

Council Chambers
City Hall, Saskatoon, Sask.
Monday, December 13, 2004
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn,
Neault, Paulsen, Penner and Wyant;
City Manager Richards;
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 Hewitt;
City Solicitor Dust;
City Clerk Mann; and
Council Assistant Mitchener.

Moved by Councillor Fortosky, Seconded by Councillor Birkmaier,

THAT the minutes of meeting of City Council held on November 29, 2004, be approved.

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Alm,

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

CARRIED.

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

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

Committee arose.

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

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

“ADMINISTRATIVE REPORT NO. 22-2004

Section A – COMMUNITY SERVICES

**A1) Purchase of 7.486 Acres of Land
Proposed Melville Street Relocation
(File No CK. 4020-1)**

- RECOMMENDATION:**
- 1) that City Council approve the purchase of 4.99 acres of un-serviced land (Lots 2 & 3, Plan G601) from Anthony Olaski at a purchase price of \$225,000.00 plus applicable taxes with terms and conditions as outlined in the report of the General Manager, Community Services Department;
 - 2) that City Council approve the purchase of 2.496 acres of un-serviced land (Lot 4, Plan 601) from Emil Horosko at a purchase price of \$107,000.00 plus applicable taxes with terms and conditions as outlined in the report of the General Manager, Community Services Department;
 - 3) that the City Solicitor be requested to prepare the necessary purchase agreements and that His Worship, the Mayor and City Clerk be authorized to execute the agreements; and
 - 4) that these land purchases be financed by a withdrawal from the Property Realized Reserve in the amount of \$332,000.00 plus other legal costs, real estate fees and disbursements.

ADOPTED.

BACKGROUND

At its meeting held on April 5, 2004, City Council adopted Clause 1, Report No. 6-2004 of the Planning and Operations Committee which had recommended proceeding with the purchase of 7.66 acres of un-serviced land from Twin Dragon Holdings Ltd. This land is required for the construction of the CNR/Clarence Avenue Overpass, the future relocation of Melville Street and the possible relocation of the Saskatoon Light and Power Storage Compound onto lands away from the Saskatoon Auto Mall area fronting onto Brand Road. The report of the General Manager of Community Services, dated March 22, 2004, (Attachment No. 1) also indicated that should the

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acquisition of the Twin Dragon lands be approved, the Land Branch Manager would actively pursue the acquisition of other privately owned lands along the south side of Melville Street to facilitate the relocation of Melville Street and to complete the servicing of lands within the CN Industrial Area.

At its meeting held on September 20, 2004, City Council approved the purchase of 1.49 acres from the Estate of William Wright. At this time it was noted that the Manager of the Land Branch was in the process of negotiating the purchase of land from two other property owners in order to complete the land acquisition phase of the project to relocate Melville Street, relocate the Saskatoon Light and Power Storage Compound to the south and to complete the servicing of the CN Industrial Area.

REPORT

The lands required to complete the land acquisition phase of this project are situated along the south side of the existing road allowance (Melville Street) as illustrated on Attachment No. 2.

Offer to Purchase Agreements have been accepted by the owners of the lands of Lots 2 & 3 and Lot 4, Plan G601.

The agreements are as follows:

Lots 2 and 3, Plan G601 (Site 1):

1. Purchase Price: \$225,000.00 with an initial deposit of \$5,000.00 paid in trust to Colliers McClocklin Real Estate Corp. and a further \$5,000.00 deposit to be paid upon removal of Conditions Precedent to the agreement.
2. Conditions Precedent:
 - a) The City obtaining at its expense a Phase I Environmental Assessment Report the results of which will indicate that the Land conform to the applicable standards for the intended use of the property by the City;
 - b) The approval of City Council authorizing the purchase of the subject lands; and
 - c) If these conditions cannot be met within 60 days of acceptance of the offer to purchase (November 17, 2004), the agreement arising from acceptance of this offer shall become null and void and of no effect.
3. Legal Costs: Each to pay their own.
4. Closing Date: January 31, 2005, or sooner if agreed to by the City and Seller.
5. Possession: Vacant possession upon the closing date.
6. Real Estate Fees: City to pay all real estate commissions (\$7,875.00 plus applicable taxes).

Lot 4, Plan G601 (Site 2):

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1. Purchase Price: \$107,000.00 with an initial deposit of \$5,000.00 paid in trust to Colliers McClocklin Real Estate Corp. and a further \$5,000.00 deposit to be paid upon removal of Conditions Precedent to the agreement.
2. Conditions Precedent:
 - a) The City obtaining at its expense a Phase I Environmental Assessment Report the results of which will indicate that the Land conform to the applicable standards for the intended use of the property by the City;
 - b) The approval of City Council authorizing the purchase of the subject lands; and
 - c) If these conditions cannot be met within 90 days of acceptance of the offer to purchase (November 30, 2004), the agreement arising from acceptance of this offer shall become null and void and of no effect.
3. Legal Costs: Each to pay their own.
4. Closing Date: February 28, 2005, or sooner if agreed to by the City and Seller.
5. Possession: Vacant possession upon the closing date.
6. Real Estate Fees: City to pay all real estate commissions (\$3,745.00 plus applicable taxes).
7. Existing Buildings Building and chattels on the site shall remain the property of the seller and shall be removed prior to closing date. All buildings and chattels remaining on the site after closing date shall be the sole property of the buyer.

With respect to the environmental condition of the land, the Land Branch has commissioned the firm of P. Machibroda Engineering Ltd. to conduct an Environmental Assessment Report for the subject property. Should this report indicate that the potential for significant environmental hazard is low and no further investigation is required, this condition precedent to the agreement would be removed. The report is expected to be completed within the next two weeks.

There is a house and detached garage on Site 1, which will become the property of the City. The existing building on Site 2 is a detached storage building and would become the property of the City if the seller does not elect to remove it prior to the closing date. At the appropriate time, the Land Branch Manager will arrange to have the dwelling located on Site 1 rented on a month-to-month basis. The seller currently occupies this dwelling.

The funding source for the purchase of this land is the Property Realized Reserve in the amount of \$332,000.00 plus legal, real estate fees and related disbursements.

During the 2005 construction season, the Municipal Engineering Branch will be proceeding with the installation of a major storm trunk along the southerly portion of the lands acquired and within the future right-of-way of Melville Street. This trunk sewer is necessary to facilitate the servicing of the Stonebridge Neighbourhood. Due to the depth of the excavation for this trunk sewer, the

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completion of direct services and subsequent sale of the lands north of the relocated Melville Street may not be fully completed until 2006 to provide sufficient time for settlement of the storm sewer excavation area. Additionally, area grading of the total land area acquired by the City will be undertaken in 2005. Capital Project 774 – Land Development – CN Industrial is identified within the Land Development section of the preliminary 2005 Capital Budget. Total cost is \$1,663,000.00 and is funded by pre-paid levies totalling \$1,512,000.00 and by the Property Realized Reserve in the amount of \$151,000.00 for the provision of telephone, gas, and electrical services to the lands, which are to be sold.

Should City Council approve the acquisition of these two parcels, the Land Branch will be proceeding to finalize a re-subdivision of the area to implement the relocation of Melville Street. Capital Project 1272 – Electrical Facility Comprehensive Maintenance Program within the Saskatoon Light and Power section of the 2005 Capital Budget has provided for the allocation of funding to complete relocation of the storage compound. It is anticipated that the estimated costs of relocation will be recovered from the sale of the vacated lands fronting onto Brand Road for auto mall purposes in 2006 dependent upon the timing for the relocation of Melville Street.

PUBLIC NOTICE

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

ATTACHMENTS

1. Report of the General Manager, Community Services Department dated March 22, 2004.
2. Map Showing Possible Land Acquisitions for Future Melville Street.

A2) Request For Encroachment Agreement

2120 St. George Avenue

Plan: 73S34940 Lot: Parcel C EX Part Taken By PL 75S24828

(File No. PL 4090-2)

RECOMMENDATION:

- 1) that City Council recognize the encroachment at 2120 St. George Avenue (Plan: 73S34940 Lot: Parcel C EX PART TAKEN BY PL 75S24828);
- 2) that the City Solicitor be instructed to prepare the appropriate encroachment agreement making provision to collect the applicable fees; and
- 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory

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to the City Solicitor, the agreement with respect to this encroachment.

ADOPTED.

MacPherson Leslie & Tyerman LLP, Barristers & Solicitors, on behalf of Elite Sportswear Property Holdings, the new registered owner of the property located at 2120 St. George Avenue, have requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached Surveyor's Certificate, parts of the building encroach onto City of Saskatoon property. The total area of encroachment is approximately 8.5 m² and will, therefore, be subject to an annual charge of \$50.00. The encroachments have likely existed since 1956 when the building was constructed, with further construction taking place in 1966 and in 1973.

PUBLIC NOTICE

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

ATTACHMENTS

1. Letter from MacPherson Leslie & Tyerman LLP, Barristers & Solicitors dated November 18, 2004
2. Surveyor's Certificate dated May 2, 1986

**A3) Land-Use Applications Received by the Community Services Department
For the Period Between November 6, 2004, to December 2, 2004
(For Information Only)
(File Nos. PL. 4132,4115, 4350, and 4300)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Condominium

- Application No. 17/04: 135 St. Lawrence Court
Applicant: Jay Investments Ltd.
Legal Description: Lot 4, Block 613, Plan 69S11638

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Current Zoning: RM4
Neighbourhood: River Heights
Date Received: November 8, 2004

Development Plan

- Amendment No. DPA 28/04: 1025 Boychuk Drive
Applicant: P.F. Little Properties Ltd.
Legal Description: Parcel C, Block 756, Plan 74S08928
Current Land Use Designation: Neighbourhood Commercial
Proposed Land Use Designation: District Commercial
Neighbourhood: College Park East
Date Received: November 8, 2004

Rezoning

- Application No. Z29/04 : 1025 Boychuk Crescent
Applicant: P.F. Little Properties Ltd.
Legal Description: Parcel C, Block 756, Plan 74S08928
Current Zoning: B1
Proposed Zoning: B2 by Agreement
Neighbourhood: College Park East
Date Received: November 8, 2004

Subdivision

- Application No. 67/04 : 1909 Avenue B North
Applicant: Webb Surveys for 621185 Sask. Ltd.
Legal Description: Lots 4-8, Block 18, Plan G215
Current Zoning: IL1
Neighbourhood: Airport Business Area
Date Received: November 9, 2004

Subdivision

- Application No. 68/04 : 1023 Avenue G North
Applicant: Webster Surveys for Rodival Rodrigues de Figueiredo
Legal Description: Lots 1,2,3, Block 27, Plan G234
Current Zoning: R2
Neighbourhood: Caswell Hill
Date Received: December 1, 2004

Subdivision

- Application No. 69/04 : 2413 Vernon Avenue
Applicant: Webster Surveys for Zdravko Besermenji
Legal Description: Lots 25-29 inclusive, Block 33, Plan G234
Current Zoning: 2413 Vernon Avenue

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Neighbourhood: Avalon
Date Received: December 1, 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 Conversion No. 17/04.
2. Plan of Proposed Zoning Bylaw Amendment No. Z28/04
2. Plan of Proposed Rezoning No. Z29/04
3. Plan of Proposed Subdivision No. 67/04
4. Plan of Proposed Subdivision No. 68/04
5. Plan of Proposed Subdivision No. 69/04

**A4) Enquiry – Councillor Wyant – Possible Implementation of Holding Designation-Annexation of Akzo Nobel
(File No. CK. 4060-1, PL. 4060-10)**

RECOMMENDATION: that the following report be received as information.

ADOPTED.

BACKGROUND

The following enquiry was made by Councillor Wyant at the meeting of City Council held on October 18, 2004:

“Would the Administration please report on the zoning alternatives with respect to the property to be annexed relative to Akzo Nobel and in particular, amending the zoning to add a holding designation to this property as a means of restricting further heavy industrial development or industrial expansion at this time.”

REPORT

City Council adopted a resolution on October 18, 2004, requesting the approval of the Minister of Government Relations to alter the boundaries of the City to include the Akzo Nobel property located on Wanuskewin Road. This annexation is scheduled to become effective on January 1, 2005. The Heavy Industrial zoning on the property, under the provisions of the Saskatoon Planning District

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Zoning Bylaw, will remain in effect until such time as City Council amends the City of Saskatoon Development Plan and Zoning Bylaw to include this property.

