

Council Chambers
City Hall, Saskatoon, Sask.
Monday, January 19, 2004
at 7:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship Mayor D. Atchison, in the Chair;
Councillors Alm, Birkmaier, Dubois, Fortosky, Heidt, Hnatyshyn,
Neault, Paulsen, Penner and Wyant;
City Manager Richards;
General Manager, Community Services Gauthier;
General Manager, Corporate Services Veltkamp;
General Manager, Infrastructure Services Uzelman;
General Manager, Fire and Protective Services Bentley;
A/General Manager, Utility Services Keller;
City Solicitor Dust;
City Clerk Mann;
Councillors' Assistant Long.

Moved by Councillor Penner, Seconded by Councillor Alm,

THAT the minutes of the regular meeting of City Council held on January 5, 2004, be approved.

CARRIED.

HEARINGS

- 2a) Discretionary Use Application – Parking Station
Lot 18, Block 25, Plan FV
224 Avenue P South – Pleasant Hill Neighbourhood
Applicant: 101037478 Saskatchewan Ltd.
(File No. CK. 4355-1)**
-

Report of the City Clerk:

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

The City Planner has advised that the necessary notification poster has been placed on the site and letters have been sent to adjacent land owners within 60 metres of the site.

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Attached is a report of the Community Services Department dated December 19, 2003, recommending that the application submitted by 101037478 Saskatchewan Ltd. requesting permission to use Lot 18, Block 25, Plan FV (224 Avenue P South) for the purpose of a parking station be approved subject to the applicant obtaining a development permit and all other relevant permits and licenses prior to the use of this site for the purpose of a Parking Station.

Attached is a letter dated January 13, 2004 from the Municipal Planning Commission advising that the Commission supports the above-noted recommendation.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, gave an overview of the discretionary use application, and expressed the Department’s support of the application.

Mr. Jack Billinton, Member, Municipal Planning Commission, advised of the Commission’s support of the application.

Moved by Councillor Birkmaier, Seconded by Councillor Paulsen,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Fortosky, Seconded by Councillor Alm,

THAT the application submitted by 101037478 Saskatchewan Ltd. requesting permission to use Lot 18, Block 25, Plan FV (224 Avenue P South) for the purpose of a parking station be approved subject to the applicant obtaining a development permit and all other relevant permits and licenses prior to the use of this site for the purpose of a Parking Station.

CARRIED.

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- 2b) Proposed Zoning Bylaw Amendment – R2 to M1 District
Lot A, Block 12, Plan 62S16171
1502 – 2nd Avenue North – Kelsey/Woodlawn Neighbourhood
Applicant: City of Saskatoon
Proposed Bylaw No. 8269
(File No. CK. 4351-1)**
-

Report of the City Clerk:

“The purpose of this hearing is to consider proposed Bylaw No. 8269, a copy of which is attached.

Attached is a copy of Clause 2, Report No. 8-2003 of the Municipal Planning Commission which was adopted by City Council at its meeting held on December 1, 2003, as well as a copy of Notice which appeared in the local press under dates of December 27, 2003 and January 3, 2004.

Also attached is a letter dated January 13, 2004 from Peggy Sarjeant, President, Saskatoon Heritage Society.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, gave an overview of the proposed amendment, and expressed the Department’s support of the proposed bylaw amendment.

Mr. Jack Billinton, Member, Municipal Planning Commission, advised of the Commission’s support the proposed bylaw amendment.

Ms. Ruth Robinson, representative, the Saskatoon Heritage Society, expressed concerns with respect to the aesthetic impact that commercial signage may have on the site, and asked that it be part of the Bylaw.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT the submitted correspondence be received.

CARRIED.

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Moved by Councillor Dubois, Seconded by Councillor Paulsen,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT Council consider Bylaw No. 8269.

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT site signage be subject to approval of the Administration to ensure that it is sensitive to the historic surroundings.

CARRIED.

**2c) Proposed Zoning Bylaw Text Amendment
Revised Definition of a Dwelling Group
Applicant: City of Saskatoon
Proposed Bylaw No. 8271
(File No. CK. 4351-1)**

Report of the City Clerk:

“The purpose of this hearing is to consider proposed Bylaw No. 8271, a copy of which is attached.

Attached is a copy of Clause 3, Report No. 8-2003 of the Municipal Planning Commission which was adopted by City Council at its meeting held on December 1, 2003, as well as a copy of Notice which appeared in the local press under dates of December 27, 2003 and January 3, 2004.”

His Worship the Mayor opened the hearing.

Mr. Randy Grauer, Community Services Department, gave an overview of the proposed amendment and expressed the Department’s support of the proposed bylaw amendment.

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Mr. Jack Billinton, Member, Municipal Planning Commission, advised of the Commission's support of the proposed bylaw amendment.

Moved by Councillor Hnatyshyn, Seconded by Councillor Alm,

THAT the hearing be closed.

CARRIED.

Moved by Councillor Paulsen, Seconded by Councillor Dubois,

THAT Council consider Bylaw No. 8271.

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

A. REQUESTS TO SPEAK TO COUNCIL

**1) Andrea N. Gusta
Topside Hair Design, dated December 29**

Requesting permission to address council with respect to the bylaw prohibiting beauty salons to operate in M1 districts. (File No. CK. 4351-1)

RECOMMENDATION: that Andrea N. Gusta be heard.

Moved by Councillor Dubois, Seconded by Councillor Birkmaier,

THAT Andrea N. Gusta be heard.

CARRIED.

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Ms. Andrea Gusta spoke with respect to the bylaw prohibiting beauty salons to operate in M1 districts, expressing the opinion that the restriction is discriminatory because businesses such as photo studios are allowed. She asked that Council consider amending the Bylaw.

Moved by Councillor Birkmaier, Seconded by Councillor Penner,

THAT the matter be referred to the Planning and Operations Committee to review M1 Zoning provisions.

CARRIED.

**2) Edward Gibney
Justice Emmett Hall Assembly, Knights of Columbus, undated**

Requesting permission to address Council with respect to the Provincial World War II, Korea and Peacekeeping Memorial being built on the grounds of the Legislative Building in Regina. (File No. CK. 1870-1)

RECOMMENDATION: that Edward Gibney be heard.

