments in the corporation would require additional staff support to maintain availability lists, conduct regular interviews to confirm qualifications, obtain confirmation of availability before the next senior person is contacted, etc. It is also quite likely that existing software is not capable of handling this tracking process and, because of the number of part-time positions, that software would need to be developed and maintained.

Your Administration is also concerned about the outcomes of not complying sufficiently with the proposed legislation. The Supreme Court case of Parry Sound (District) Social Services Administration Board v. OPSEU, Local 324 provides every employee with two concurrent paths to find remedy if that employee feels wronged by the City in performance under *The Labour Standards Act*. Time and costs of doing business both at arbitration and with the Labour Standards Branch to resolve all employee wants for additional hours is a very significant cost.

- The City is accustomed to using seasonal workers in off seasons, and in the course of executing planned periods of overtime, will be severely limited from doing so. Further, overtime opportunities are fertile grounds for grievances by existing employees who are now accustomed to receiving overtime. Grievances will develop where current collective agreements are violated in an effort to conform to the proposed regulations.

It is the opinion of your Administration that the proposed legislation will result in inefficiencies, work being performed by unqualified staff, unreasonable administrative effort and cost, and the loss of management rights and best practices. For these reasons, your Administration does not support the proposed legislation.

PUBLIC NOTICE

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

Ms. Shirley Ryan, Executive Director, North Saskatoon Business Association, expressed opposition to the proposed "Most Available Hours" legislation from the Provincial Government.

Moved by Councillor Penner, Seconded by Councillor Birkmaier,

THAT City Council write to the Provincial Government expressing its opposition to the proposed legislation pertaining to part-time hours of work.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL - CONTINUED

**5) Marlene Rochelle, Marketing & Public Relations Coordinator
Saskatoon Prairieland Park Corporation, dated January 12**

Requesting permission for Mark Regier, CEO, Prairieland Park, to address Council with respect to the proposed expansion of the Saskatoon Prairieland Park's Trade Centre. (File No. CK. 4125-1)

RECOMMENDATION: that Mark Regier be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Mark Regier be heard.

CARRIED.

Mr. Mark Regier, CEO, Saskatoon Prairieland Park Corporation, spoke with respect to the proposed expansion of the Prairieland Park and invited Council to participate in discussions. He provided Council with a copy of the Business Plan for a Building Expansion at Saskatoon Prairieland Park.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT the matter be referred to the Executive Committee.

CARRIED.

6) **Jeff Ledding**
Overdrive International Nightclub and Beily's Pub and Grill, undated

Requesting permission to address Council with respect to smoking on decks. (File No. CK. 185-3)

RECOMMENDATION: that Items AA10 and AA11 of Communications to Council and Clause 3, Report No. 1-2005 of the Administration and Finance Committee be brought forward and considered and that Jeff Ledding be heard.

Moved by Councillor Paulsen, Seconded by Councillor Birkmaier,

THAT Items AA10 and AA11 of Communications to Council and Clause 3, Report No. 1-2005 of the Administration and Finance Committee be brought forward and considered and that Jeff Ledding be heard.

CARRIED.

“AA10) **Alice L. Farness, dated January 8**

Submitting comments with respect to the smoking bylaw. (File No. CK. 185-3)

AA11) **David Mickalishen, dated January 11**

Submitting comments with respect to the smoking bylaw. (File No. CK. 185-3)

REPORT NO. 1-2005 OF THE ADMINISTRATION AND FINANCE COMMITTEE

3. **Proposed Amendment to Penalty Section**
The Smoking Control Bylaw, 2004
(File No. CK. 185-3)

RECOMMENDATION: that the City Solicitor be requested to prepare a Bylaw amendment to harmonize the penalties provided in *The Smoking Control Bylaw, 2004* with those provided in *The Tobacco Control Act, of the Province*, for the approval of City Council.