To accommodate the continuing operation and potential expansion of this plant, the appropriate Development Plan designation would be 'Heavy Industrial' and the appropriate zoning designation would be 'IH – Heavy Industrial District'.

Should City Council wish to phase-out or limit further expansion of the Akzo Nobel property, the following options could be considered:

1. The property could be designated in the Development Plan as 'Urban Holding Area' and zoned 'FUD – Future Urban Development District'. This would render the existing operation a legal non-conforming use under the provisions of *The Planning and Development Act, 1983*. The implications of this legal status would be that the use could continue and could expand throughout any existing building; however, no additions or structural alterations could be made to a building. In addition, if the use ceases to operate for a period of at least six consecutive months, any future use would have to conform to current Zoning Bylaw requirements.

At some point, the owners could apply to City Council to have the Development Plan and Zoning designations amended to permit a plant expansion. Such an application would be considered on its merits at that time.

2. The property could be designated in the Development Plan as 'Heavy Industrial' and zoned 'IH – Heavy Industrial District' subject to the provisions of a zoning agreement. The zoning agreement, which would have to be negotiated with the owners of the property, could accommodate the existing development as a fully legal use and possibly provide for limited expansions or alterations to the current facility. Any significant future expansions would require the approval of City Council through a further amendment to the zoning agreement.

The use of a Holding Designation is intended to specify the use to which lands shall be put at some time in the future, but which are now considered premature or inappropriate for immediate development.

In the absence of any alternate direction from City Council, a report will be brought forward in due course recommending a 'Heavy Industrial' designation in the Development Plan and an 'IH-Heavy Industrial District' zoning designation for the subject property.

PUBLIC NOTICE

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

Section B – CORPORATE SERVICES

**B1) Enquiry – Councillor Tiffany Paulsen (October 18, 2004)
Pet Licensing
(File No. 151-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following enquiry was made by Councillor Paulsen at the meeting of City Council held on October 18, 2004:

- “1) Could the Administration please report on the feasibility of changing the minimum age of pet licensing to six months instead of four months.
- 2) Could the Administration please report on the feasibility of changing the material used to make the animal identification tags. I have received numerous complaints that the information on the tags wears off after six months and turns their pet’s fur green. If we are going to require tags and licenses for identification purposes, they should at least serve that purpose.”

REPORT

Your Administration gave consideration to moving the minimum age of pet licensing to six months from four months. It was felt that this may somewhat reduce the issue of having to license a pet before veterinary approval has been received to spay or neuter a pet as more pets will have been altered by the time they had reached six months of age than would have been at four months of age. This approach, however, does not adequately address the issue of consensus within the veterinary community as to the appropriate age to spay or neuter a pet. The range of opinion seems to fall anywhere between two months to ten months depending on the situation and the veterinarian making a recommendation.

To avoid further confusion in the future and address this issue with a straight forward, easy-to-administer solution, your Administration recommended that there be one fee for any pet under one year of age regardless of being altered or not. This will allow ample time following a veterinarian’s recommendation on when to alter a pet. Pet owners who fail to act responsibly and alter their pet by the time it reaches one year of age will be required to pay the existing premium of \$15 to license their pet.

With respect to tags, your Administration has moved away from using softer metal, coloured tags because it had heard of the colour transfer issue and the wear issue.

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After much research, your Administration has moved to using a stainless steel tag. Other municipalities have used this tag, and its supplier, successfully. The features of this tag include:

- strength and durability to withstand use by large dogs,
- hardness to hold imprinted numbers and letters (avoiding removal due to wear and tear), and
- light and small enough to be used by small dogs and cats.

PUBLIC NOTICE

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

**B2) Call for Resolutions – 100th Annual SUMA Convention
January 29- February 2, 2005
(File No. 155-3-2)**

RECOMMENDATION: that City Council support the attached resolution to the Saskatchewan Urban Municipalities Association as submitted by the City of Regina.

ADOPTED.

The City of Regina, at its meeting of November 22, 2004, submitted a motion to the Saskatchewan Urban Municipalities Association that it request the Province of Saskatchewan to reinstate the Revenue Sharing pool to an appropriate level that reflects the original commitments to revenue sharing, to index that pool into the future, and to the creation of a distribution formula that recognizes the desired outcomes for this revenue source. The City of Saskatoon has been requested to support this resolution when it is presented at the SUMA Convention in 2005.

PUBLIC NOTICE

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

ATTACHMENT

1. November 22, 2004 Resolution – City of Regina

B3) Communications to Council

From: Cal Moneo, President
Harmon Int'l Industries Inc.
Date: October 27, 2004
Subject: Request for Tax Abatement for Property Located at
2401 Millar Avenue

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(File No. 1965-1)

RECOMMENDATION: that the information be received.

ADOPTED.

RECOMMENDATION: that the information be received.

City Council, at its meeting held on November 15, 2004, considered the above-noted letter and resolved that the information be received and referred to the Administration for a report.

The tax arrears on this property have accrued from two sources. First, the 2003 and the 2004 property tax levies were not paid. These levies, including accumulated penalties to December 1, 2004, total \$151,197.84. Second, the Workers Compensation Board (WCB) ordered, in October of 2003, that WCB charges also be added to the roll.

In recent days, two significant transactions have occurred affecting this tax roll. WCB have directed that their charges, including all penalties, be reversed. The Administration received and processed that transaction on December 6, 2004. On December 7, 2004, we received a payment of \$151,197.84, satisfying the property tax levies and accumulated penalties. At the time this report is being written, there is no outstanding balance on this tax account.

However, based on recent telephone contact with Mr. Moneo, we understand he would still like City Council to consider a tax abatement of \$13,197.84, reducing the taxes from the amount paid on December 7, 2004 (\$151,197.84) to \$138,000.00. The request for an abatement relates to the penalties on the unpaid tax levies for 2003 and 2004.

Your Administration has never recommended the forgiveness of penalties on taxes and, irrespective of the fact that payment on these arrears has been received, will not be recommending a refund to Harmon International Industries Inc. for an amount equivalent to the penalties paid. The intent of the City's policy on penalties is to encourage timely payment of taxes, and any consideration other than full payment would dilute an important collection tool.

PUBLIC NOTICE

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

ATTACHMENTS

1. Communication from Cal Moneo, President, Harmon Int'l Industries Inc.

**B4) 2004 Contract Negotiations
International Brotherhood of Electrical Workers, Local 319
(File No. 4720-5)**

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- RECOMMENDATION:**
- 1) that City Council approve the proposed changes set out in the attached report dated November 29, 2004, with respect to the 2004 contract with the International Brotherhood of Electrical Workers, Local 319; and,
 - 2) that City Council authorize completion of the revised contract incorporating all the changes for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

Attached is a report dated November 29, 2004, detailing conditions agreed upon by the bargaining team of the City and the International Brotherhood of Electrical Workers, Local No. 319. All changes in the full context of the collective agreement are attached (Attachment 2) showing additions in bold print and deletions designated as “strike through”.

The report is marked “Confidential Until Tabled at a meeting of City Council” and is only distributed to members of City Council. A wider distribution will be effected at 7:00 p.m. on December 12, 2004.

PUBLIC NOTICE

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

ATTACHMENT

1. Report dated November 29, 2004.
2. Changes to the Collective Agreement

Section D – INFRASTRUCTURE SERVICES

**D1) Renewal Taxicab Loading Zone Stands
(File No. 6145-1)**

RECOMMENDATION: that City Council approve the renewal of Taxicab Loading Zone Stands by Saskatoon Radio Cab and United Cabs Limited, for the period January 1, 2005 to December 31, 2005.

ADOPTED.

City of Saskatoon Traffic Bylaw No. 7200 provides for Taxicab Loading Zone Stands by recommendation from Infrastructure Services to City Council. The following taxicab firms require renewal of the Taxicab Loading Zone Stands noted below for the period of January 1, 2005 to December 31, 2005.

<u>Saskatoon Radio Cab</u>	<u>2005</u>
Senator Hotel (21 st Street)	\$1,750.00
The Bus Depot (23 rd Street) –2	<u>\$3,500.00</u>
	\$5,250.00
<u>United Cabs Limited</u>	<u>2005</u>
Sheraton Hotel (Spadina Cres.)	\$1,750.00
Bessborough Hotel (Spadina Cres.)	\$1,750.00
Midtown Plaza (1 st Avenue) – 2	\$3,500.00
Radisson Hotel (20 th Street)	\$1,750.00
Patricia Hotel (2 nd Avenue)	<u>\$1,750.00</u>
	\$10,500.00

Rates for taxicab stands are set out in Bylaw 7200 and are consistent with current parking meter rates. The renewal requests have been reviewed with Infrastructure Services, who advise that no problems have been experienced with these Taxicab Loading Zone Stands in the past year; therefore, renewal is recommended.

PUBLIC NOTICE

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

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**D2) Enquiry – former Councillor P. Roe (June 23, 2003)
 Request for Four-way Stop – McEown Avenue and Louise Street
 (File No. 6280-1)**

RECOMMENDATION: that the information be received.
ADOPTED.

The following enquiry was made by former Councillor Roe at the meeting of City Council held on June 23, 2003.

“Would the Administration please report on the feasibility of putting a four-way stop sign at the intersection of McEown Avenue and Louise Street.

The speed and volume of traffic results in navigation problems for the many older citizens living in this area.”

Infrastructure Services has now completed a review of the intersection of McEown Avenue/East Place and Louise Street.

Louise Street is classified as a collector street with an average daily traffic (ADT) of 4450 vehicles per day (vpd), McEown Avenue is classified as a collector street with a traffic volume of 1070 vpd and East Place is classified as a local street with a traffic volume of 320 vpd. The collision history of this intersection shows that there have been 17 collisions over the past five years. No collisions involving pedestrians have been reported.

TABLE 1: COLLISION TYPES

Accident Configuration	Year						
	1999	2000	2001	2002	2003	2004	Total
Fixed Object	0	0	0	1	0	0	1
Rear End	1	0	1	0	0	0	2
Right Angle	0	2	3	1	0	0	6
Head On	0	1	0	0	0	0	1
Left Turn	3	1	0	1	0	0	5
Side Swipe	0	0	1	0	0	0	1
Other	0	0	0	1	0	0	1
Total	4	4	5	3	0	0	17

According to policy number C07-007 Traffic Control – use of Stop and Yield Signs, a four-way stop should only be placed at an intersection where the traffic volume from the approaching streets are similar and balanced. The total traffic volumes on the approaches to this intersection are not similar. In addition, the intersection must be susceptible to at least 5 or more collision types in a

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twelve-month period that can be corrected by a four-way stop, namely right angle collisions. The collision data does not support the need for a four-way stop.

In a conversation with Councillor Roe, it was expressed that the main concern at this intersection was pedestrian safety. Therefore, Infrastructure Services proposes to install a median island on the west crosswalk location on Louise Street. The placement of the median island within the roadway permits the installation of additional pedestrian crosswalk signing that is in the immediate line of sight of approaching motorists. The physical nature of this structure often results in speed reductions and improves pedestrian safety by providing a refuge location in the middle of the crosswalk. Attachments 1 and 2 illustrate the proposed median island and additional pedestrian crosswalk signing.

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan No. 203-0505-002r004
2. Plan No. 250-0023-001r003

**D3) Enquiry – former Councillor K. Waygood (June 23, 2003)
Pedestrian Safety – 24th Street & 6th Avenue
and
Communications to Council
From: Colin Robertson
1303 535 24th Street East
Date: undated
Subject: Pedestrian Crossing – 535 24th Street East
(File No: CK. 5200-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

The following enquiry was made by former Councillor Waygood at the meeting of City Council held on June 23, 2003:

“Would the Administration please report on pedestrian safety at the intersection of 24th Street and 6th Avenue. Residents in the adjacent high-rise apartments are

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requesting improvements of pedestrian safety, such as pedestrian activated lights. Does this site warrant lights, especially considering the location of senior high rises at this intersection?"