Moved by Councillor Heidt, Seconded by Councillor Fortosky,

THAT Edward Gibney be heard.

CARRIED.

Mr. Edward Gibney, Justice Emmett Hall Assembly, Knights of Columbus, indicated that the Knights of Columbus is the official promoter of the Provincial World War II, Korea and Peacekeeping Memorial being built on the grounds of the Legislative Building in Regina. He asked that Council reconsider its decision not to support the memorial.

Moved by Councillor Heidt, Seconded by Councillor Penner,

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

CARRIED.

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3) Chayle Ross, dated January 9

Requesting permission to address Council with respect to the Quint Affordable Housing Program. (File No. CK. 750-1)

Moved by Councillor Fortosky, Seconded by Councillor Birkmaier,

THAT Chayle Ross be heard.

CARRIED.

Ms. Chayle Ross spoke with respect to problems she has experienced with the home she purchased through Quint Development, including sewer backup, cockroaches, a hole in the foundation, mice and structural difficulties. She indicated that she has tried to get some mediation, but with no results.

Moved by Councillor Heidt, Seconded by Councillor Hnatyshyn,

THAT the matter be referred to the Administration to obtain information from Quint Development with respect to the allegations, and report back to Administration and Finance Committee.

CARRIED.

4) Hamm/Ewart Family, dated January 9

Requesting permission to address Council with respect to the Quint Homeownership Program. (File No. CK. 750-1)

Moved by Councillor Fortosky, Seconded by Councillor Birkmaier,

THAT the Hamm/Ewart Family be heard.

CARRIED.

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Mr. Mark Ewart spoke with respect to environmental issues and the safety of children living in the older homes provided to low-income families through the Quint Homeownership Program.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the information be received.

CARRIED.

**5) Martin Chicilo, President
Saskatoon Housing Initiatives Partnership (SHIP), dated January 12**

Requesting permission to address Council with respect to the activities of SHIP. (File CK. 750-1)

RECOMMENDATION: that the speakers be heard.

Moved by Councillor Fortosky, Seconded by Councillor Paulsen,

THAT Martin Chicilo be heard.

CARRIED.

Mr. Martin Chicilo, Saskatoon Housing Initiatives Partnership (SHIP), outlined the activities of SHIP during the past year.

Moved by Councillor Birkmaier, Seconded by Councillor Fortosky,

THAT the information be received.

CARRIED.

6) James B. Leach, undated

Requesting permission to address Council with respect to the Gathercole site. (File No. CK. 4130-2-11)

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RECOMMENDATION: that Items A9, A33 to A36, A40, AA38 and Clause F2, Administrative Report No. 2-2004 be brought forward and considered and that the speakers be heard.

Moved by Councillor Birkmaier, Seconded by Councillor Penner,

THAT Items A9, A33 to A36, A40, AA38 and Clause F2, Administrative Report No. 2-2004 be brought forward and considered and that the speakers be heard.

CARRIED.

**“A9) Shirley Ryan, Executive Director
North Saskatoon Business Association, dated January 14**

Requesting permission to address Council with respect to the Gathercole site. (File No. CK. 4130-2-11)

**A33) Terry Scaddan, Executive Director
The Partnership, dated January 15**

Requesting permission to address Council with respect to the Gathercole site. (File CK. 4130-2-11)

**A34) Alan Thomarat, Executive Director
Saskatoon and Region Home Builders’ Association, dated January 15**

Requesting permission to address Council with respect to the Gathercole site. (File CK. 4130-2-11)

A35) Dennis Neudorf, dated January 15

Requesting permission to address Council with respect to the Gathercole site. (File CK. 4130-2-11)

**A36) Randy Pshebylo, President
Riversdale Business Improvement District, dated January 16**

Requesting permission to address Council with respect to the Gathercole site. (File CK. 4130-2-11)

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A40) Mr. Don Kossick, dated January 19

Requesting permission to address council with respect to the Gathercole Site Request for Proposal. (File No. CK. 4130-2-11)

AA38) James B. Leach, dated January 17

Submitting comments with respect to the Gathercole building. (File No. CK. 4130-2-11)

ADMINISTRATIVE REPORT NO. 2-2004

**F2) Gathercole Site – Request for Proposals
(File No. CC 4130-2-1)**

- RECOMMENDATION:**
- 1) that the information be received;
 - 2) that the Administration research and recommend a consultant to City Council who will assist Council and Administration prepare a Request for Proposal for the total site;
 - 3) that the Administration be instructed to proceed with the public review process for the DCD1 Guidelines and report by March 22, 2004; and,
 - 4) that the Administration bring forward the consultant's reports on the effect on the overall site of retaining the East Wing by February 9, 2004.

BACKGROUND

As a result of City Council's decision to proceed with the demolition of the West Wing of the Gathercole Building and to extend 2nd Avenue to the riverbank development, the Administration was asked to report on the necessary steps to proceed with the overall development at the site.

There are four key components to proceeding:

- 1) The removal of asbestos and the demolition of the West Wing of the Gathercole building, and if no suitable bids have been received on the East Wing, the total demolition of the building.
- 2) A review of the DCD1 guidelines, including public consultation, to ensure they are appropriate for site development.
- 3) The offering for sale or lease of the East Wing.

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- 4) Public consultation and development of a Request for Proposals for the overall site.

REPORT

1. Demolition

Your Administration is presently preparing tender documents for the removal of asbestos and demolition of the Gathercole building. As well, we are identifying and tagging items inside the building that may be of historical value to be salvaged and, in conjunction, identifying and tagging items that could be removed and reused by Habitat for Humanity. The exterior historical artifacts, which were identified in 1991 and include the façade and patterned brickwork, will be retained so that prospective developers of the property can potentially incorporate them into their development.

Our plan is to issue the tender for the demolition of all or part of the Gathercole building and asbestos removal on February 6, 2004, with a closing date of March 2, 2004. The tenders should be awarded by March 22nd, 2004, with the site to be turned over to the winning contractor on April 1, 2004. The demolition will be completed by May 31, 2004, so that Infrastructure Services can begin the installation of underground services.