Attached is a copy of Clause B1, Legislative Report No. 20-2004 regarding possible amendments to *The Smoking Control Bylaw, 2004*, which was considered by City Council at its meeting held on December 13, 2004 at which time Council resolved:

- 1) that the information be received;

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- 2) a) that the matter of possible amendments to The Smoking Control Bylaw, 2004, be referred to the Administration and Finance Committee for its consideration in January 2005, after the coming into force of the relevant provisions of The Tobacco Control Amendment Act, 2004;
- b) that the Administration identify inhibitors of providing smoking space outside licensed establishments; and
- c) that the Board of Police Commissioners be requested to provide a report to the Administration and Finance Committee regarding incidents that are occurring outside of clubs relating to patrons smoking.

Your Committee has reviewed the referral in 2(a) above, and wishes to report that it is not prepared to make recommendations for any amendments to The Smoking Control Bylaw, 2004 at this time, other than to harmonize the penalties under the Bylaw with the penalties under the Provincial Act. The Committee has determined that restaurants and bars have an option for smokers, to use a designated outdoor area provided there is no seating, no service and no food and beverages taken to this area. The business would need to ensure this area does not reduce required parking or landscaping provisions under the Zoning Bylaw, and would therefore need to check with the Community Services Department in this regard.

The Committee also heard a presentation from the Medical Health Officer and determined that the Saskatoon Health Region is currently undertaking a study on the effects of the smoking ban relating to health issues, and the preliminary results of this study will be available in six months time.

Attached is a copy of a letter dated January 7, 2005 from Dr. Cordell Neudorf, Medical Health Officer and Dr. Johnmark Opondo Deputy Medical Health Officer Saskatoon Health Region, in this regard.

The Committee anticipates that a response from the Board of Police Commissioners to 2(c) above will be forthcoming and the subject of a further report at the appropriate time.

In the meantime, your Committee has opted to leave the Bylaw in place for an additional six months and then undertake an overall review to determine if changes are necessary.”

Mr. Jeff Ledding, Overdrive International Nightclub and Beily's Pub and Grill, spoke with respect to smoking on outdoor licensed patios. He submitted a petition with approximately 712 signatures supporting smoking on outdoor patios.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the City Solicitor be requested to prepare a Bylaw amendment to harmonize the penalties provided in The Smoking Control Bylaw, 2004 with those provided in The Tobacco Control Act, of the Province, for the approval of City Council.

CARRIED.

COMMUNICATIONS TO COUNCIL - CONTINUED

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

- 1) **Mark Regier, Vice Chair**
Tourism Saskatoon, dated December 6

DEALT WITH EARLIER. SEE PAGE NO. 2.

- 2) **Susan Hitchcock, Program Coordinator**
Communities in Bloom – City of Kingston, dated January 4

Requesting permission to place a link to the City of Saskatoon's website on the Kingston Blooms website. (File No. CK. 155-1)

RECOMMENDATION: that permission be granted for the City of Kingston to place a link on the Kingston Blooms website to the City of Saskatoon website.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT permission be granted for the City of Kingston to place a link on the Kingston Blooms website to the City of Saskatoon website.

CARRIED.

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**3) Mayor Vishnu Sharma
M.C. Patiala, Punjab (India), dated January 7**

Requesting twinning of the City of Saskatoon and the City of Patiala. (File No. CK. 150-1)

RECOMMENDATION: that the matter be referred to the Executive Committee.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

4) Garth F. Gerecke, dated January 2

Submitting comments with respect to snow removal in the City. (File No. CK. 6290-1)

5) Brian Bell, dated January 9

Submitting comments with respect to snow removal in the City. (File No. CK. 6290-1)

6) Fred Matchett, dated January 9

Submitting comments with respect to snow removal in the City. (File No. CK. 6290-1)

7) Gary McClelland, dated January 9

Submitting comments with respect to snow removal in the City. (File No. CK. 6290-1)

RECOMMENDATION: that the matter be referred to the Administration.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the matter be referred to the Administration.