REPORT

Infrastructure Services has completed a traffic analysis at 24th Street and 6th Avenue. A vehicle and pedestrian count was conducted on July 22, 2003 and November 15, 2004. The results of these counts are outlined in Table 1 and Table 2.

TABLE 1: Vehicle and Pedestrian Count – July 22, 2003

Time	Vehicles			Pedestrians	
	6 th Avenue (SB)	24 th St E (EB)	24 th St W (WB)	West Crosswalk	East Crosswalk
07:00-09:00	52	329	205	20	19
11:30-13:30	43	484	197	42	43
15:30-18:00	67	783	234	52	30
	162	1596	636	133	94

The total vehicles going through this intersection is 2,394 vehicles and the total pedestrians using the crosswalk were 206. The classification breakdown is 90% were adults, 9% were elementary and 1% was high school.

TABLE 2: Vehicle and Pedestrian Count – November 15, 2004

Time	Vehicles			Pedestrians	
	6 th Avenue (SB)	24 th St E (EB)	24 th St W (WB)	West Crosswalk	East Crosswalk
08:00-09:00	36	94	90	15	10
11:30-13:30	70	237	197	34	23
15:30-18:30	62	170	156	24	15
	168	501	443	73	47

The total vehicles going through this intersection is 1,059 vehicles and the total pedestrians using the crosswalk were 111. The classification breakdown is 96% were adults, 1% were elementary and 3% were high school.

The data from these studies were used in warrant calculations to assess the need for a pedestrian corridor, active pedestrian corridor or pedestrian actuated traffic signals. The warrant for a pedestrian corridor determines the number of 15-minute periods of pedestrian activity during which

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the installation of this facility may prove effective at enhancing pedestrian safety. A warrant of at least one 15-minute period is required for the installation of a pedestrian corridor and three 15-minute periods is required for active pedestrian corridor. Similar calculations of the data were undertaken for a pedestrian actuated traffic signal. The minimum requirement for the installation of this signal to be considered is a warrant rating of 100 points or greater.

From these studies, the pedestrian corridor was zero warrant points for both studies. The pedestrian actuated traffic signals warranted 33 points and 24 points, respectively. Therefore, none of these devices are being recommended.

The 5-year collision history shows that there were three collisions in which none involved pedestrians.

Infrastructure Services purposes that the west crosswalk, which is currently a standard crosswalk, be upgraded to a zebra marking. A zebra marking enhances the visibility of the crosswalk location to motorists making it safer for pedestrians to cross as shown on Plan No. 202-0102-013r001.

PUBLIC NOTICE

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

ATTACHMENT

1. Plan No. 202-0102-013r003

Section E – UTILITY SERVICES

- E1) Enquiry – Councillor D.L. Birkmaier (November 15, 2004)
Animals on Buses
(File No.: CK 151 – 1)**
-

RECOMMENDATION: that information be received.

BACKGROUND

The following enquiry was made by Councillor D.L. Birkmaier at the meeting of City Council held on November 15, 2004:

“Would the Administration please report on the feasibility of permitting animals on buses.”

REPORT

Currently, animals trained and identifiable as seeing-eye, hearing aid or other human assistance animals are allowed to accompany their owners onto buses.

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Pets other than those assisting passengers with disabilities may only be transported in small carry on containers designed for this purpose, provided the owner can store it safely while on board. Any said container will not occupy a seat space, and must be placed so that it will not be stepped on or tripped over.

Administration researched the current policies for Victoria, Calgary and Brandon and it was found that they were similar to the one currently being followed by the City of Saskatoon.

PUBLIC NOTICE

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

IT WAS RESOLVED: that the information be received and forwarded to the Saskatoon Transit Strategic Plan Study.

**E2) Access Transit 2005 Budget Report
(File 7305-1)**

- RECOMMENDATION:**
- 1) that Administration submit a grant application to the Province of Saskatchewan under the Transit Assistance for People with Disabilities Program (TFD) for the purchase of one additional Access Transit lift equipped bus;
 - 2) that surplus funds from the 2004 Access Transit operating budget be held in reserve for future application to Access Transit services;
 - 3) that Administration bring forward a report to City Council outlining service options for increasing Access Transit service based on the projected operating budget surplus; and
 - 4) that \$94,600 be allocated in the 2005 Operating Budget to provide additional service hours for Access Transit, effective January 1, 2005.

ADOPTED.

BACKGROUND

In 2003, Administration was directed by City Council to incorporate the Access Transit service into the Transit Branch. This included the areas of booking, scheduling, operation and maintenance of the service, and ownership of the fleet of specialized lift equipped vehicles.

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As part of the transition into the Branch, a business plan was developed. The actions included negotiating wages and benefits with the Amalgamated Transit Union Local 615, purchasing vehicles, hiring and training new staff, initial set-up costs, including alteration of a new operational facility, etc.

Administration prepared a budget in 2003 to achieve the objectives of the business plan for the service. The business plan and budget were designed to maintain the 36,045 hours, which was the same as that provided by the contractor. The same budget operating costs of \$1.3 million were allocated to the service. Robert Prosser & Associates, the City's internal auditor, reviewed all costs associated with bringing the service in-house.

On July 1 2004, the service was integrated as part of the Transit Branch. The anticipated ridership for 2004 is expected to reach 88,000 revenue trips, based on the 36,045 hours of service.

REPORT

Since the integration in 2004 was divided between the private contractor and the in-house operation, the impact of any savings/over expenditures could not be realized until year-end. After analysing the data, Administration has determined that there is a projected preliminary budget surplus of approximately \$130,000 for 2004. In addition, based on the current level of service, the 2005 Operating Budget is expected to have an estimated surplus of \$154,500. This is offset by a fuel increase of \$10,000 and the negotiated wage adjustment. This amount is further reduced to \$94,600 as a result of a reduction of \$63,600 in Provincial funding under the new performance based funding formula, offset by an increase in revenue of \$3,700. The additional funding of \$94,600 is available for allocation to additional service in January 2005.

Additional capital and operating funds for this program will not only provide improved service by increasing the number of passenger trips that can be delivered, but will also increase the amount of provincial operating subsidy in 2006. It is estimated that the provision of an additional \$94,600 could provide 3,586 more service hours under the current service delivery model, or approximately 8,248 additional trips.

Currently, Access Transit provides special needs transportation primarily through their own lift-equipped buses. A limited amount of service is also provided through the local taxi services. In as much as there is currently an additional \$94,600 available for the 2005 Operating Budget over and above the current service level, this may be an opportune time for Council to review the mix of delivery options.

Applications for funding under the Provincial Transit Assistance for People with Disabilities Program was to be submitted by the end of November, however, they have advised Administration they would consider a late request application. (Currently, the Province will provide \$55,000 of the \$90,000 required to purchase a new lift equipped bus.) Therefore, Administration is recommending that the City proceed with an application for an additional lift equipped bus, allocate the additional funds available in 2005 to the current service beginning in January, and at the same time review the mix of service delivery needs and options.

PUBLIC NOTICE

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

Section F – CITY MANAGER

**F1) 2005 StarPhoenix Advertising Contract
(File No. CC. 366-2)**

RECOMMENDATION: that an Advertising Agreement with the Saskatoon StarPhoenix be approved with a total projected dollar volume of \$500,000 for 2005.

ADOPTED.

The Saskatoon StarPhoenix is the only daily and full-circulation Sunday paper in Saskatoon. As they are the sole supplier of this type of advertising, this agreement may be considered a single source contract.

The Communications Branch negotiates an annual volume sales agreement with the StarPhoenix for advertising in the Saskatoon StarPhoenix and Sunday Sun for the City of Saskatoon and the Boards and Commissions of City Council (e.g. Credit Union Centre, Centennial Auditorium, Mendel Art Gallery, and the Public Library). It is estimated that this centralized advertising approach saves approximately \$100,000 annually.

While the StarPhoenix will be increasing line rates by approximately 2% in 2005, the attached agreement moves the City to the line rate (the amount charged for each line of advertising) corresponding to a \$500,000 volume of sales category. The City's line rate would therefore decrease from \$1.13 to \$1.12 Monday to Friday, from \$1.29 to \$1.28 Saturday and Sunday, and from \$0.96 to \$0.93 for the Sunday Sun. It should be noted that the agreement is similar to a blanket purchase order, and does not require the City to spend the full contract level in order to receive the line rate. As such, the City can continue to minimize advertising expenditures wherever possible.

As well, the Communications Branch has negotiated an agreement that includes guaranteed placement in the "A" section at no additional charge, a substantially reduced rate for "filler" material, and a reduction for colour insertions.

The contract level includes costs for advertising and for the printing and distribution of publications such as the annual Report to Citizens and the Leisure Activities Guide. The Leisure Guide plays a major role in communicating information and is the main resource that the general public refers to when looking for leisure programs and services. In order to better serve the

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public, Leisure Services will be making a number of changes to the Leisure Activities Guide in 2005:

- Moving from four issues to three (Winter, Spring/Summer & Fall)
- Replacing the loose tabloid format with a bound booklet to increase shelf life
- Adding two or more colours in the first 64 pages dedicated to City programs
- Improving the layout and photography and changing the name from Leisure Activities Guide to Leisure Guide

Leisure Services notes that the major reasons for continuing to include the Leisure Guide within the sole source contract negotiated with the Star Phoenix in 2005 include:

1. Reduced Advertising Costs

Currently the StarPhoenix runs approximately 9 advertisements in the Star Phoenix and/or Sun, to promote advertising opportunities and the upcoming delivery of the guide. These ads are provided free of charge from the StarPhoenix as part of the overall contract to produce the guide.

2. Impact on the Line Rate

The yearly total number of lines to produce each Leisure Guide is taken into account when calculating the line rate charged to all City of Saskatoon advertising. If the guide were removed from this calculation, the line rate would increase for the rest of the City. (The estimated cost in 2005 for the new design, along with printing and delivery of three issues, is just over \$100,000).

3. Advertisers

The StarPhoenix has built a long-term relationship with the organizations that pay for advertising space in the Leisure Guide. The advertising revenue generated helps offset the overall cost of production of the guide for the City.

4. Delivery

The Star Phoenix has a reliable and established delivery system that serves advertisers, the City of Saskatoon and residents very well. Due to the structured start times for registered programs there cannot be any delays in production and delivery as it would have a negative impact on revenue generated for City programs.

PUBLIC NOTICE

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

ATTACHMENT

1. The StarPhoenix Advertising Agreement for 2005

LEGISLATIVE REPORT NO. 20-2004

Section B – OFFICE OF THE CITY SOLICITOR

**B1) The Tobacco Control Amendment Act, 2004
Impact on The Smoking Control Bylaw, 2004
(File No. CK. 185-3)**

- RECOMMENDATION:**
- 1) that the information be received; and
 - 2) 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*.

The purpose of this report is to provide City Council with information regarding the impact that proposed amendments to *The Tobacco Control Act* will have on Saskatoon's Smoking Control Bylaw, 2004. These amendments are scheduled to come into effect on January 1, 2005.

The Tobacco Control Amendment Act, 2004, was passed by the Provincial Legislature on June 17, 2004. It contained numerous amendments, several of which impact directly on the City's Bylaw. As Council will recall, under *The Tobacco Control Act* (s.12), smoking was not totally prohibited with respect to places or premises operated as:

- (a) billiard halls;
- (b) bingo establishments;
- (c) bowling centres;
- (d) casinos;
- (e) restaurants; and
- (f) taverns.

Effective January 1, 2004, the *Act* provided that an area that was not less than 60% of the public area of the place or premises had to be designated as an area in which smoking was prohibited. Smoking was permitted in the remaining 40% of the place or premises.

The Bylaw made the entire public area of these premises smoke free. It raised the non-smoking area from 60% to 100%. Smoking was prohibited in all public areas of these premises.

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The Tobacco Control Amendment Act, 2004 repeals s.12 of the *Act*. These premises will now be treated as any other enclosed public place. Under the *Act* as amended, smoking will be prohibited in all public areas of these premises. As a result, the scope of the Bylaw (s.4) will be greatly reduced. These premises will now be covered by the *Act* and these provisions of the Bylaw will be redundant.