2. DCD1 Guidelines

On December 8, 2003, City Council resolved,

“THAT City Council review the DCD1 guidelines for the Gathercole site.”

In 1988, City Council adopted the DCD1 development guidelines into the City’s Development Plan. The Direct Control District was developed to allow City Council to exercise particular control over the use and development of the South Downtown and to ensure that a ‘people place’ was developed with mixed uses for year-round, daily, and evening activity. The DCD1 guidelines were amended in 1998 to add a specific list of permitted uses to the guidelines.

The Community Services Department has contracted the firm of Saunders Evans Architects Inc. to conduct a thorough review of the DCD1 guidelines and develop a computer model of the Gathercole Site and Riverfront Park for illustration purposes.

Saunders Evans will lead a presentation team consisting of members of the City’s Planning Branch and the Meewasin Valley Authority (MVA) in a series of downtown Public Review Forums. The Public Review Forums will be open to the general public and invitations to various stakeholders will also be sent out. The stakeholders would include the Downtown Partnership, developers, architects, members of the former groups who submitted Expressions of Interest for the Gathercole Site, and members of the Municipal Planning Commission.

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Arrangements have been made to conduct the Review Forums during the month of February 2004. It is envisaged that a minimum of four (4) meetings will be scheduled – two (2) evening sessions, one (1) afternoon session and one (1) weekend session, to allow for a wide variety of groups and individuals to be accommodated. Each Review Forum will be led by the consultant and comprised of an open house format including a presentation, computer graphic demonstration, and question and answer period. Key members of the City's Planning Branch and the MVA will be in attendance at each meeting to assist with questions and answers. The exact dates, times, venues, and communication plan for the Review Forums will be finalized in the coming weeks.

The Review Forums will conclude by the end of February 2004 followed by a report to City Council on March 22, 2004. The report to City Council in March will describe the results of the Review Forums and provide comments and options to City Council concerning any amendments, if required, to the DCD1 guidelines.

If Council decides to consider possible amendments, the Administration would proceed with the normal public hearing process for amending the Development Plan. That process would be complete in June of 2004.

3. Sale or Lease of the East Wing

City Council requested that the Administration report on the process that would be followed for the sale or lease of the East Wing. The Executive Committee has further asked the Administration what effect such a sale or lease would have on the marketability of the remaining parcels. Specifically:

- a) What is the effect of potentially retaining the East Wing, as opposed to total demolition and leaving a bare site, on the development and marketing of the overall site.
- b) If City Council decides to retain the East Wing as an option, should the East Wing be offered for sale or lease now (as a separate parcel), or should the retaining of the East Wing be included as an option in the Request for Proposals for the entire site.

Your Administration is in the process of short-listing consultants, who have expertise in marketing and developing similar sites, to act as advisors on the development of the Request for Proposal for the overall site. The screening process to review the consultants' strengths and weaknesses, will request that they prepare a report by February 9, 2004, with recommendations on the impact of retaining the East Wing.

Your Administration will not be reporting on the process for sale or lease of the East Wing until Council has received the consultant's reports on February 9, 2004.

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4. Development of a Request for Proposal for the Overall Site

In addition to the above, your Administration is recommending that the following questions form part of the terms of reference for the development of the Request for Proposals that are to be used by the consultant's research:

- What are appropriate and desirable uses for the site?
- What parcel sizes should City Council market?
- Should City Council market the site as a whole, or in various parts?
- Will the sites be sold or leased, and how will this affect the development?
- How much, if any, land should be retained for public purposes, and if retained, where on the site should public uses be located?

The consultant will be required to report on how the public will be engaged to ensure a broad range of input.

PUBLIC NOTICE

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

Mr. James Leach spoke against the extension of 2nd Avenue and the demolition of the Gathercole Building. He also expressed the opinion that it is important to develop a master plan for the area.

Ms. Shirley Ryan, North Saskatoon Business Association, spoke in support of Council's decision to demolish the Gathercole Building. She provided Council with a copy of her presentation.

Mr. Terry Scaddan, Executive Director, The Partnership, spoke in support of Council's decisions with respect to the Gathercole site and building.

Mr. Alan Thomarat, Executive Director, Saskatoon and Region Home Builders' Association, spoke in support of Council's decision with respect to the Gathercole building, and requested that Council encourage investment in the City.

Mr. Dennis Neudorf spoke in support of Council's decision with respect to the Gathercole building and site. He expressed the opinion that development on the south downtown by extending 2nd Avenue and demolishing the Gathercole building needs to move forward.

Mr. Randy Pshebylo, President, Riversdale Business Improvement District, indicated the Board of Management's support of Council's decisions to extend 2nd Avenue and demolish the Gathercole building, and encouraged Council to continue with their plans for the site.

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Mr. Don Kossick expressed concerns and the opinion that there needs to be a transparent process and public consultations when developing the Gathercole site.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

- 1) *that the information be received;*

CARRIED.

Moved by Councillor Wyant, Seconded by Councillor Birkmaier,

- 2) *that the Administration research and recommend a consultant to City Council who will assist Council and Administration prepare a Request for Proposal for the total site;*

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Heidt,

- 3) *that the Administration be instructed to proceed with the public review process for the DCD1 Guidelines and report by March 22, 2004; and*

CARRIED.

Moved by Councillor Penner, Seconded by Councillor Heidt,

- 4) *that the Administration bring forward the consultant's reports on the effect on the overall site of retaining the East Wing by February 9, 2004.*

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 7) **Bob Barkman, Executive Director**
Knights of Columbus Indoor Games, dated January 12

Requesting permission to address Council to request assistance in securing a portable indoor track for the Knights of Columbus Saskatchewan Indoor Games. (File No. CK. 1870-1)

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RECOMMENDATION: that Bob Barkman be heard.

Moved by Councillor Fortosky, Seconded by Councillor Wyant,

THAT Bob Barkman be heard.

CARRIED.