CARRIED.

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8) Patty Hayes, dated January 11

Submitting comments with respect to snow removal in the City, traffic problems to Credit Union Centre during a concert and accommodations in the City. (File No. CK. 6290-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Fortosky, Seconded by Councillor Paulsen,

THAT the information be received and forwarded to the Credit Union Centre.

CARRIED.

9) Kyle Kepler, dated January 7

Submitting comments with respect to bicycle trails in the City. (File No. CK. 6000-5)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Neault,

THAT the information be received.

CARRIED.

10) Alice L. Farness, dated January 8

DEALT WITH EARLIER. SEE PAGE NO. 48.

11) David Mickalishen, dated January 11

DEALT WITH EARLIER. SEE PAGE NO. 48.

12) Brent Paulson, dated January 12

Submitting comments with respect to metered parking and parking tickets. (File No. CK. 6120-3)

RECOMMENDATION: that the information be received.

Moved by Councillor Heidt, Seconded by Councillor Alm,

THAT the information be received.

CARRIED.

13) Paulette Edin, Office Administrator
SaskTel Saskatchewan Jazz Festival, dated January 11

Requesting permission to extend the Noise Bylaw to 11:00 p.m. in connection with the SaskTel Saskatchewan Jazz Festival from June 24 through July 3, 2005. (File No. CK. 185-9)

RECOMMENDATION: that permission be granted to the SaskTel Saskatchewan Jazz Festival to extend the time of the Festival to 11:00 p.m., June 24 through July 3, 2005.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT permission be granted to the SaskTel Saskatchewan Jazz Festival to extend the time of the Festival to 11:00 p.m., June 24 through July 3, 2005.

CARRIED.

14) Lorne Scott, Conservation Director
Nature Saskatchewan, dated January 11

Submitting a Nature Saskatchewan resolution with respect to reducing children's exposure to pesticides. (File No. CK. 4200-1)

RECOMMENDATION: that the information be received and forwarded to the Saskatoon Environmental Advisory Committee.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the information be received and forwarded to the Saskatoon Environmental Advisory Committee

CARRIED.

15) **Joan Arnold, dated January 12**

Submitting comments with respect to off-leash parks in the City. (File No. CK. 152-2)

RECOMMENDATION: that the matter be referred to the Administration for a report to the Advisory Committee on Animal Control.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the matter be referred to the Administration for a report to the Advisory Committee on Animal Control.

CARRIED.

16) **Bob McGratten, dated January 13**

Submitting comments with respect to pedestrians crossing Attridge Drive at Spruce Drive. (File No. CK. 6320-1)

RECOMMENDATION: that the letter be referred to the Administration to respond to the writer.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT the letter be referred to the Administration to respond to the writer.

CARRIED.

17) **Joanne Sproule, Secretary**
Saskatoon Development Appeals Board, dated January 5

Submitting notice of Development Appeal Board rescheduled hearing for property located at 205 – 2nd Avenue North. (File No. CK. 4352-1)

18) **Joanne Sproule, Secretary**
Saskatoon Development Appeals Board, dated December 30

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Submitting notice of Development Appeal Board hearing for property located at 1204 Lancaster Boulevard. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

**19) Alan H. J. Thomarat, Executive Director
Saskatoon & Region Home Builders' Association, Inc., dated January 17**

DEALT WITH EARLIER. SEE PAGE NO. 43.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Lawrence Joseph, Vice Chief
Federation of Saskatchewan Indian Nations, dated January 18**

Submitting a funding proposal with respect to the 2nd Annual Gathering and Informational Session. (File No. CK. 1870-1) (**Referred to the Administration and Finance Committee**)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Neault,

THAT the information be received.

CARRIED.