The Tobacco Amendment Act, 2004 (s.3) has also enlarged the definition of “enclosed public place”. As Council is aware, smoking is prohibited in an enclosed public place. The original definition under the *Act* was as follows:

“2 In this Act:

- (b) “**enclosed public place**” means all or any part of any building or other enclosed place that is open to the public or to which the public is customarily admitted or invited;”

The amended definition reads as follows:

“2 In this Act:

- (b) “**enclosed public place**” means all or any part of any building or other enclosed place or conveyance to which the public has access as of right or by express or implied invitation and includes:

- (i) an outdoor bus shelter;
- (ii) a public building or facility, or any part of a public building or facility, that is rented out for private events;
- (iii) a vehicle that:
 - (A) is used or made available for public transit or as a commercial vehicle; and
 - (B) is used to transport members of the public;

but only during any period that the vehicle is made available for hire, including any break period;

- (iv) a building, enclosed place or facility owned or leased by a private club that restricts admission to members and guests; and

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- (v) any prescribed building, place, facility or vehicle or class of prescribed buildings, places, facilities or vehicles.”

The amended definition of “enclosed public place” will affect the Bylaw in two material respects. First, an “enclosed public place” will include any part of a public building or facility that is rented out for private events. Effective January 1, 2005, banquet halls and meeting rooms in public buildings will be smoke-free regardless whether the event being held is public or private.

Second, the definition of “enclosed public place” also includes a building, enclosed place or facility owned or leased by a private club that restricts admission to members and guests. Private clubs must be smoke-free effective January 1, 2005.

The amended definition is wider than the definition in the Bylaw. As a result, the *Act* in certain respects is more restrictive than the Bylaw. To the extent that the *Act* is more restrictive, its provisions prevail over the provisions of the Bylaw. In our view, it is desirable to harmonize the provisions of the *Act* and the Bylaw and to remove any conflict between them.

The Province has clearly expressed its intention to legislate with respect to smoking in enclosed public places. The Province has now occupied this field, and in so doing, has removed any jurisdiction the City may have had with respect to these places or premises. It is our recommendation that the Bylaw be amended to remove any provisions with respect to enclosed public places.

However, the Province has not legislated with respect to outdoor places or premises. The Bylaw presently prohibits smoking in outdoor seating areas and sidewalk cafes. It may now be appropriate for Council to consider whether it wishes to continue prohibiting smoking in these areas. Council may also want to consider whether to prohibit smoking in other outdoor areas such as entry ways and outdoor sports facilities and stadium. Finally, the penalty provisions of the *Act* are being amended. We believe that Council may wish to consider amending the Bylaw so that the penalty provisions are consistent in both the *Act* and the Bylaw.

PUBLIC NOTICE

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

IT WAS RESOLVED: 1) that the information be received;
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.*

YEAS: Councillors Dubois, Heidt, Hnatyshyn, Penner, Neault, and Wyant 6

NAYS: His Worship the Mayor, Councillors Alm, Birkmaier, Fortosky and Paulsen 5

Moved by Councillor Alm, Seconded by Penner,

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

CARRIED.

His Worship the Mayor resumed the Chair.

PUBLIC ACKNOWLEDGEMENTS

His Worship the Mayor presented Mr. W.J. Hewitt, General Manager, Utility Services Department, with a Certificate of Devoted Civic Service on behalf of City Council and the citizens of Saskatoon.

HEARINGS

- 4a) Application to Amend Contract Zoning Agreement
628 10th Street East – Nutana Neighbourhood
Applicant: Saskatoon Interval House Inc.
Proposed Bylaw No. 8362
(File No. CK. 4351-1)**

REPORT OF THE CITY CLERK:

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“The purpose of this hearing is to consider proposed Bylaw No. 8362, a copy of which is attached.

Attached is a copy of a report of the General Manager, Community Services Department dated October 20, 2004 recommending that City Council approve the proposal to amend the contract zoning agreement for 628 - 10th Street East.

Attached is a copy of a report of the Municipal Planning Commission dated November 5, 2004 indicating the Commission’s support of the above recommendation.

Also attached is a copy of the notice that appeared in the local press under dates of November 20 and 27, 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. Jack Billinton, Vice-Chair, Municipal Planning Commission, indicated the Commission’s support of the proposed Zoning Bylaw Amendment.

Representatives from Saskatoon Interval House Inc. spoke with respect to the benefits of the proposed expansion to Saskatoon Interval House.

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

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the submitted correspondence be received.

CARRIED.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Hnatyshyn, Seconded by Councillor Dubois,

THAT Council consider Bylaw No. 8362.

CARRIED.

MATTERS REQUIRING PUBLIC NOTICE

**5a) Proposed Road Closure
Portion of Circle Drive near College Drive
(File No. CK. 6295-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated December 8, 2004:

- RECOMMENDATION:**
- 1) that City Council consider Bylaw No. 8369;
 - 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 Closing Plan No. 242-0064-004r001, it be transferred to the University of Saskatchewan in exchange for the dedication of 2.18 hectares of land as public right-of-way.

A request has been received from Infrastructure Services, to close and purchase a portion of public right-of-way as shown on Plan No. 242-0064-004r001 (Attachment 1). It is proposed that the closed portion of public right-of-way be transferred to the University of Saskatchewan in exchange for the dedication of 2.18 hectares of land as public right-of-way.

City Council, at its meeting held on November 1, 2004 when dealing with Clause D1, Administrative Report No. 19-2004 adopted the following recommendation with respect to this proposed land exchange:

“that Infrastructure Services be authorized to proceed with the revised exchange of land required for the College Drive and Circle Drive Interchange with the University of Saskatchewan, as amended by the University of Saskatchewan Board of Governors”.

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

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Infrastructure Services, Utility Services, and Community Services, as well as SaskTel, SaskPower, and SaskEnergy 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 December 4/5 and 11/12. (Attachment 4)
- Posted on City Hall Notice Board on Friday, December 3, 2004
- Posted on City Website on Friday, December 3, 2004.
- Flyers distributed to affected parties on Monday, December 6, 2004.

ATTACHMENTS

1. Closing Plan No. 242-0064-004r001
2. Copy of letters from Department of Highways dated November 9, and November 17, 2004.
3. Proposed Bylaw No. 8639
4. Copy of Public Notice – Permanent Road Closure – Circle Drive near College Drive”

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

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

- 1) *that City Council consider Bylaw No. 8369;*
- 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 Closing Plan No. 242-0064-004r001, it be transferred to the University of Saskatchewan in exchange for the dedication of 2.18 hectares of land as public right-of-way.*

CARRIED.

**5b) Proposed Road Closure
Fairlight Crescent adjacent to 3311 Fairlight Crescent
(File No. CK. 6295-1)**

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Infrastructure Services Department dated December 8, 2004:

- RECOMMENDATION:**
- 1) that City Council consider Bylaw No. 8372;
 - 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 road as described in Closing Plan No. 242-0066-003r001, that it be sold to University of Saskatchewan for \$31,220.95 plus GST and all costs associated with this closing including solicitor’s fees and disbursements.

A request has been received from Auditorium Holdings Inc., on behalf of the University of Saskatchewan to close and purchase a portion of public right-of-way (Fairlight Crescent, formerly Fairlight Drive) as shown on Plan No. 242-0066-003r001 (Attachment 2). It is proposed that the parcel of land that is created be sold to University of Saskatchewan for the sum of \$31,220.95 plus GST for use in conjunction with the adjacent development of 3311 Fairlight Crescent.

The University of Saskatchewan has purchased 3311 Fairlight Crescent, for development of a Family Medicine Centre. This proposal requires additional land in front of the existing building in order to accommodate a fully accessible front entrance that is a requirement of the clients of this facility. As well, the current building and its redevelopment will not meet the building to site ratio that is required by the current land zoning. With the additional land area, both of these requirements can be met.

During the planning, design and construction of the Circle Drive / 22nd Street interchange, it was identified that the portion of Fairlight Crescent between 22nd Street and Fairmont Drive would be considerably overbuilt for the projected future traffic volumes. Several design alternatives were considered for this portion of Fairlight Crescent, however none were permanently constructed. Rather, temporary measures were taken to make the street safe and operational. This course of action

was taken because several development proposals were being discussed with the City by adjacent landowners. Now that a development proposal is being pursued by the owner of 3311 Fairlight Crescent, Infrastructure Services have been working with the owner and other adjacent land owners to achieve an orderly disposal of surplus right-of-way, ensuring that reasonable access is provided to the development, and that the finished condition of Fairlight Crescent is appropriate for traffic demands.

Infrastructure Services has estimated that the roadway alteration costs will be approximately \$50,000. Approximately \$30,000 of roadwork is required even if no closure of public right-of-way is pursued. Consequently, Infrastructure Services is proposing that the applicant and landowner share in the additional roadwork costs of \$20,000.

As a part of this sale, several construction cost items are required by the City of Saskatoon, funded by the applicant, which are as follows:

- 1) All existing crossings, which are abandoned, must be reconstructed to current City of Saskatoon standards. This includes the removal of old curb returns and the construction of new sidewalk, curb and gutter through the former openings.
- 2) The existing water and sewer connections to the Union Centre (existing buildings) must be cut off and new connections to Fairlight Crescent installed.
- 3) Water and sewer connections may not cross private property lines. The proposed subdivision cuts off the storm sewer access to Fairmont Drive. Therefore, the Developer must provide storm sewer drainage for any new building or parking lot.
- 4) The costs associated with the removal and reconstruction of roadways, which includes curb, gutter, median and roadway are to be shared by Auditorium Holdings (\$10,000), University of Saskatchewan (\$10,000) and the City of Saskatoon (\$30,000).

This street and lane closure is consistent with City practice and to the benefit of the public good. Surplus right-of-way is only made available to the adjacent landowner, and this and all right-of-way closures are subject to the condition that the closed right-of-way be consolidated with the adjacent parcel. Stand-alone parcels are not created. Land prices are determined using the assessed fair market value and are reduced by 50% if encumbered by easements or access restrictions. In this case, the land value was reduced due to limited access on Fairlight Crescent and the fact that the land will be sold in an "as-is" condition. The removal cost of all infrastructure on the closed portion of right-of-way will be that of the University of Saskatchewan.

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Auditorium Holdings and the University of Saskatchewan have agreed to the conditions of this closure including payment of fees, land costs and roadwork costs as indicated above.

The Land Bank Committee considered this matter at its meeting held on November 19, 2004 and resolved:

- 1) that the Infrastructure Services Department be authorized to proceed with Public Notice advertising in regard to the proposed partial closure of Fairlight Crescent between Fairmont Drive and 22nd Street; and,
- 2) that the Administration report back to the Planning and Operations Committee regarding access points to sites affected by this street closure.

A report will be forthcoming from Infrastructure Services regarding resolution 2) following consultation with the property owners.

Infrastructure Services, Utility Services, and Community Services, as well as SaskTel, SaskPower, and SaskEnergy have agreed to this closing proposal, subject to easements being granted for utility access or relocation. Approval has been received from the Minister of Highways and Transportation.

PUBLIC NOTICE

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

- Advertised in the *Star Phoenix* and *Sun* on the weekends of December 4/5 and 11/12, 2004
- Posted on City Hall Notice Board on Friday, December 3, 2004
- Posted on City Website on Friday, December 3, 2004
- Flyers distributed to affected parties on Monday, December 6, 2004

ATTACHMENTS

1. Letter dated September 30, 2003 from Northstar Innovative Developments Inc.
2. Closing Plan No. 242-0066-003r001
3. Proposed Bylaw No. 8372
4. Copy of letter from Department of Highways and Transportation, dated December 6, 2004
5. Copy of Public Notice – Permanent Road Closure – Fairlight Crescent and Lane
6. Report to Land Bank Committee – November 10, 2004'

Attached is a copy of a letter from Mr. Irv Rusnak, Night Owl Confectionary dated December 7, 2004 submitting comments on the above matter.

Also attached is a copy of a letter from Ms. Sheila Achilles, General Manager, Primary Health, Saskatoon Health Region dated December 8, 2004 requesting permission to address Council on the above matter.

Attached is a copy of a letter from Mr. Jeff Howsam, Auditorium Holdings Ltd. advising he will be in the gallery to answer any questions Council may have.