Mr. Bob Barkman, Knights of Columbus Indoor Games, advised that they would like to move the Indoor Games to Saskatchewan Place because of the limitations of the Field House. He advised that they have been unable to find a portable indoor track, and asked for Council's assistance for Saskatchewan Place to purchase a track.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT the matter be referred to the Saskatchewan Place Board of Directors for consideration and discussion with Mr. Barkman.

CARRIED.

**8) Bill Zmud, Special Events Chairman
Knights of Columbus Indoor Games, dated January 13**

Requesting permission to address Council to request approval for the use of Saskatoon transit buses for the Knights of Columbus Saskatchewan Indoor Games. (File No. CK. 1870-1)

RECOMMENDATION: that Bill Zmud be heard.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

THAT Bill Zmud be heard.

CARRIED.

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Mr. Bill Zmud, Knights of Columbus Indoor Games, requested approval for the use of buses to transport children to the Games.

Moved by Councillor Penner, Seconded by Councillor Paulsen,

THAT the Administration supply Saskatoon transit buses for the Knights of Columbus Saskatchewan Indoor Games this year, subject to administrative conditions, and that the Knights of Columbus be required to submit a formal grant application in future years.

CARRIED.

Moved by Councillor Heidt,

THAT Item A41) and AA35) of Communications and Clause 1, Report No. 1-2004 of the Executive Committee be brought forward and considered, and that Rhonda Gough be heard.

CARRIED.

“A41) Rhonda Gough, dated January 19

Requesting permission to address Council with respect to the Advisory Committee on Women’s Issues.

AA35) Holly Lucas, dated January 19

Submitting comments with respect to the Advisory Committee on Women’s Issues. (File No. CK. 225-48)

EXECUTIVE COMMITTEE REPORT NO. 1-2004

- 1. Request for Reinstatement
Advisory Committee on Women’s Issues
(File No. CK. 225-48)**

RECOMMENDATION: that the information be received.

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City Council, at its meeting held on December 15, 2003, received several letters requesting that the Advisory Committee on Women's Issues be reinstated. Council referred the issue back to the Executive Committee for further consideration.

Your Committee has discussed this matter and is not prepared to recommend that the Committee be reinstated. All advisory committees will be responsible for ensuring that the issues and needs of women and children are considered during all committee deliberations. Your Committee will also continue its efforts to have equal gender representation on all boards, commissions and committees.”

Ms. Rhonda Gough spoke with respect to Council's decision to abolish the Advisory Committee on Women's Issues and expressed concerns with respect to gender equity on some of the Committees of Council, and safety for women.

Moved by Councillor Heidt, Seconded by Councillor Hnatyshyn,

THAT the information be received.

CARRIED.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 9) **Shirley Ryan, Executive Director**
North Saskatoon Business Association, dated January 14

DEALT WITH EARLIER. SEE PAGE NO. 8.

- 10) **Dr. Joel Yelland, dated January 13**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

- 11) **Donna Pasiechnik, Tobacco Control Coordinator**
Canadian Cancer Society – Sask Division, dated January 13

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

- 12) **Christina Breker, dated January 13**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

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13) Bob Dybvig, dated January 12

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**14) Gwen Gordon
Heart and Stroke Foundation of Saskatchewan, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**15) Shirley Isbister, Vice President
Central Urban Metis Federation Inc., undated**

Requesting permission for Central Urban Metis Federation Inc. and Western Region Metis Women Association to address council with respect to a smoking bylaw. (File No. CK. 185-3)

16) John Parry, dated January 14

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**17) Lorraine Stewart
Persons Living with AIDS Network of Saskatchewan Inc., dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**18) Les Headrick, Manager
K.C. Charities Inc., dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**19) R. Cowan, Representative
Clark's Crossing Brew Pub, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

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20) Dr. Cordell Neudorf, dated January 14

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**21) Ginny and Sandra Francis and Tracy Hoknes
Daisy's Restaurant and Lounge, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**22) Bruce Eaton
Ramada Hotel and Golf Dome, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**23) Linda Slough, Treasurer
Lucky Bucks Bingo Association Inc., dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**24) Dana Lalonde, Chief Steward
Confederation Bingo, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**25) Brenda Zalenchuk, Bingo Supervisor
Eastside Bingo Palace, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

**26) Randy Gudmundson, General Manager
Confederation Bingo, dated January 14**

Requesting permission to address council with respect to a smoking bylaw. (File No. CK. 185-3)

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- 27) May Henderson, Executive Director
SIMFC, dated January 14**

Requesting permission for Ron Gamble to address Council with respect to a smoking bylaw. (File No. CK. 185-3)

- 28) Jill Werle, RN, BSN, BA, MAEd, Supervisor
Public Health Services, dated January 14**

Requesting permission for Dr. Cordell Neudorf to address Council with respect to a smoking bylaw. (File No. CK. 185-3)

- 29) Paul Van Loon
Lung Association of Saskatchewan, dated January 15**

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

- 30) Peter Danabassis
101036631 Saskatchewan Ltd., Colonial Pub and Grill, dated January 16**

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

- 31) Dr. Stuart Houston, dated January 16**

Requesting permission to address Council with respect to a smoking bylaw. (File CK. 185-3)

- 32) Lynn Greaves
Saskatchewan Public Health Association, dated January 16**

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

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RECOMMENDATION: that Items A37 to A39, AA22 to AA30 and AA32 to AA34, AA37 of Communications and Clause 7, Report No. 1-2004 of the Administration and Finance Committee be brought forward and considered, and that the speakers be heard.

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT Items A37 to A39, AA22 to AA30, AA32 to AA34 and AA37 of Communications and Clause 7, Report No. 1-2004 of the Administration and Finance Committee be brought forward and considered, and that the speakers be heard.

CARRIED.