C. PROCLAMATIONS

**1) Felicitas (Fay) Santos
Cultural Diversity and Race Relations Month 2005 Programmer, dated January 12**

Requesting that Council proclaim March 2005 as Cultural Diversity and Race Relations Month in Saskatoon and requesting permission to raise the Race Relations Flag in front of City Hall on March 1, 2005 and have the flag flying during the month of March 2005. (File No. CK. 205-5)

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RECOMMENDATION:

- 1) that City Council approve all proclamations as set out in Section C;
- 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council; and
- 3) that permission be granted to the Cultural Diversity and Race Relations Committee to fly the Cultural Diversity and Race Relations flag in front of City Hall during the month of March 2005.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

- 1) *that City Council approve all proclamations as set out in Section C;*
- 2) *that the City Clerk be authorized to sign the proclamations on behalf of City Council; and*
- 3) *that permission be granted to the Cultural Diversity and Race Relations Committee to fly the Cultural Diversity and Race Relations flag in front of City Hall during the month of March 2005.*

CARRIED.

REPORT NO. 1-2005 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor D. L. Birkmaier, Chair
Councillor O. Fortosky
Councillor E. Hnatyshyn
Councillor M. Neault
Councillor G. Wyant

1. Communications to Council

**From: Lyn Gray, Acting Manager
Saskatchewan Homelessness Operations**
Date: December 8, 2004
**Subject: National Homelessness Initiative
“Keeping the Plan Alive 2004”**
(File No. CK. 750-6)

RECOMMENDATION: that the “Keeping the Plan Alive 2004” document be endorsed by City Council.

Attached is a copy of the above communication from Ms. Lyn Gray, Acting Manager, Saskatchewan Homelessness Operations, Human Resources and Skills Development Canada, providing a copy of the “Keeping the Plan Alive 2004” document and asking that it be endorsed by City Council.

Your Committee has discussed the matter with the Administration and received a presentation from Mr. John Dalzell, Senior Development Officer, Human Resources and Skills Development Canada. Your Committee has been advised that the plan has been updated through public consultation with various community groups, as outlined in the attached document. It is being recommended that the updated plan be endorsed by City Council.

Moved by Councillor Birkmaier, Seconded by Councillor Fortosky,

THAT the “Keeping the Plan Alive 2004” document be endorsed by City Council.

CARRIED.

**2. Federation of Canadian Municipalities Resolution
Affordable Housing Policies
(File No. CK. 155-2)**

RECOMMENDATION: that City Council forward the following resolution to the Federation of Canadian Municipalities for its consideration at the March 2005 meeting of the National Board of Directors:

“WHEREAS the health and quality life of individuals and families in our municipalities is fundamentally determined by the adequacy, affordability and appropriateness of housing available to each and every citizen; and

WHEREAS the economic, health and social effects of not ensuring that each citizen has access to affordable and appropriate housing are most directly borne by municipalities and their citizens; and

WHEREAS the lack of access to capital and financing, whether public or private, is the key problem in ensuring the adequate availability of affordable housing in our communities; and

WHEREAS the local level of government is unable on its own to adequately deal with the problem;

BE IT RESOLVED that FCM urge the Federal government to increase the amount and flexibility of funding for affordable housing programs.”

Your Committee, at its meeting held on November 23, 2004 considered a letter from the Federation of Canadian Municipalities inviting the submission of resolutions for consideration at the March 2005 meeting of the National Board of Directors or the Annual Conference in June 2005. The letter was referred to the Administration for possible resolutions, to include a resolution on the affordable housing issue.

Attached is a copy of the report of the General Manager, Community Services Department dated December 22, 2004 submitting a resolution with respect to affordable housing policies.