Attached is a copy of a letter from Ms. Judith M. Yungwirth, Director, Corporate Administration, University of Saskatchewan, dated December 9, 2004 requesting permission to address Council on the above matter.

Attached is a copy of a letter from Mr. John Kearley, Vice-President, Rockingham Properties Limited, dated December 13, 2004 requesting permission to address Council on the above matter.'”

Ms. Sheila Achilles, General Manager, Primary Health, Saskatoon Health Region, provided information on the joint project of the Saskatoon Health Region and the University of Saskatchewan development and spoke in support of the proposed lane closure.

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Ms. Jean Maximic, University of Saskatchewan, indicated the University of Saskatchewan's support of the proposed lane closure.

Mr. John Kearley, Vice President, Facilities, Rockingham Properties Limited, spoke with respect to future growth in the area of the proposed road closure and indicated his opposition.

Mr. Stacey Dybvig, ICR Commercial Real Estate, spoke with respect to the proposed lane closure and indicated his opposition.

Mr. Jeff Howsam, Auditorium Holdings Inc., spoke in support of the University of Saskatchewan's acquisition of the front road surface as part of the West Winds Primary Health Centre development.

Moved by Councillor Penner, Seconded by Councillor Wyant,

- 1) that City Council consider Bylaw No. 8372;*
- 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 road as described in Closing Plan No. 242-0066-003r001, that it be sold to University of Saskatchewan for \$31,220.95 plus GST and all costs associated with this closing including solicitor's fees and disbursements.*

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

1) Spiro and Nada Yannacopoulos, dated December 12

Requesting permission to address Council with respect to surface drainage standards on private property and regulations on lot elevations. (File No. CK. 7820-1)

RECOMMENDATION: that Clause 3, Report No. 20-2004 of the Planning and Operations Committee be brought forward and considered and that Spiro Yannacopoulos be heard.

Moved by Councillor Birkmaier, Seconded by Councillor Alm,

THAT Clause 3, Report No. 20-2004 of the Planning and Operations Committee be brought forward and considered and that Spiro Yannacopoulos be heard.

CARRIED.

“REPORT NO. 20-2004 OF THE PLANNING AND OPERATIONS COMMITTEE

**3. Surface Drainage Standards on Private Property and Regulations on Lot Elevations
(Files CK. 7820-1 and 185-1)**

RECOMMENDATION: that the City Solicitor be instructed to prepare the necessary bylaw, as outlined in the report of the General Manager, Infrastructure Services Department dated November 23, 2004, regulating the drainage of storm water on private property.

Your Committee, at its meeting held on November 26, 2002, requested the Administration to report on the appropriate legal mechanism to enforce ground elevations and obstructions in drainage courses on private lots.

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated November 23, 2004, responding to the above. Your Committee has reviewed this matter with the Administration and supports the recommendation relating to the preparation of a bylaw regulating the drainage of storm water on private property.”

Mr. Spiro Yannacopoulos provided background information and indicated support of regulating the drainage of storm water on private property.

Moved by Councillor Birkmaier, Seconded by Councillor Alm,

THAT the City Solicitor be instructed to prepare the necessary bylaw, as outlined in the report of the General Manager, Infrastructure Services Department dated November 23, 2004, regulating the drainage of storm water on private property.

CARRIED.

2) **Terry Scaddan, Executive Director**
The Partnership, dated December 13

Requesting permission to address Council with respect to the 2005 Property Value Reassessment.
(File No. CK. 1616-1)

RECOMMENDATION: that Clause 7, Report No. 15-2004 of the Administration and Finance Committee be brought forward and considered and that Terry Scaddan be heard.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT Clause 7, Report No. 15-2004 of the Administration and Finance Committee be brought forward and considered and that Terry Scaddan be heard.

CARRIED.

“REPORT NO. 15-2004 OF THE ADMINISTRATION AND FINANCE COMMITTEE

7. **Tax Policy – 2005 Property Value Reassessment**
(File No. CK. 1615-5)

RECOMMENDATION:

- 1) that an appeal contingency of \$268,000.00 and \$38,000.00 be established for the 2005 Provincial reassessment for the residential and condominium property classes;
- 2) that an appeal contingency of \$80,500.00 be established for the 2005 Provincial reassessment for the multi-family property class;
- 3) that the appeal contingency for the commercial and industrial property class be established by agreement for the 2005 Provincial reassessment; and
- 4) that the previously approved ten-year tax shift continue as planned.

Attached is a copy of the report of the General Manager, Corporate Services Department, dated November 25, 2004, regarding the 2005 property value reassessment program. Your Committee has reviewed this report with the Administration and supports the recommendations regarding the appeal contingencies and continuing with the ten-year tax shift. The Committee has expressed support for more education on the tax shift, especially to commercial clients. The Committee has

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also referred the question of a phase-in of the tax increase for both residential and commercial properties to the Administration for further report, as this was done in past years.”

Mr. Terry Scaddan, Executive Director, The Partnership, spoke with respect to the 2005 Property Value Reassessment and requested an extension for businesses.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

- 1) that an appeal contingency of \$268,000.00 and \$38,000.00 be established for the 2005 Provincial reassessment for the residential and condominium property classes;*
- 2) that an appeal contingency of \$80,500.00 be established for the 2005 Provincial reassessment for the multi-family property class;*
- 3) that the appeal contingency for the commercial and industrial property class be established by agreement for the 2005 Provincial reassessment;*
- 4) that the previously approved ten-year tax shift continue as planned; and*
- 5) that the Administration and Finance Committee be requested to review the timing of when assessment notices are mailed out and report back to Council.*

CARRIED.

Council went into Committee of the Whole with His Worship the Mayor in the Chair.

Committee arose.

His Worship the Mayor, Chair of the Committee of the Whole, made the following report:

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

LEGISLATIVE REPORT NO. 20-2004 – CONTINUED

**B2) Speed Limit Revisions - Traffic Bylaw 7200
(File No. CK. 6000-11)**

RECOMMENDATION: that City Council consider Bylaw No. 8371.

ADOPTED.

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As a result of the reconstruction of 108th Street east of Preston Avenue, commencement of the construction of the Willowgrove neighbourhood and the installation of traffic signals at the intersection of 8th Street and Boychuk Drive, your administration has recommended changes to the speed limits contained in Bylaw No. 7200. The decrease in speeds on 108th Street and 8th Street, the removal of a speed limit on McOrmond Drive and the change to the speed limit boundary on Circle Drive have been recommended by your administration to ensure safety and accommodate the changes made in the respective neighbourhoods.

We are pleased to enclose Bylaw No. 8371 which enacts the necessary changes to The Traffic Bylaw No. 7200.

PUBLIC NOTICE

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

ATTACHMENTS

Proposed Bylaw No. 8371.

B3) Communications to Council

**From: Scott Suppes, General Manager, The United Group
Wayne Soroka, Manager, Saskatoon Radio Cabs Ltd.**

Date: May 7, 2004

**Subject: Wheelchair-Accessible Taxi Licenses
and**

**From: Barbara Monette, Transportation Manager
Saskatoon Public School Division**

Date: April 27, 2004

**Subject: Wheelchair-Accessible Taxi Licenses
(File No. CK. 7305-3)**

RECOMMENDATION: that Council consider Bylaw No. 8359.

ADOPTED.

RECOMMENDATION: that Council consider Bylaw No. 8359.

City Council at its meeting on August 16, 2004 received a report from the Administration and Finance Committee regarding the granting of temporary Wheelchair-Accessible Taxicab Licenses to accommodate the needs of school students requiring wheelchair transportation. Council resolved, in part, that the License Bylaw be amended to establish a separate taxicab licensing category - "Temporary Wheelchair-Accessible Taxicab License". Our Office was instructed to prepare the appropriate amendment.

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In accordance with those instructions, we are pleased to submit for Council's consideration. The License Amendment Bylaw, 2004. The proposed Bylaw provides for the issuance of temporary licenses for wheelchair-accessible taxicabs for persons with disabilities. It also sets the total number of temporary licenses that may be issued and the fee payable for such licenses.

PUBLIC NOTICE

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

ATTACHMENTS

1. Proposed Bylaw No. 8359, The License Amendment Bylaw, 2004.

**B4) Transit Fares
(File No. 1905-4)**

RECOMMENDATION: that City Council consider Bylaw No. 8370.

ADOPTED.

At City Council's meeting of November 29, 2004, it resolved that new transit fares be approved effective January 1, 2005 and that the City Solicitor prepare the required Bylaw.

Enclosed for Council's consideration is The Transit Fares Bylaw, 2004 which sets out the new transit fares to be in effect January 1, 2005.

Members of the Transit Services Branch have reviewed the Bylaw.

PUBLIC NOTICE

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

ATTACHMENTS

1. Proposed Bylaw No. 8370.

**B5) Amendments to The Business License Bylaw Regarding Pawnshops
30 Day Holding Provision
Recent Court Decision Search and Seizure
(File No. 185-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

City Council passed The Business License Amendment Bylaw, 2004 at its meeting on October 4, 2004. Most of the changes made to The Business License Bylaw involved pawnshops and pawnbrokers. At the Council meeting, questions were raised about a recent Provincial Court decision which dealt with police search and seizure powers relating to pawnshops. Council asked our Office to review the case and provide a report on any issues which arise therefrom.

REPORT

The case is from May, 2004 and is called *R. v. Symbalisty*. In October, 2003 two members of the Saskatoon Police Service attended at "Mega Pawn Shop". A more experienced officer was giving an officer new to the pawn detail a tour of the store. As part of the tour, the two officers went into the back of the store to check the pawn tags on the pawned merchandise. The back of the store had a "No Admittance" sign but there was a longstanding custom between the Saskatoon Police Service and pawnbrokers in the City that Saskatoon Police Service members could have access to these areas. Also, an employee of the pawnshop allowed the officers into the back room. For City Council to note, although not part of the decision, it was also a longstanding custom for pawnbrokers to hold pawned property for 30 days before selling it although the Bylaw only required items to be displayed for 15 days before selling.

While the officers were in the back room of the pawnshop, they discovered several untagged tools. The owner was called, he attended and admitted that he had purchased the goods knowing that they were probably stolen. The owner was charged with possession of stolen goods. His lawyer challenged the search and seizure of the goods.

The Court found that the property owner had a reasonable expectation of privacy with respect to the back portion of the pawnshop, that what the officers did was a warrantless search and seizure in that area of the pawnshop, that they did not have the authority to do so under the old bylaw or any other law, that the past practice of acquiescing to such searches was not consent to search and that the employee's permission to search was not informed consent to search.

The amendments which were made to The Business License Bylaw with respect to pawnshops will have an effect on any future fact situation similar to *Symbalisty*. We have included a section in the Bylaw which allows the General Manager of the Community Services Department and the General

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Manager of the Corporate Services Department to delegate the administration and enforcement of the Bylaw to designated officers. The designated officers have the power to inspect property to determine compliance with the Bylaw and have the powers given to them by Section 324 of *The Cities Act*. Section 324 of *The Cities Act* allows a designated officer to enter any land or building to carry out an inspection authorized or required by a bylaw after reasonable efforts to notify the owner or occupier. A designated officer must get a warrant only in the case of a private dwelling.

Although we believe members of the Saskatoon Police Service may enforce any bylaw of The City of Saskatoon, we are suggesting that they be appointed by the General Manager of the Community Services Department or the Corporate Services Department as designated officers to enforce the Bylaw.

A requirement of the Bylaw is that pawned property must be held for 30 days prior to being displayed. Our opinion is that changes to the Bylaw would allow designated officers, including members of the Saskatoon Police Service, to inspect all areas of the pawnshop to ensure compliance with the 30 day holding requirement. Also, the Bylaw requires pawned goods be displayed for 15 days after the 30 day holding requirement. In our opinion, this provision is not required to allow police officers to inspect pawnshops as they already have the power to inspect during the 30 day holding period. However, the 15 day display requirement would allow members of the public to see pawned goods prior to their sale. Therefore, designated officers have the power to inspect to ensure compliance with the Bylaw during the 30 day holding period and during the 15 day display period. Members of the public can see pawned goods during the 15 day display period only.