**“A37) Mark von Schellwitz, Vice President, Western Canada
Canadian Restaurant & Foodservices Association, dated January 19**

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

A38) John Parry, dated January 19

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

**A39) John Bevis, President
Saskatoon Hotels Association, dated January 19**

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

AA22) Dean Hazelwanter, dated January 9

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

**AA23) Alan Hunter, General Manager
Saskatoon Bowl-Arena Ltd., dated January 12**

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

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AA24) Betty and Tom Powell, dated January 10

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

AA25) Charles Caldwell, dated January 12

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

AA26) Len Dyck, dated January 12

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

AA27) Joshua Giroux, dated January 12

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

AA28) Jennifer Heibein, dated January 14

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

AA29) Murray Gross, dated January 14

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

AA30) Wendy Grimard, dated January 14

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

**AA32) Les Headrick, Manager
K.C. Charities Inc., dated January 15**

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

AA33) Heather Gwillim, dated January 15

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

**AA34) Wally Servetnyk, President
K.C. Charities Inc., dated January 16**

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

**AA37) Mark Lubosch, City Councillor
City of Winnipeg, dated January 19**

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

REPORT NO. 1-2004 OF THE ADMINISTRATION AND FINANCE COMMITTEE

**7. Proposal to Ban Smoking in Public Places
and
Implementation Plan – Saskatoon Health Region
(File No. CK. 151-1)**

RECOMMENDATION: that the direction of Council issue.

City Council considered the above matter at its meeting held on October 6, 2003, and passed the following motion:

- “1) that following development of appropriate implementation strategies with effected groups and businesses, the City enact a 100% ban on smoking in public places;
- 2) that the City Solicitor be requested to draft an appropriate Bylaw for consideration by City Council; and
- 3) that the Saskatoon Health Region be requested to prepare a positive-thinking Implementation Strategy for consideration by City Council.

IN AMENDMENT

And that the Administration bring the first draft of the bylaw to the Administration and Finance Committee in November.”

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Your Committee reviewed the draft bylaw at its meeting held on November 24, 2003, and asked for further information. Attached are copies of the following documents, which your Committee has received and reviewed in detail with the Administration, the Saskatoon Health Region, business representatives/owners, various community organizations and the public:

- a) report of City Solicitor dated November 18, 2003, forwarding the draft Bylaw for a 100% ban on smoking in public places;
- b) report of City Solicitor dated January 2, 2004, containing implementation options, possible enforcement strategies and the status of this issue in other cities; and
- c) report of Saskatoon Health Region containing the Implementation Plan requested by City Council.

Your Committee, upon further study of the matter at its meeting held on January 12, 2004, raised the following additional questions, which will form part of the discussion at the Council meeting:

1. Number of licensed premises in the City that would fall under the definition of “private clubs” (City Solicitor);
2. Implementation options for licensed premises on urban reserves (City Solicitor);
3. Estimate of cost and time lines for public education campaign under the Implementation Plan (Saskatoon Health Region); and
4. Date of enactment of 100% ban that is reasonable for businesses (Businesses/Business groups).

Your Committee believes that this issue needs the benefit of the answers to the above-noted questions and thereafter the involvement of all members of Council.”

Dr. Joel Yelland, President, Saskatchewan Medical Association, spoke in support of a 100% ban on smoking in public places.

Ms. Donna Pasiechnik, Tobacco Control Coordinator, Canadian Cancer Society – Sask Division, outlined the hazards of second hand smoke and spoke in support of a 100% ban on smoking in public places.

Ms. Christina Breker spoke in support of a 100% ban on smoking in public places.

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Mr. Bob Dybvig indicated he was speaking on behalf of City of Bridges Bingo Association. He spoke with respect to the impact of a smoking ban on bingo halls in British Columbia and Ontario. He requested that bingo halls be exempt from the bylaw or that funding be given to charities on an ongoing basis. He provided Council with a copy of his presentation.

Ms. Gwen Gordon, Heart and Stroke Foundation of Saskatchewan, spoke with respect to the effects of second hand smoke and expressed support for a 100% ban on smoking in public places.

Ms. Shirley Isbister, Vice President, Central Urban Metis Federation Inc., expressed concerns regarding the impact on organizations that receive funding through bingos. She asked that Council consider exempting bingo halls from the bylaw or subsidize the charities for 3 to 6 months.

Mr. John Parry spoke in support of a 100% ban on smoking in public places.

Ms. Lorraine Stewart, Persons Living with AIDS Network of Saskatchewan Inc., was not in attendance.

Mr. Wally Servetnyk, President, K.C. Charities Inc., was not in attendance.

Ms. G. Cowan, Clark's Crossing Brew Pub, requested that Council not pass a 100% ban on smoking but look at a compromise that would benefit everyone.

Dr. Cordell Neudorf, Public Health Services gave a presentation outlining survey results, statistics and costs regarding a smoking ban in public places. It was noted that Item A28 of Communications included the background information to Dr. Neudorf's presentation.

Ms. Ginny Francis, Ms. Sandra Francis and Ms. Tracy Hoknes, Daisy's Restaurant and Lounge, expressed concerns regarding a 100% ban on smoking in public places and the rights of smokers. They indicated that a considerable amount of money has been spent putting in a separate smoking area with a separate ventilation system in their restaurant.

Mr. Bruce Eaton, Ramada Hotel and Golf Dome, asked that if a smoking bylaw is implemented, Council assist businesses by ensuring that there be a 100% ban in all places, including private clubs, that the regulations be clear, that a plan for implementation of a complete ban allow sufficient time for businesses to adapt, and that a plan for awareness and education be developed. He asked that the implementation date for the bylaw be well into 2005.

Ms. Linda Slough, Treasurer, Lucky Bucks Bingo Association Inc., expressed concerns regarding the effect that a 100% ban would have on bingo halls and the charitable organizations that are funded through bingos.

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Council was advised that Mr. Dana Lalonde, Chief Steward, Confederation Bingo, was unable to remain to speak, however, he left a copy of his presentation for Council's information.

Ms. Brenda Zalenchuk, Bingo Supervisor, Eastside Bingo Palace, expressed concerns regarding a 100% smoking ban, and asked that Council investigate the implications.

Mr. Randy Gudmundson, General Manager, Confederation Bingo, spoke with respect to what the effects of a 100% smoking ban would have on bingos. He requested that smoking rooms be allowed in bingo halls as a compromise.