Your Committee has reviewed the report and support the recommendation to forward the above resolution for consideration at the March 2005 meeting of the National Board of Directors of the Federation of Canadian Municipalities. Resolutions are to be received no later than midnight on January 26, 2005 for debate at the above meeting.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

that City Council forward the following resolution to the Federation of Canadian Municipalities for its consideration at the March 2005 meeting of the National Board of Directors:

“WHEREAS the health and quality life of individuals and families in our municipalities is fundamentally determined by the adequacy, affordability and appropriateness of housing available to each and every citizen; and

WHEREAS the economic, health and social effects of not ensuring that each citizen has access to affordable and appropriate housing are most directly borne by municipalities and their citizens; and

WHEREAS the lack of access to capital and financing, whether public or private, is the key problem in ensuring the adequate availability of affordable housing in our communities; and

WHEREAS the local level of government is unable on its own to adequately deal with the problem;

BE IT RESOLVED that FCM urge the Federal government to increase the amount and flexibility of funding for affordable housing programs.”

CARRIED.

**3. Lease Agreement – Lakewood Indoor Tennis Inc.
(File No. CK. 610-3-1)**

- RECOMMENDATION:**
- 1) that the Lease Agreement between the City of Saskatoon and the Lakewood Indoor Tennis Inc. be renewed in accordance with the terms of the existing Agreement (see Attachment 1 of the report of the General Manager, Community Services Department dated December 20, 2004) and include the following changes:
 - a) that the Agreement be approved for a four year term from May 1, 2005 to April 30, 2009;

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- b) that the rental rate for each year in the term be \$6,900 plus G.S.T. and the Lakewood Indoor Tennis Inc. provide monthly installments, including G.S.T. as follows:

| | | |
|--------|-------------------------------|----------|
| Year 1 | May 1, 2005 to April 30, 2006 | \$615.25 |
| Year 2 | May 1, 2006 to April 30, 2007 | \$615.25 |
| Year 3 | May 1, 2007 to April 30, 2008 | \$615.25 |
| Year 4 | May 1, 2008 to April 30, 2009 | \$615.25 |

- c) that after the renewal, the parties will have two further options to renew for a period of five years; and

- 2) that the City Solicitor be requested to prepare the appropriate Agreement and that His Worship the Mayor and the City Clerk be authorized to executive the Agreement under the Corporate Seal.

Your Committee has reviewed the attached report of the General Manager, Community Services Department dated December 20, 2004, and supports the recommendations for the renewal of the above Lease Agreement as outlined in the report.

Moved by Councillor Birkmaier, Seconded by Councillor Fortosky,

- 1) *that the Lease Agreement between the City of Saskatoon and the Lakewood Indoor Tennis Inc. be renewed in accordance with the terms of the existing Agreement (see Attachment 1 of the report of the General Manager, Community Services Department dated December 20, 2004) and include the following changes:*

- a) *that the Agreement be approved for a four year term from May 1, 2005 to April 30, 2009;*

- b) *that the rental rate for each year in the term be \$6,900 plus G.S.T. and the Lakewood Indoor Tennis Inc. provide monthly installments, including G.S.T. as follows:*

| | | |
|---------------|--------------------------------------|-----------------|
| <i>Year 1</i> | <i>May 1, 2005 to April 30, 2006</i> | <i>\$615.25</i> |
| <i>Year 2</i> | <i>May 1, 2006 to April 30, 2007</i> | <i>\$615.25</i> |
| <i>Year 3</i> | <i>May 1, 2007 to April 30, 2008</i> | <i>\$615.25</i> |
| <i>Year 4</i> | <i>May 1, 2008 to April 30, 2009</i> | <i>\$615.25</i> |

- c) *that after the renewal, the parties will have two further options to renew for a period of five years; and*
- 2) *that the City Solicitor be requested to prepare the appropriate Agreement and that His Worship the Mayor and the City Clerk be authorized to executive the Agreement under the Corporate Seal.*

CARRIED.