For City Council to note, there is new legislation called *The Pawned Property (Recording) Act and Regulations* which deals with police powers to inspect pawnshops. Under that legislation, the police can inspect records which are required by the legislation to be kept by pawnbrokers. Also, the police may require such records to be produced by the pawnbrokers and if not produced, may apply for a search warrant to inspect such records. These powers are in relation to enforcement of that specific legislation rather than the City's Bylaw.

The Superintendent responsible for the Pawn Detail at the Saskatoon Police Service has reviewed this report.

PUBLIC NOTICE

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

**B6) Revisions to Technical Planning Commission
(File No. CK. 185-1 and 174-26)**

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RECOMMENDATION: that City Council consider Bylaw No. 8355.

ADOPTED.

RECOMMENDATION: that City Council consider Bylaw No. 8355.

City Council at its meeting held on July 19 and 21, 2004, approved a report outlining various amendments to Bylaw No. 7782, The Technical Planning Commission Bylaw, 1998 and directed this Office to bring forward an amending Bylaw in due course.

The amendments which were approved deal mainly with updating the membership of the Commission to reflect the current organizational structure within City Hall and also to add a representative from the Environmental Compliance Branch as a member. There is also provision for the business of the Commission to be conducted by conference call, telephone polling or electronic mail where it is either unnecessary or impractical to hold a formal meeting. Formal meetings are mandated in certain situations and are also required when a member of the Commission requires that an item of business be considered at a formal meeting.

Due to the fact that the amendments were fairly extensive, this Office prepared a new Bylaw, The Technical Planning Commission Bylaw, 2004. The new Bylaw incorporates all of the amendments approved by Council.

PUBLIC NOTICE

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

**B7) The December 26, 2004 Store Hours Bylaw
(File No. CK. 184-2-2)**

RECOMMENDATION: that City Council consider Bylaw No. 8373.

At its meeting held on December 6, 2004, Executive Committee asked the City Solicitor's Office to prepare a bylaw which would prevent stores from opening prior to 10:00 a.m. and after 6:00 p.m. on December 26, 2004. Attached please find Bylaw No. 8373. Bylaw No. 8373, The December 26, 2004 Store Hours Bylaw requires that every store be closed on December 26, 2004 prior to 10:00 a.m. and after 6:00 p.m.

Bylaw No. 7220, The Store Hours Bylaw and *The Urban Municipality act, 1984*, provided for certain exemptions. These exemptions have been carried forward to Bylaw No. 8373, The December 26, 2004 Store Hours Bylaw. The following are exempt from the provisions of the Bylaw and would be allowed to be open prior to 10:00 a.m. and after 6:00 p.m.:

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1. The sale of any article required for immediate use by reason of an emergency;

The sale of liquor in a place where liquor is sold pursuant to *The Alcohol and Gaming Regulation Act, 1997*;

Restaurants where prepared food and beverages are the only goods and services sold;

Convenience stores and gas stations where the principal goods offered for sale are gasoline, motor oil, related goods or services for use in the operation of a motor vehicle, groceries, newspapers and magazines, tobacco and smoking accessories **and** no more than five persons are employed in the store at any one time;

Service Stations where the repair of motor vehicles and the sale of lubricants and fuel are the only goods and services sold; and

Drug Stores where the principal goods offered for sale are prescription and non-prescription drugs, medicines, medical and surgical supplies, groceries, tobacco and smoking accessories, newspapers, magazines, books, cards and stationery, cosmetics and toiletries **and** the physical size of the store is less than 1600 square metres.

These exemptions are consistent with the exemptions that currently exist under Bylaw No. 7220, The Store Hours Bylaw. The only exemption which has been changed is that with respect to drug stores. Bylaw No. 7220, The Store Hours Bylaw provides that the physical size of a drug store must be less than 1200 square metres in order for the exemption to apply. The physical size of a drug store, under this Bylaw, has been changed to 1600 square metres to accommodate changes that have resulted in the drug store industry since the last bylaw was drafted.

In order to allow the Bylaw to be considered by Council on December 13, 2004 it was necessary for our Office to use the description of exemptions which existed under Bylaw No. 7220, The Store Hours Bylaw with little change. Bylaw No. 7220, The Store Hours Bylaw was enacted in 1991. The retail industry has changed since that date, and there has not been an opportunity to review exactly how the definitions will affect various current retail stores.

The maximum fines under the Bylaw are \$10,000.00 in the case of an individual and \$25,000.00 in the case of a corporation. These are the maximum fines allowed under *The Cities Act*. We have been using them as our standard maximum fines under most of our new bylaws. Bylaw No. 8373 also provides for minimum fines in the amount of \$500.00 in the case of an individual and \$1,000.00 in the case of a corporation. If a prosecution were to occur it would be up to the Court to choose the amount of the fine in each case.

PUBLIC NOTICE

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

ATTACHMENTS

1. Proposed Bylaw No. 8373, The December 26, 2004 Store Hours Bylaw.

His Worship the Mayor noted that he has spoken with independent legal counsel and indicated that he does not have a conflict of interest in the matter.

IT WAS RESOLVED: that City Council consider Bylaw No. 8373;

*YEAS: His Worship the Mayor, Councillors Birkmaier, Dubois,
Fortosky, Heidt, Hnatyshyn and Wyant 7*

NAYS: Councillors Alm, Neault, Paulsen and Penner 4

REPORT NO. 20-2004 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor D. L. Birkmaier, Chair
Councillor T. Alm
Councillor O. Fortosky
Councillor E. Hnatyshyn
Councillor M. Neault

1. **Communications to Council**
From: Georgie A. Davis
Date: January 12, 2003
Subject: Snow Removal Bylaw
(Files CK. 6290-1 and 185-1)

RECOMMENDATION: 1) that the information be received; and

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- 2) that the City Solicitor be instructed to amend Bylaw No. 2780 to reflect the changes proposed in the report of the General Manager, Infrastructure Services Department dated November 29, 2004.

ADOPTED.

Your Committee, at its meeting held on January 28, 2003, received a presentation from Ms. Davis with respect to issues pertaining to snow removal, as outlined in her letter of January 12, 2003, and resolved:

- 1) that the matter of the review of the existing Snow Removal Bylaw be referred to the Administration for a report, to include a review of the area covered by the bylaw; and
- 2) that the information about the responsibilities under the current bylaw be placed on the City page and a letter be forwarded to all businesses in the area affected by the bylaw.

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated November 29, 2004, recommending changes to Bylaw No. 2780 regarding snow removal.

Also attached, as background information, is a copy of an excerpt from the minutes of meeting of the Committee held on January 28, 2003, as well as a copy of Ms. Davis's January 12, 2003 letter.

Your Committee has reviewed the report and is supporting the proposed amendments to Bylaw No. 2780 with respect to snow removal, including the proposed expansion of the snow clearing areas.

**2. Trial Mini Roundabout Evaluations
(File No. CK. 6320-1)**

- RECOMMENDATION:**
- 1) that the trial mini roundabout at the intersection of Elevator Road and Arnhem Street be removed and the previous traffic controls (yield signs on Arnhem Street) be restored; and

- 2) that the trial mini roundabout at the intersection of Salisbury Drive and Early Drive be removed and the previous traffic controls (stop signs on Early Drive) be restored.

ADOPTED.

Your Committee has reviewed the attached report of the General Manager, Infrastructure Services Department dated November 30, 2004, and is supporting the recommendations to remove the mini roundabouts at the intersections referred to above.

**3. Surface Drainage Standards on Private Property and Regulations on Lot Elevations
(Files CK. 7820-1 and 185-1)**

DEALT WITH EARLIER. SEE PAGE NO. 35.

**4. Communications to Council
From: Linda Tweddell
Date: August 26, 2002
Subject: Safety Concerns – Intersection of 115th Street
and Spruce Drive
(File No. CK. 5200-1)**

RECOMMENDATION: that an active pedestrian corridor be installed on the east side of the intersection of 115th Street and Spruce Drive/Dunlop Street.

ADOPTED.

City Council, at its meeting held on September 9, 2002, considered the above-noted letter with respect to safety concerns at the intersection of 115th Street and Spruce Drive. Council passed a motion that the information be received and referred to the Administration for a report to the Planning and Operations Committee.

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated November 30, 2004 with respect to the above matter.

Also attached is a copy of an email dated August 26, 2002 from Ms. Linda Tweddell.

Your Committee has considered and supports the recommendation of the Administration with respect to the above matter.

5. Communications to Council

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**From: Allan MacLeod
Date: June 18, 2004
Subject: Noise Problems in the Downtown Area
(File No. CK. 6120-4-2)**

- RECOMMENDATION:**
- 1) that a special resident parking permit program be implemented for the residents of the Broadway area during the staging of the Fringe Festival event on a trial basis; and
 - 2) that the City Solicitor prepare the necessary bylaw or bylaw amendment to implement the above.

ADOPTED.

Your Committee, at its meeting held on October 12, 2004, considered a report of the Administration on the above matter. The Committee requested that the Administration report on options for bylaw enforcement or enhanced bylaw enforcement on noise and parking violations relating to special events and possible alternatives relating to the parking issue, particularly for special events when parking is not available on site.

Attached is a copy of the report of the General Manager, Infrastructure Services Department dated November 29, 2004 submitting recommendations to implement a special resident parking permit program for residents of the Broadway area during the Fringe Festival, on a trial basis.

Also attached, as background information, is a copy of the September 29, 2004 report of the Administration, along with a copy of Mr. MacLeod's letter.

Your Committee has reviewed the report and supports the recommendations of the Administration as outlined above.

**6. Lease Agreement – City of Saskatoon and Dani Winstanley
Saskatoon Field House
(File No. CK. 612-2)**

- RECOMMENDATION:**
- 1) that City Council approve a Lease Agreement between the City of Saskatoon and Dani Winstanley at the Saskatoon Field House in accordance with the following terms and conditions:
 - a) The term of this lease is three years commencing January 1, 2005 and ending December 31, 2007;
 - b) The City grants to the Tenant a lease to use approximately 1,200 square feet on the first floor of

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the Saskatoon Field House for the purpose of
Massage Therapy;

- c) The Tenant will pay rent (including G.S.T.) in equal
monthly installments as follows:

2005	January 1 to June 30	\$1,070.00
	July 1 to December 31	\$1,562.20
2006	January 1 to June 30	\$1,701.30
	July 1 to December 31	\$1,765.50
2007	January 1 to December 31	\$1,797.60

- d) All other terms and conditions required in a standard
Lease Agreement; and

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

ADOPTED.

Your Committee has reviewed and supports the recommendations outlined in the attached report of the General Manager, Community Services Department dated November 24, 2004, with respect to the above Lease Agreement.

REPORT NO. 15-2004 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

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

**1. Roles and Responsibilities and Update on Working Relationship
Saskatoon S.P.C.A. and the Saskatoon Animal Control Agency
(File No. CK. 151-15)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a copy of the report of the Chair, Advisory Committee on Animal Control, dated November 23, 2004, which clarifies the roles and responsibilities of the S.P.C.A. and the Animal Control Agency, as requested by City Council.

**2. Licensing Fees for Dogs and Cats
(File No. CK. 151-15)**

RECOMMENDATION: that the annual license fees for cats and dogs, as set out in Schedule 1 of *Animal Control Bylaw No. 7860*, be changed to:

Cat or dog not spayed or neutered	\$30.00
Cat or dog spayed or neutered	\$15.00
Cat or dog under one year old	\$15.00.

ADOPTED.

Attached is a copy of the report of the Chair, Advisory Committee on Animal Control, dated November 23, 2004, forwarding information in support of a change to the license fee for cats or dogs under one year old.

Your Committee has reviewed this proposal with the Administration and supports the change.

3. License Fees and Signage for Dangerous Dogs

(File No. CK. 152-4)

RECOMMENDATION: that there be an increased license fee of \$250 and a requirement for a separate license tag, which is easily identifiable, for dogs that have been declared dangerous under the *Dangerous Animals Bylaw No. 8176*.

ADOPTED.