Mr. Ron Gamble, Saskatoon Indian and Metis Friendship Centre, spoke against a 100% ban on smoking in public places, expressing concerns regarding the effect that it would have on the proceeds that the Friendship Centre depends on from bingos.

Mr. Paul Van Loon, Lung Association of Saskatchewan, spoke in support of a 100% ban on smoking in public places.

Moved by Councillor Birkmaier, Seconded by Councillor Heidt,

THAT the hour of the meeting be extended beyond 11:00 p.m.

CARRIED.

Mr. Peter Danabassis, 101036631 Saskatchewan Ltd., Colonial Pub and Grill, spoke against a 100% ban on smoking in public places. He expressed concerns with respect to the effects the ban would have on the bar industry and bingo halls.

Dr. Stuart Houston spoke in support of a 100% ban on smoking in public places.

Ms. Lynn Greaves, Saskatchewan Public Health Association, spoke in support of a 100% ban on smoking in public places, and outlined the experiences of some cities who have adopted a similar bylaw.

Mr. Mark von Schellwitz, Vice President, Western Canada, Canadian Restaurant & Foodservices Association, spoke with respect to the effects a 100% smoking ban would have on businesses. He provided Council with a copy of a document from WorkSafe, Workers' Compensation Board, entitled, "Environmental Tobacco Smoke and Tobacco Related Mortality in a Prospective Study of Californians, 1960-98, and a chart showing a decline in foodservice sales for 2003.

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Mr. John Bevis, President, Saskatoon Hotels Association, indicated the support of the Hotels Association of a bylaw prohibiting smoking in public places, however, he requested time to phase in the bylaw, preferably to the summer, 2005.

Additional letters from Heather Larson, Jordan Burges and Tom Mullin, Executive Vice President, Hotels Association of Saskatchewan, all dated January 19, 2004, were distributed to Council members.

Moved by Councillor Penner, Seconded by Councillor Alm,

- 1) that City Council pass a bylaw to prohibit smoking in all public places within Saskatoon;*
- 2) that the bylaw take effect July 1, 2004; and*
- 3) that the City Solicitor be requested to bring forward the bylaw to the next meeting of City Council.*

IN AMENDMENT

Moved by Councillor Birkmaier, Seconded by Councillor Alm

That patios be included in the bylaw.

THE AMENDMENT WAS PUT AND CARRIED ON A RECORDED VOTE

*YEAS: His Worship the Mayor, Councillors Alm, Birkmaier, Dubois, Heidt
and Neault 6*

NAYS: Councillors Fortosky, Hnatyshyn, Paulsen, Penner and Wyant 5

IN AMENDMENT

Moved by Councillor Birkmaier, Seconded by Councillor Alm

THAT licensed premises, including private clubs be included in the bylaw.

THE AMENDMENT WAS PUT AND CARRIED ON A RECORDED VOTE

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*YEAS: His Worship the Mayor, Councillors Alm, Birkmaier, Dubois, Heidt,
Neault, and Paulsen* 7

NAYS: Councillors Fortosky, Hnatyshyn, Penner and Wyant 4

IN AMENDMENT

*Moved by Councillor Heidt, Seconded by Councillor Dubois,
that the bylaw take effect July 1, 2005;*

THE AMENDMENT WAS PUT AND LOST ON A RECORDED VOTE

YEAS: Councillors Dubois, Heidt and Neault 3

*NAYS: His Worship the Mayor, Councillors Alm, Birkmaier, Fortosky,
Hnatyshyn, Paulsen, Penner and Wyant* 8

IN AMENDMENT

*Moved by Councillor Wyant, Seconded by Councillor Heidt,
THAT the bylaw take effect January 1, 2005.*

THE AMENDMENT WAS PUT AND LOST.

THE MAIN MOTION AS AMENDED WAS PUT AND CARRIED ON A RECORDED VOTE

*YEAS: His Worship the Mayor, Councillors Alm, Birkmaier, Dubois, Fortosky,
Heidt, Hnatyshyn, Paulsen, Penner and Wyant* 10

NAYS: Councillor Neault 1

The meeting recessed at 12:45 a.m. and reconvened at 12:55 a.m.

REQUESTS TO SPEAK TO COUNCIL – CONTINUED

- 33) **Terry Scaddan, Executive Director**
The Partnership, dated January 15

DEALT WITH EARLIER, SEE PAGE NO. 8.

- 34) **Alan Thomarat, Executive Director**
Saskatoon and Region Home Builders' Association, dated January 15

DEALT WITH EARLIER, SEE PAGE NO. 8.

- 35) **Dennis Neudorf, dated January 15**

DEALT WITH EARLIER, SEE PAGE NO. 8.

- 36) **Randy Pshebylo, President**
Riversdale Business Improvement District, dated January 16

DEALT WITH EARLIER, SEE PAGE NO. 8.

- 37) **Mark von Schellwitz, Vice President, Western Canada**
Canadian Restaurant & Foodservices Association, dated January 19

DEALT WITH EARLIER, SEE PAGE NO. 17.

- 38) **John Parry, dated January 19**

DEALT WITH EARLIER, SEE PAGE NO. 17.

- 39) **John Bevis, President**
Saskatoon Hotels Association, dated January 19

DEALT WITH EARLIER. SEE PAGE NO. 17.

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40) Mr. Don Kossick, dated January 19

DEALT WITH EARLIER. SEE PAGE NO. 8.

41) Rhonda Gough, dated January 19

DEALT WITH EARLIER. SEE PAGE NO. 16.

AA. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Connie and Joe Abrook, dated December 27

Submitting a copy of a letter sent to the City Planning Branch with expressing concerns regarding condo inspections and security issues. (File No. CK. 530-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

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

CARRIED.

2) Tom and Rose Rogers, dated January 2

Submitting comments with respect to safety. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

3) Mrs. G. Janow, dated December 18

Expressing concerns with respect to bikes on sidewalks. (File No. CK. 5200-4)

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RECOMMENDATION: that the matter be referred to the Board of Police Commissioners.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Board of Police Commissioners.

CARRIED.