REPORT NO. 1-2005 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor G. Penner, Chair
Councillor T. Alm
Councillor B. Dubois
Councillor M. Heidt
Councillor T. Paulsen

**1. Request for Letter of Support
Tax Exemption under The Cities Act
R.C.A.F.A. #602 (Lynx) Wing
(File No. CK. 1871-1)**

RECOMMENDATION: that a letter be provided to R.C.A.F.A. #602 (Lynx) Wing, in support of their application to the Provincial Government for tax exemption under Section 262 of *The Cities Act*.

City Council, at its meeting held on November 15, 2004 adopted a recommendation of the Administration and Finance Committee to transfer the R.C.A.F.A. #602 (Lynx) Wing (Lynx Building) to the phase-out program for tax exemption, for organizations not considered eligible for grant programs.

Attached is a copy of a communication dated November 24, 2004 from Mr. Earl Goodman, Treasurer, R.C.A.F.A. #602 (Lynx) Wing, indicating that other veterans organizations have been exempted from property taxes under Section 262 of *The Cities Act*. They are seeking the same exemption, and would like a letter of support from the City to send with their application to the Province.

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Your Committee has reviewed this request with Mr. Goodman and believes that a letter of support would be in order, which is similar to what was provided to the Canadian Blood Services in November 2004.

Moved by Councillor Penner, Seconded by Councillor Heidt,

THAT a letter be provided to R.C.A.F.A. #602 (Lynx) Wing, in support of their application to the Provincial Government for tax exemption under Section 262 of The Cities Act.

CARRIED.

**2. Youth Sports Subsidy Program – 2003-2004
(File No. CK. 7120-3-1)**

- RECOMMENDATION:**
- 1) that the report on the program variables for the 2004-2005 program year and the results of the 2003-2004 program year be received as information;
 - 2) that \$20,594 be transferred to the Special Events Reserve established under City of Saskatoon Policy C03-003 (Reserves for Future Expenditures); and
 - 3) that the Administration be requested to report to the Budget Committee during the Operating Budget review on the impact of increasing the Youth Sport Subsidy from the proposed 37.96% to 40% for 2005 and thereafter.

Attached is a copy of the report of the General Manager, Community Services Department dated December 17, 2004 regarding the Youth Sports Subsidy Program. Your Committee has reviewed this report with the Administration and supports the recommendations, along with a proposal to increase the Youth Sport Subsidy to 40% in 2005 and thereafter. The Committee has added a recommendation in this regard for a report to be considered at the Budget Committee meeting during the Operating Budget review.

Moved by Councillor Penner, Seconded by Councillor Heidt,

- 1) *that the report on the program variables for the 2004-2005 program year and the results of the 2003-2004 program year be received as information;*
- 2) *that \$20,594 be transferred to the Special Events Reserve established under City of Saskatoon Policy C03-003 (Reserves for Future Expenditures); and*

- 3) *that the Administration be requested to report to the Budget Committee during the Operating Budget review on the impact of increasing the Youth Sport Subsidy from the proposed 37.96% to 40% for 2005 and thereafter.*

CARRIED.

**3. Proposed Amendment to Penalty Section
The Smoking Control Bylaw, 2004
(File No. CK. 185-3)**

DEALT WITH EARLIER. SEE PAGE NO. 48.

REPORT NO. 1-2005 OF THE EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor D. Atchison, Chair
Councillor T. Alm
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. Business Development Incentive Agreement
(File No. CK. 1965-1)**

- RECOMMENDATION:**
- 1) that the application from Philom Bios for a one-year tax abatement on the incremental portion of taxes on their expansion at 3935 Thatcher Avenue be approved; and,
 - 2) that the City Solicitor be instructed to bring forward the appropriate bylaw and agreement.

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Your Committee has considered and supports the attached report of the General Manager, Corporate Services Department dated December 21, 2004.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

- 1) *that the application from Philom Bios for a one-year tax abatement on the incremental portion of taxes on their expansion at 3935 Thatcher Avenue be approved; and,*
- 2) *that the City Solicitor be instructed to bring forward the appropriate bylaw and agreement.*

CARRIED.