Your Committee met with Ms. Nadine Schreiner following an attack on her dog while walking past a home containing a dangerous dog, at which time Ms. Schreiner put forward several questions regarding animal control. The Committee subsequently resolved, in part:

“That the following issues be referred to the Advisory Committee on Animal Control for a report back to this Committee:

- a) a possible increase to the license fee for dangerous dogs; and
- b) whether the signage required to be posted on homes containing dangerous dogs is an appropriate size to see from a distance and/or whether there are other forms of notification that might be more appropriate for neighbours.”

Attached is a copy of the report of the Chair, Advisory Committee on Animal Control, dated November 23, 2004, recommending a change to the license fee for dangerous dogs, which would mean that instead of a license fee of either \$15.00 (spayed or neutered) or \$30.00, the license fee would be \$250.00. Your Committee supports this proposal.

4. Communications to Council

**From: Louise Jones, Project Coordinator
Road Map 2020
Date: October 25, 2004
Subject: Road Map 2020
(File No. CK. 1870-1)**

RECOMMENDATION: 1) that the City of Saskatoon support the Road Map 2020 process, in principle; and
2) that Road Map 2020’s request for funding in 2005 be referred to the Operating Budget.

ADOPTED.

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City Council considered the above-noted communication at its meeting held on November 1, 2004, and passed a motion that the matter be referred to the Administration for a report to the Administration and Finance Committee.

Attached is a copy of the report of the General Manager, Utility Services Department, dated November 24, 2004, containing the Administration's response to the Road Map 2020 project (Attachment A). Your Committee has reviewed this report with the Administration and has heard from Ms. Louise Jones, Project Coordinator, and supports the recommendations from the Administration. Also attached is a copy of the presentation made by Ms. Louise Jones at the Committee meeting, which is a summary of the process involved (Attachment B).

5. Communications to Council

From: Robert D. Sider
Date: October 21, 2004
Subject: Property Taxes
(File No. CK. 1930-1)

RECOMMENDATION: that the information be received.

ADOPTED.

City Council considered the above-noted communication at its meeting held on November 1, 2004, and the matter was referred to the Administration to report to the Administration and Finance Committee.

Attached is a copy of the report of the General Manager, Corporate Services Department, dated November 29, 2004, in response to Council's referral. A copy of this report was forwarded to Mr. Robert Sider prior to the Committee meeting, however, he indicated he would not be in attendance.

Your Committee has reviewed this matter with the Administration and believes the Administration has acted in accordance with the legislation, which is very clear and unfortunately provides for no change to the assessment roll for 2004 for any of the 139 properties affected by the decision of the Saskatchewan Municipal Board on the one appeal for 836 Main Street.

**6. Additional Funding for Project 1898 – Salt Bin City Yards
(File No. CK. 600-4)**

RECOMMENDATION: that Project 1898 be funded on a one-time basis from the Snow and Ice Management Contingency Reserve in the amount of \$450,000.00.

ADOPTED.

Attached is a copy of the report of the General Manager, Infrastructure Services Department, dated November 25, 2004, forwarding information on the funding requirements for Project 1898 – Salt Bin at City Yards. Your Committee has reviewed this report with the Administration and supports the one-time funding proposal from the Snow and Ice Management Contingency Reserve, which is currently at its cap of approximately \$1,697,251.00.

**7. Tax Policy – 2005 Property Value Reassessment
(File No. CK. 1615-5)**

DEALT WITH EARLIER. SEE PAGE NO.37.

REPORT NO. 1-2004 OF THE BOARD OF TRUSTEES – CITY OF SASKATOON
GENERAL SUPERANNUATION PLAN

Composition of Board

Mr. M. Baraniecki, Chair
Mr. F. Smith, Vice Chair
Councillor D.L. Birkmaier
Councillor G. Wyant
Mr. P. Richards
Mr. W. Wallace
Mr. P. Hyde
Mr. M. Totland
Mr. L. Thiessen

1. **Amendments to Bylaw No. 8226**
General Superannuation Plan
 - (a) **Death Benefit Options**
 - (b) **Repeal - Reciprocal Transfer Agreements**
(File No. CK. 4731-3)

RECOMMENDATION: that Bylaw No. 8367 be considered.

ADOPTED.

History of Death Benefit Issue

The death benefit section of the General Superannuation Plan, and in particular the options available to a surviving spouse as outlined in Section 7.01(2)(d), (attachment b) came under review in April, 2004 when a specific case was brought to the attention of the Trustees. Subsequent to a review of the particulars of the case, it was determined that additional options should be made available to surviving spouses in order to better accommodate the variety of potential needs.

The Actuary was requested to review this matter and provided a more detailed analysis prior to the Board's final decision. As a result of this review, additional options are being offered to both surviving spouses and retiring members on a cost-neutral basis to the Plan, as outlined in the Bylaw.

Other Housekeeping Amendments

In addition to the revised options on death, the following housekeeping amendments have been included in the bylaw at no cost to the Plan:

- Updating the references to the Fire and Police Plans (both have officially changed names);

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- Removing the option of providing a pension from voluntary contributions (as per Income Tax Act rules);
- Revising the commuted value calculation on termination to concur with administrative procedure as described by the Employee Benefits Manager;
- Changing the indexing reference in one of the buyback sections from 1997 to 2000.

Removal of Section 10.02 (Reciprocal Transfer Agreements)

The Trustees have determined that other Plans such as SAHO and the City of Regina have cancelled their Reciprocal Transfer Agreements with the City, in that this option does not provide an equal transfer of pension assets. The Board agrees with this analysis, and is recommending that Section 10.02 be repealed. Employees will be encouraged to exercise other options when transferring to another employer.

REPORT NO. 20-2004 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. 2007 Juno Awards
Tourism Saskatoon
(File No. CK. 205-1)**

- RECOMMENDATION:**
- 1) that the City provide \$10,000 to the Saskatoon Juno Awards Committee in order to assist the committee in its bid presentation, contingent upon the Province contributing its share; and
 - 2) that, should the Juno Awards be awarded to Saskatoon, further City funding be considered only upon receipt and

evaluation of a detailed Business Plan, in accordance with the City's Special Events Policy.

ADOPTED.

Your Committee has considered the attached submission from the Co-Chair of the Saskatoon Juno Awards Committee, dated October 20, 2004, regarding a bid for the 2007 Juno Awards.

While your Committee supports the provision of \$10,000 to the Saskatoon Juno Awards Committee in order to assist the Committee in its bid presentation, further funding will be considered only upon receipt and evaluation of a detailed Business Plan.

REPORT NO. 2-2004 OF THE BUDGET COMMITTEE

Composition of Committee

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

**1. 2005 Capital Budget
2006 – 2009 Capital Plan
(File No. CK. 1703)**

Table 3 – Reserve for Capital Expenditures

RECOMMENDATION: 1) that the 2005 Operating Provision of \$4,819,000 be allocated to capital;

2) that \$3,000,000 of the Sinking Fund Surplus be transferred to capital, dedicated to major recreational and cultural projects;

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- 3) that the City's share of federal gas tax revenues be dedicated to funding of, or the repayment of debt incurred for, major transportation capital projects;
- 4) that the City's annual contribution to capital from assessment growth be dedicated to funding of, or the repayment of debt incurred for, the construction of major recreational and cultural facilities;
- 5) that the 2004 and 2005 GST incremental rebate be dedicated to the funding or, or the repayment of debt incurred for, the River Landing project;
- 6) that Projects 1922, Hazardous Material Identification System and 1923, EMO Public Notification System, totalling \$176,000, be approved subject to approval under the federal Joint Emergency Preparedness Program (JEPP);
- 7) that City Council approve the remaining 2005 financed expenditures for the capital projects identified in Table 3, totalling \$7,319,000;
- 8) that all 2005 projects totally or partially unfunded upon approval of the capital budget, be restated as 2006 projects; and
- 9) that the Administration report further with regard to the allocation of any additional funding which may become available to finance unfunded capital expenditures.

ADOPTED.

Table 4 – General Capital Projects – Civic Departments

- RECOMMENDATION:**
- 1) that Project 1787, River Landing Phase 2, totalling \$10,610,000, be approved subject to the receipt of federal funds under the Canada Strategic Infrastructure Fund;
 - 2) that borrowing for Project 2020, 17th Street Corridor Reconstruction/Extension, totalling \$2,716,000 be approved;
 - 3) that Project 877, City-Wide Radio Trunking System totalling \$149,000 be approved subject to operating budget approval of an increased contribution to the Trunked Radio System Infrastructure Reserve;
 - 4) that Project 876, Regional Waste Management Facility totalling \$3,879,000 be approved subject to approval of a one-year deficit in the Landfill Replacement Reserve;
 - 5) that the remaining 2005 financed expenditures for General Capital Projects – Civic Departments, summarized in Table 4, totalling \$34,838,000 be approved.

ADOPTED.

Table 5 – Land Development Projects

- RECOMMENDATION:** that Council approve the 2005 financed expenditures for Prepaid Land Development Projects, summarized in Table 5, totalling \$36,785,000.

ADOPTED.

Table 6 – Boards and Commissions

- RECOMMENDATION:**
- 1) that Project 1817, Mendel Art Gallery Expansion, totalling \$2,134,000 be approved subject to approval under the federal Cultural Spaces Program and confirmation of the City's long-term capital financing strategy;

- 2) that the remaining 2005 financed expenditures for General

Capital Projects – Boards and Commissions, summarized in Table 6, totalling \$1,518,000 be approved.

ADOPTED.

Table 7 – Water/Wastewater Utility Projects

- RECOMMENDATION:**
- 1) that borrowing for the following projects, totalling \$23,104,000 be approved:
 - Project 713, Water Treatment Plant Reservoir (\$414,000)
 - Project 1208, New Intake Facility at the Water Treatment Plant (\$11,839,000)
 - Project 1220, Water Treatment Plant Maintenance/Storage Facilities (\$3,024,000)
 - Project 1224, Water Treatment Plant Site Expansion (\$1,070,000)
 - Project 1245, Expansion of the Grit and Screen Facility at the Wastewater Treatment Plant (\$4,603,000)
 - Project 2192, 42nd Street Reservoir Roof Upgrade (\$984,000)
 - Project 2201, Lime System Upgrade (\$1,170,000) and that the remaining funding for these projects, totalling \$3,071,000 be approved;
 - 2) that the remaining 2005 financed expenditures for Water Utility projects, summarized in Table 7, totalling \$2,106,000 be approved; and
 - 3) that the remaining 2005 financed expenditures for Wastewater Utility projects, summarized in Table 7, totalling \$2,263,000 be approved.

ADOPTED.

Table 8 – Storm Sewer Utility Projects

RECOMMENDATION: that Council approve the 2005 financed expenditures for the Storm Sewer Utility projects, summarized in Table 8, totalling \$1,069,000.

ADOPTED.

Table 9 – Transit and Access Transit Projects

RECOMMENDATION: that the 2005 financed expenditures for Transit Utility Projects, summarized in Table 9, totalling \$3,705,000 be approved.

ADOPTED.

Table 10 – Electrical Utility Projects

RECOMMENDATION: that Council approve the 2005 financed expenditures for Electrical Utility Projects, summarized in Table 10, totalling \$10,523,000.

ADOPTED.

Table 11 – Unfunded Capital Projects (Subjects to Federal/Provincial Infrastructure Funding)

RECOMMENDATION: that Council approve the 2005 projects identified in Table 11, subject to confirmation of the federal gas tax revenues, the distribution formula, and the City's long-term capital financing strategy.

ADOPTED.

Moved by Councillor Alm, Seconded by Penner,

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

CARRIED.

COMMUNICATIONS TO COUNCIL – CONTINUED

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

**1) Len Taylor, Minister
Government Relations, dated November 18**

Advising that the Government prefers to leave the decision to establish a property tax deferral program with the City. (File No. CK. 1920-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Birkmaier, Seconded by Councillor Wyant,

THAT the matter be referred to the Executive Committee for further discussion.

CARRIED.

2) Russ Neufeld, dated November 26

Expressing concern with respect to the 30 kph school zones in the City. (File No. 5200-5)

RECOMMENDATION: that the information be received.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the matter be referred to the Traffic Safety Committee.

CARRIED.

**3) Murray Guy, President
Integrated Controls, dated November 26**

Providing Council information with respect to events held in conjunction with Sustainable Community Week. (File No. CK. 175-9)

RECOMMENDATION: that the information be received.