4) John Thomson, dated January 6

Submitting comments on various issues. (File No. CK. 150-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

**5) Tim Ryan and Wayne Halabura
Cottowood Development Corporation, dated January 7**

Expressing appreciation to Council for listening to concerns regarding the intersection of Avenue F and 22nd Street. (File No. CK. 4135-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

**6) Debbie Prefontaine
CFIB Regina, dated January 7**

Forwarding a copy of a news release regarding the gap between business and residential property tax rates in municipalities across the province. (File No. CK. 1920-1)

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RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

7) B. Papish, dated January 5

Expressing concerns with respect to crows and magpies in the city. (File No. CK. 151-2)

RECOMMENDATION: that the direction of Council issue.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Administration to report to the Planning and Operations Committee.

CARRIED.

8) Saskatoon Public School Division, dated December 18

Forwarding a copy of a letter addressed to the Police Chief with respect to the positive influence school liaison officers have had with students and with their respective communities.

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

9) Mike Cey, dated January 10

Submitting comments with respect to the construction of a movie theatre facility at Preston Crossing. (File No. CK. 4125-1)

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RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

10) Huy Dang, dated January 12

Submitting comments with respect to transit services. (File No. CK. 7311-1)

RECOMMENDATION: that the matter be referred to the Administration.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Administration.

CARRIED.

11) Roy and Marion Button, dated January 13

Expressing concerns with respect to the walkway located adjacent to their home. (File No. CK. 6295-1)

RECOMMENDATION: that the matter be referred to the Administration.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Land Bank Committee.

CARRIED.

12) Ann Hiebert and Others, undated

Submitting a petition with approximately 121 signatures requesting that the bus mall and library remain in their current location. (File No. CK. 7311-2)

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RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the letter be referred to the Administration and the Library Board.

CARRIED.

**13) Andrew Mason, Chair
Race Relations Committee, dated January 13**

Forwarding a copy of a letter addressed to Sara Saganance regarding maintaining and developing aboriginal programs and relationships within the City. (File No. CK. 100-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

**14) Andrew Mason, Chair
Race Relations Committee, dated January 13**

Forwarding a copy of a letter addressed to Greg McKinnon with respect to the walkway between Marcotte Crescent and Wakabayashi Crescent. (File No. CK. 6295-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

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**15) Tiffany Koback, Supervisor, Internal Affairs
Saskatoon SPCA Inc., dated January 13**

Requesting financial support for a low cost subsidization spay and neuter program. (File No. CK. 151-1)

RECOMMENDATION: that the matter be referred to the Advisory Committee on Animal Control.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be referred to the Advisory Committee on Animal Control.

CARRIED.

**16) Colleen Wilson, LL.B., Director of Legal Affairs
Mid-West Development (2000) Corp., dated January 12**

Forwarding a copy of a letter addressed to the City Manager with respect to a request for a median opening on 8th Street and Summerfeld. (File No. CK. 6320-5-2)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

17) Stuart Makaroff, undated

DEALT WITH EARLIER. SEE PAGE NO. 8.

18) Helen Adams, dated January 9

DEALT WITH EARLIER. SEE PAGE NO. 8.

- 19) **W. Brent Cotter, Q.C., Deputy Minister
Government Relations and Aboriginal Affairs, dated January 6**

DEALT WITH EARLIER. SEE PAGE NO. 8.

- 20) **Jacob Driedger, dated January 14**

DEALT WITH EARLIER. SEE PAGE NO. 8.

- 21) **Susan Taylor and Others, dated January 4**

Submitting a petition with approximately 22 signatures, requesting that smoking not be allowed in the BackStage Lounge at Saskatchewan Place. (File No. CK. 185-3)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

- 22) **Dean Hazelwanter, dated January 9**

DEALT WITH EARLIER. SEE PAGE NO. 17.

- 23) **Alan Hunter, General Manager
Saskatoon Bowl-Arena Ltd., dated January 12**

DEALT WITH EARLIER. SEE PAGE NO. 17.

- 24) **Betty and Tom Powell, dated January 10**

DEALT WITH EARLIER. SEE PAGE NO. 17.

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25) Charles Caldwell, dated January 12

DEALT WITH EARLIER. SEE PAGE NO. 17.

26) Len Dyck, dated January 12

DEALT WITH EARLIER. SEE PAGE NO. 17.

27) Joshua Giroux, dated January 12

DEALT WITH EARLIER. SEE PAGE NO. 17.

28) Jennifer Heibein, dated January 14

DEALT WITH EARLIER. SEE PAGE NO. 17.

29) Murray Gross, dated January 14

DEALT WITH EARLIER. SEE PAGE NO. 17.

30) Wendy Grimard, dated January 14

DEALT WITH EARLIER. SEE PAGE NO. 17.

**31) Joanne Sproule, Secretary
Saskatoon Development Appeals Board, dated January 13**

Submitting notice of Development Appeal Board hearing for property located at 1008 and 1040 20th Street West. (File No. CK. 4352-1)

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

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- 32) **Les Headrick, Manager**
K.C. Charities Inc., dated January 15

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

- 33) **Heather Gwillim, dated January 15**

DEALT WITH EARLIER. SEE PAGE NO. 17.

- 34) **Wally Servetnyk, President**
K.C. Charities Inc., dated January 16

DEALT WITH EARLIER. SEE PAGE NO. 17.

- 35) **Holly Lucas, dated January 19**

DEALT WITH EARLIER. SEE PAGE NO. 16.

- 36) **Boyd Clark, Executive Director**
Saskatoon SPCA Inc., dated January 19

Submitting comments with respect to the enforcement of Bylaw 8176 involving dangerous animals within the City of Saskatoon. (File No. CK. 151-1)

RECOMMENDATION: that the matter be considered with Clause 3, Report No. 1-2004 of the Administration and Finance Committee.

Moved by Councillor Paulsen, Seconded by Councillor Wyant,

THAT the matter be considered with Clause 3, Report No. 1-2004 of the Administration and Finance Committee.

CARRIED.

- 37) **Mark Lubosch, City Councillor**
City of Winnipeg, dated January 19

DEALT WITH EARLIER. SEE PAGE NO. 17.