**2. Appointments to Board of Revision
(File No. CK. 175-6)**

RECOMMENDATION: that Mr. David Gabruch be appointed to the Board of Revision for 2005.

The above appointment is necessary in order to replace Mr. Clay Larson who has resigned from the Board.

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT Mr. David Gabruch be appointed to the Board of Revision for 2005.

CARRIED.

**3. Appointments to the Saskatoon Gallery and Conservatory Corporation Board of Trustees
(File No. CK. 175-27)**

RECOMMENDATION: that the City's representative be instructed to vote the City's proxy at the 2005 Annual Meeting for the appointment and reappointment of the following to the Saskatoon Gallery and Conservatory Corporation Board of Trustees for the terms indicated:

Councillor T. Alm, for 2005
Councillor G. Wyant, for 2005
James Leach, to the end of 2006

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Murray Hinds, to the end of 2006
Barbara Beavis, to the end of 2006
Brent Klause, to the end of 2006
Carol Cisecki, to the end of 2006
John Hampton, to the end of 2006

Moved by Councillor Wyant, Seconded by Councillor Alm,

THAT the City's representative be instructed to vote the City's proxy at the 2005 Annual Meeting for the appointment and reappointment of the following to the Saskatoon Gallery and Conservatory Corporation Board of Trustees for the terms indicated:

*Councillor T. Alm, for 2005
Councillor G. Wyant, for 2005
James Leach, to the end of 2006
Murray Hinds, to the end of 2006
Barbara Beavis, to the end of 2006
Brent Klause, to the end of 2006
Carol Cisecki, to the end of 2006
John Hampton, to the end of 2006*

CARRIED.

**4. Appointments to the Municipal Planning Commission
(File No. CK. 175-16)**

RECOMMENDATION: that the following be appointed and reappointed to the Municipal Planning Commission for the terms indicated:

Councillor B. Dubois, for 2005
Vern Waldherr, to the end of 2007
Michael Chyzowski, to the end of 2007
Randy Warick, to the end of 2007

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT the following be appointed and reappointed to the Municipal Planning Commission for the terms indicated:

*Councillor B. Dubois, for 2005
Vern Waldherr, to the end of 2007
Michael Chyzowski, to the end of 2007
Randy Warick, to the end of 2007*

CARRIED.

**5. Appointments to the Land Bank Committee
(File No. CK. 225-33)**

RECOMMENDATION: that Councillors Heidt, Hnatyshyn, Neault, Penner and Wyant be reappointed to the Land Bank Committee.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Councillors Heidt, Hnatyshyn, Neault, Penner and Wyant be reappointed to the Land Bank Committee.

CARRIED.

**6. Appointments to the Property Maintenance Appeals Board
(File No. CK. 225-54)**

RECOMMENDATION: that Michael D. Brockbank be appointed to the Property Maintenance Appeals Board to the end of 2007.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Michael D. Brockbank be appointed to the Property Maintenance Appeals Board to the end of 2007.

CARRIED.

ENQUIRIES

**Councillor G. Penner
Dangerous Dogs
(File No. CK. 152-4)**

I understand that once a dog has been declared “dangerous” there is no circumstance that can have this designation removed. Could I please have a report indicating whether or not this was intended to be the case and, if not, what steps might be recommended to remove the “dangerous dog” designation.

**Councillor G. Penner
Lost & Found – Police Service
(File No. CK. 5000-1)**

I understand that if a citizen finds an object, either on public or private property, and turns it in to the police, the citizen has no claim to the property if it is not claimed by its owner after a 90 day period.

Could I have a report indicating:

- a) Is this correct.
- b) Does it not make sense to give a citizen who finds and turns in property, to be able to claim it if not claimed by rightful owner after 90 days.