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Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT the information be forwarded to the Road Map 2020 project.

CARRIED.

**4) Chriss Gates, Region Director
Canadian Red Cross, dated November 23**

Requesting that Council consider implementing an automatic annual approval for groups suitable for Cash Grants from the City. (File No. CK. 1871-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Paulsen, Seconded by Councillor Hnatyshyn,

THAT the information be received.

CARRIED.

5) Darryl Jones, dated November 29

Expressing concerns with respect to pedestrian safety. (File No. CK. 6150-3)

RECOMMENDATION: that the matter be referred to the Administration for a report.

Moved by Councillor Birkmaier, Seconded by Councillor Heidt,

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

CARRIED.

**6) Nicole Gu erin, Program Manager and
Ted Redekopp, Regional Coordinator
Canada School of Public Service, dated November 18**

Expressing appreciation to His Worship the Mayor for participating as a resource for the Direxion/CAP Learning Tour held October 25 – 29, 2004. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

7) Heidi Seida, dated November 27

Submitting comments regarding the intersection of Central Avenue and College Drive. (File No. CK. 6150-4)

RECOMMENDATION: that the information be received and referred to the Administration.

Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT the information be received and referred to the Administration.

CARRIED.

8) Federation of Canadian Municipalities, dated November 26

Submitting an invoice with respect to the 2005 Municipal Membership to the Federation of Canadian Municipalities. (File No. CK. 155-2)

RECOMMENDATION:

- 1) that the 2005 membership fee for the Federation of Canadian Municipalities be paid in the amount of \$21, 946.02; and
- 2) that the request from the Federation of Canadian Municipalities for an optional payment of \$9,840.55 to contribute towards Saskatchewan's Travel Fund be denied.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

1) that the 2005 membership fee for the Federation of Canadian Municipalities be paid in the amount of \$21, 946.02; and

2) that the request from the Federation of Canadian Municipalities for an optional payment of \$9,840.55 to contribute towards Saskatchewan's Travel Fund be denied.

CARRIED.

9) **Clay Poupart, dated December 2**

Expressing concerns with respect to traffic lights on 22nd Street West. (File No. CK. 6250-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

10) **Donald McCann, dated November 24**

Submitting a copy of a letter he sent to the StarPhoenix with respect to transit rates. (File No. CK. 1905-4)

11) **Christopher Brooks, December 6**

Submitting comments with respect to the transit rates. (File No. CK. 1905-4)

RECOMMENDATION: that the information be received.

Moved by Councillor Wyant, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

12) **Marlene Freeman, dated December 2**

Submitting comments and suggestions with respect to parking at the ACT Arena. (File No. CK. 6122-1)

13) **Rosemary Armstrong, dated December 3**

Submitting comments and suggestions with respect to parking at the ACT Arena. (File No. CK. 6122-1)

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14) Kay Anspach, dated December 4

Submitting comments and suggestions with respect to parking at the ACT Arena. (File No. CK. 6122-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Dubois, Seconded by Councillor Penner,

THAT the information be received.

CARRIED.

15) Renita Lefebvre, dated December 6

Submitting requests with respect to transit operating December 25, 2004, and allowing luggage on Access Transit buses. (File No. CK. 7300-1)

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

Moved by Councillor Heidt, Seconded by Councillor Birkmaier,

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

CARRIED.

16) George P. Slater, dated December 1

Submitting a letter signed by approximately 11 residents not supporting the conversion to automated front street waste collection. (File No. CK. 7830-3)

RECOMMENDATION: that the direction of Council issue.

Councillor Dubois submitted a petition signed by approximately 12 residents in favour of automated front street waste collection.

Moved by Councillor Birkmaier, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

17) Clayton Mitchell, dated December 3

Submitting comments and suggestions with respect to the depth of the Harry Bailey Aquatic Centre. (File No. CK. 150-1)

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

Moved by Councillor Fortosky, Seconded by Councillor Heidt,

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

CARRIED.

**18) Tanya Mullis, Executive Director
Broadway Business Improvement District, dated December 8**

Requesting as extension for the deadline for 2005 assessment appeals. (File No. CK. 1930-1)

**19) Phyllis Lodoen, Executive Director
Riversdale Business Improvement District, dated December 8**

Requesting as extension for the deadline for 2005 assessment appeals. (File No. CK. 1930-1)

RECOMMENDATION: that the writers be advised that the deadline for appeals is statutory and cannot be extended by City Council, and that the businesses be invited to contact the City Assessor's Office to obtain information on their property valuations.

The City Clerk advised that a similar letter was received from Mr. Terry Scaddan, The Partnership.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the writers be advised that the deadline for appeals is statutory and cannot be extended by City Council, and that the businesses be invited to contact the City Assessor's Office to obtain information on their property valuations.

CARRIED.

**20) Terry Scaddan, Executive Director
The Partnership, dated December 7**

Requesting that relocation plans for the boat launch be put on hold until River Landing Phase II park plans are complete. (File No. CK. 5520-1)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT the matter be referred to the River Landing Boat Launch Technical Review Committee.

CARRIED.

**21) Darlene Bessey, Chair
Citizens' Centennial Committee, dated December 9**

Providing Council information and an invitation with respect to New Year's Day events being held in the City. (File No. CK. 205-30)

RECOMMENDATION: that the information be received.

Moved by Councillor Dubois, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Wendy Roe, President
Buena Vista Home, School & Community Association, dated November 26**

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Expressing support for the pedestrian actuated traffic signal to be installed at the intersection of 8th Street and McPherson Avenue. (File No. CK. 6250-1) **(Referred to the Administration to respond to the writer.)**

2) Alfred and Sharon Schmidt, dated November 25

Submitting comments with respect to the Mendel Art Gallery proposed upgrade. (File No. CK. 150-1) **(Referred to the Budget Committee.)**

**3) Bob Conway, Vice President
Sutherland Business Association, dated November 16**

Submitting approximately 740 form letters with respect to support for the flyover project at the intersection of Central Avenue and College Drive. (File No. CK. 6000-1) **(Referred to the Budget Committee.)**

**4) Earl Goodman, Treasurer
R.C.A.F.A. #602 (Lynx) Wing, Dated November 24**

Requesting that the City include the R.C.A.F.A. #602 (Lynx) Wing in correspondence to the Province supporting that their group be included as an exempt property. (File No. CK. 1871-1) **(Referred to the Administration and Finance Committee.)**

5) Richard Blanchet, dated November 24

Expressing opposition to the proposed annexation of Akzo Nobel. (File No. CK. 4060-1) **(Referred to the Administration to advertise and arrange a public hearing of City Council, in accordance with Section 43 of *The Cities Act*.)**

6) Ray Sladek, dated November 25

Expressing opposition to the proposed annexation of Akzo Nobel. (File No. CK. 4060-1) **(Referred to the Administration to advertise and arrange a public hearing of City Council, in accordance with Section 43 of *The Cities Act*.)**

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7) Patricia Postey, dated November 28

Expressing opposition to the proposed annexation of Akzo Nobel. (File No. CK. 4060-1) **(Referred to the Administration to advertise and arrange a public hearing of City Council, in accordance with Section 43 of *The Cities Act*.)**

8) Federation of Canadian Municipalities, dated November 23

Submitting information with respect to the 2005 FCM-CH2M HILL Sustainable Community Awards: Honouring Excellence in Municipal Service Delivery. (File No. CK. 155-2) **(Referred to the Administration.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Neault, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

C. PROCLAMATIONS

**1) Dorothy Hudson, Public Relations Chair
Division E Toastmasters, dated November 30**

Requesting that Council proclaim January 30 – February 5, 2005 as Toastmasters Week in Saskatoon. (File No. CK. 205-5)

RECOMMENDATION:

- 1) that City Council approve all proclamations as set out in Section C; and
- 2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

1) that City Council approve all proclamations as set out in Section C; and

2) that the City Clerk be authorized to sign the proclamations on behalf of City Council.

CARRIED.

ENQUIRIES

**Councillor M. Neault
Request for School Speed Zone for Parkridge
(File No. CK. 5200-5)**

Would the Administration look at the possibility of creating a school speed zone from 126 to 222 Smith Road in the Parkridge community.

There currently is a pedestrian crosswalk on Smith Road at the park entrance. The elementary schools are located at both ends of the park and students cross at Smith Road to go back and forth.

Smith Road is the only roadway that cuts through the neighbourhood slowing traffic to crisscross the community. This would be similar to the school speed zone on Hughes Avenue in Dundonald.

Attached are letters from school principals, a community association and a parent teacher association.

**Councillor M. Heidt
Construction Without Appropriate Building Permit
(File No. CK. 4125-1)**

Regarding the recent events of a developer building on Fairlight Drive and Fairmont Drive and the lack of consequences to someone who deliberately goes ahead and starts building without the proper permit, would the Administration please report back on the existing bylaw which prevents this activity. Also, could the Administration report on what suggestions they may have to discourage this activity, for example: fines, the cost to enforce, suggestions on how to enforce and what Regina and other cities do.

GIVING NOTICE

Councillor Dubois gave the following Notice of Motion:

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

‘THAT City Council request the Province of Saskatchewan to revisit its new Provincial Funding Formula for all special needs services in the province to ensure that citizens with mobility impairments have equal opportunities.’”

Moved by Councillor Fortosky, Seconded by Councillor Birkmaier,

THAT the Notice of Motion be waived.

CARRIED UNANIMOUSLY.

Moved by Councillor Dubois, Seconded by Councillor Fortosky,

THAT City Council request the Province of Saskatchewan to revisit its new Provincial Funding Formula for all special needs services in the province to ensure that citizens with mobility impairments have equal opportunities.

CARRIED.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw 8355

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8355, being “The Technical Planning Commission Bylaw, 2004”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8355 be now read a second time.

CARRIED.

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The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8355.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8355 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,
THAT the report of the Committee of the Whole be adopted.

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8355 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8355 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 8359

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Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8359, being "The License Amendment Bylaw, 2004", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8359 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8359.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8359 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

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THAT permission be granted to have Bylaw No. 8359 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8359 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 8362

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8362, being “The Zoning Amendment Bylaw, 2004 (No. 35)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8362 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8362.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8362 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8362 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8362 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 8367

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8367, being "The General Superannuation Plan Amendment Bylaw, 2004", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

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THAT Bylaw No. 8367 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8367.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8367 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8367 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8367 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 8369

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8369, being “The Street Closing Bylaw, 2004 (No.8)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8369 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8369.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8369 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

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Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8369 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8369 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 8370

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8370, being "The Transit Fares Bylaw, 2004", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT Bylaw No. 8370 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT Council go into Committee of the Whole to consider Bylaw No. 8370.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8370 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Heidt,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to have Bylaw No. 8370 read a third time at this meeting.

NOT CARRIED UNANIMOUSLY.

Bylaw 8371

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8371, being "The Traffic Amendment Bylaw, 2004 (No.5)", and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8371 be now read a second time.

CARRIED.

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The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8371.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8371 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8371 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8371 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 8372

Moved by Councillor Alm, Seconded by Councillor Penner,

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THAT permission be granted to introduce Bylaw No. 8372, being “The Street Closing Bylaw, 2004 (No.9)”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT Bylaw No. 8372 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Wyant,

THAT Council go into Committee of the Whole to consider Bylaw No. 8372.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8372 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Hnatyshyn,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8372 read a third time at this meeting.

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CARRIED UNANIMOUSLY.

Moved by Councillor Alm, Seconded by Councillor Fortosky,

THAT Bylaw No. 8372 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 8373

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT permission be granted to introduce Bylaw No. 8373, being “The December 26, 2004 Store Hours Bylaw”, and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT Bylaw No. 8373 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Alm, Seconded by Councillor Penner,

THAT Council go into Committee of the Whole to consider Bylaw No. 8373.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8373 was considered clause by clause and approved.

Moved by Councillor Alm, Seconded by Councillor Heidt,

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

CARRIED.

Moved by Councillor Alm, Seconded by Councillor Heidt,

THAT permission be granted to have Bylaw No. 8373 read a third time at this meeting.

NOT CARRIED UNANIMOUSLY.

Moved by Councillor Alm,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 10:00 p.m.

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Mayor

City Clerk