**Councillor D. L. Birkmaier
Curb Cuts - 23rd Street – Spadina to 3rd Avenue and
Spadian Crescent – 25th Street to 3rd Avenue
(File No. CK. 6220-1)**

Would the Administration review the possibility of incorporating in the 2005 Operating Budget - Curb Cuts - on 23rd Street from Spadina to 3rd Avenue and Spadina Crescent from 25th Street to 3rd Avenue.

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**Councillor D. L. Birkmaier
Garbage Pickup Schedule
(File No. CK. 7830-3)**

Would the Administration please report on the cost of implementing a full weekly garbage pick-up schedule on an annual basis.

**Councillor G. Wyant
Prairie Pride Processing Facility Discharge
(File No. 7800-1)**

Would the Administration please report on the process involved with respect to the construction of the Prairie Pride processing facility, specifically what permits will be required from an environmental perspective. What steps will be taken by our Administration to ensure that the effluent discharge is compatible with our Wastewater Treatment Plant.

**Councillor E. Hnatyshyn
Activity of Animal Services Program Coordinator
(File No. CK. 151-1)**

That Administration report on activity of the Animal Services Program Coordinator with respect to the neighbourhood canvass and the community response.

**Councillor E. Hnatyshyn
Gateway Sign – Buena Vista Neighbourhood
(File No. CK. 4020-1)**

That Administration advise of the feasibility of severing a small portion of the city owned surplus land at Lorne and 8th and the cost of constructing a neighbourhood gateway sign for the Buena Vista Community using the stored Labatt bricks.

GIVING NOTICE

Councillor Hnatyshyn gave the following Notice of Motion:

“TAKE NOTICE that at the next regular meeting of City Council I will move the following motion:

“THAT a controlled intersection be installed at the corner of Clarence Avenue and Main Street.”

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8365

Councillor Paulsen did not vote, as she was not present during the hearing.

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8365, being “The Development Plan Amendment Bylaw, 2005”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8365 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8365.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8365 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Alm,

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

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Hnatyshyn,

THAT permission be granted to have Bylaw No. 8365 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Fortosky,

THAT Bylaw No. 8365 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.

Bylaw 8366

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8366, being "The Zoning Amendment Bylaw, 2005", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

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Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8366 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8366.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8366 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Alm,

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

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8366 read a third time at this meeting.

CARRIED UNANIMOUSLY.

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Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT Bylaw No. 8366 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.

Bylaw 8375

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8375, being “The Street Closing Bylaw, 2005”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8375 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8375.

CARRIED.

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

Committee arose.

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

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That while in Committee of the Whole, Bylaw No. 8375 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Alm,

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

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8375 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT Bylaw No. 8375 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.

Bylaw 8377

Moved by Councillor Wyant, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8377, being "The Street Closing Bylaw, 2005 (No. 3)", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Bylaw No. 8377 be now read a second time.

CARRIED.

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The bylaw was then read a second time.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT Council go into Committee of the Whole to consider Bylaw No. 8377.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8377 was considered clause by clause and approved.

Moved by Councillor Wyant, Seconded by Councillor Alm,

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

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8377 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT Bylaw No. 8377 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 8376

Councillor Wyant excused himself from discussion and voting on the matter, due to a conflict of interest, and left the Council Chamber.

Moved by Councillor Penner, Seconded by Councillor Neault,

THAT permission be granted to introduce Bylaw No. 8376, being “The Street Closing Bylaw, 2005 (No. 2)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Penner, Seconded by Councillor Heidt,

THAT Bylaw No. 8376 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Penner, Seconded by Councillor Alm,

THAT Council go into Committee of the Whole to consider Bylaw No. 8376.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8376 was considered clause by clause and approved.

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Moved by Councillor Penner, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8376 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Wyant, Seconded by Councillor Fortosky,

THAT Bylaw No. 8376 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.

Councillor Wyant re-entered the Council Chamber.

Moved by Councillor Penner,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 8:50 p.m.

Mayor

City Clerk