38) **James B. Leach, dated January 17**

DEALT WITH EARLIER. SEE PAGE NO. 17.

B. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

1) **Les Ferguson, dated January 2**

Submitting information with respect to smoking. (File No. CK. 185-3) **(Referred to the Administration and Finance Committee.)**

2) **Dwayne Eagle, dated January 2**

Submitting comments with respect to a smoking bylaw. (File No. CK. 185-3) **(Referred to the Administration and Finance Committee.)**

3) **Carolyn Ashley, dated January 2**

Submitting comments with respect to a smoking bylaw. (File No. CK. 185-3) **(Referred to the Administration and Finance Committee.)**

4) **Jill Werle, RN, BSN, BA, MAEd, Supervisor
Public Health Services, dated January 7**

Submitting sixty-nine letters of support on behalf of the physicians and medical community of Saskatoon, supporting a 100% ban on smoking in public places. (File No. CK. 185-3) **(Referred to the Administration and Finance Committee.)**

5) **Karen Daku, Senior Manager, Business Development
SaskWater, dated January 5**

Forwarding information regarding SaskWater. (File No. CK. 7920-1) **(Referred to the Administration.)**

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6) Joseph Kuchta, dated January 9

Submitting comments with respect to Councillor D.L. Birkmaier's enquiry regarding a review of the Council Procedure Bylaw. (File No. CK. 255-2) **(Referred to the Executive Committee.)**

7) Herman Boerma, dated January 9

Submitting comments with respect to poplar trees in the city. (File No. CK. 4139-4) **(Referred to the Planning and Operations Committee.)**

8) Mr. Arnold and Others, dated January 12

Submitting a letter with seven signatures expressing concerns regarding police response. (File No. CK. 5000-1) **(Referred to the Board of Police Commissioners.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Paulsen, Seconded by Councillor Heidt,

THAT the information be received.

CARRIED.

C. PROCLAMATIONS

**1) Karen Herman, Public Relations
Kinettes of Saskatoon, dated January 2**

Requesting that Council proclaim February 20, 2004 Kinsmen and Kinettes Day and February 15 to 21, 2004 as Kinsmen and Kinettes Week in Saskatoon. (File No. CK. 205-5)

**2) Scott Bray, B.A., B.Comm. MBA, Executive Director
Saskatoon Services for Seniors, dated January 5**

Requesting that Council change their original proclamation and proclaim February 22 to 28, 2004 as Adopt-A-Grandchild week in Saskatoon. (File No. CK. 205-5)

**3) Michelle Young, March Drive Coordinator
The Kidney Foundation of Canada, dated January 5**

Requesting that Council proclaim March, 2004 as Kidney Month 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 Heidt,

- 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.

REPORTS

Councillor B. Dubois presented Report No. 1-2004 of the Municipal Planning Commission;

General Manager, Community Services Gauthier presented Section A, Administrative Report No. 2-2004;

General Manager, Corporate Services Veltkamp presented Section B, Administrative Report No. 2-2004;

General Manager, Infrastructure Services Uzelman presented Section D, Administrative Report No. 2-2004;

General Manager, Utility Services Hewitt presented Section E, Administrative Report No. 2-2004;

City Manager Richards presented Section F, Administrative Report No. 2-2004;

City Clerk Mann presented Section A, Legislative Report No. 2-2004.

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Councillor O. Fortosky, Chair, presented Report No. 1-2004 of the Planning and Operations Committee;

Councillor G. Penner, Chair, presented Report No. 1-2004 of the Administration and Finance Committee;

Councillor D.L. Birkmaier, Chair, presented Report No. 1-2004 of the Audit Committee; and

His Worship the Mayor, Chair, presented Report No. 1-2004 of the Executive Committee.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT Council go into Committee of the Whole to consider the following reports:

- a) Report No. 1-2004 of the Municipal Planning Commission;*
- b) Administrative Report No. 2-2004;*
- c) Legislative Report No. 2-2004;*
- d) Report No. 1-2004 of the Planning and Operations Committee;*
- e) Report No. 1-2004 of the Administration and Finance Committee;*
- f) Report No. 1-2004 of the Audit Committee; and*
- g) Report No. 1-2004 of the Executive Committee.*

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

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

Committee arose.

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

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

“REPORT NO. 1-2004 OF THE MUNICIPAL PLANNING COMMISSION”

Composition of Commission

Mr. John Waddington, Chair
Mr. Jack Billinton, Vice Chair
Mr. Dieter André
Mr. Gord Androsoff
Mr. Roy Ball
Mr. Michael Chyzowski
Councillor Bev Dubois
Mr. Lloyd Hedemann
Mr. Brad Sylvester
Ms. Karen Thogersen
Mr. Vern Waldherr
Mr. Randy Warick
Mr. Jim Zimmer

- 1. Amendment to Zoning Bylaw to Create New Zoning District called MX1 (Mixed Use District 1)**
Applicant: City of Saskatoon
(File No. CK. 4350-1)
-

- RECOMMENDATION:**
- 1) that City Council approve the required advertising respecting the proposal to amend the City of Saskatoon Zoning Bylaw No. 7800 to create a new zoning district called MX1 (Mixed Use District 1);
 - 2) that the General Manager, Community Services Department be requested to prepare the required notice for advertising the proposed amendments;
 - 3) that the City Solicitor be requested to prepare the required Bylaw; and
 - 4) that at the time of the Public Hearing, City Council approve the proposed amendment to the Zoning Bylaw.

ADOPTED.

Attached is a copy of a report of the Community Services Department dated December 17, 2003, with respect to an amendment to the Zoning Bylaw to create a new Zoning District called MX1 (Mixed Use District 1).

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Following review of this report with the Administration, your Commission is supporting the recommendations of the Administration, as set out above.

ADMINISTRATIVE REPORT NO. 2-2004

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between December 23, 2003 and January 12, 2004
(For Information Only)
(File No. CK. 4000-5)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Subdivision

- Application No.47/03: 3425 Dieppe Street
Applicant: Clayton and Marlene Watson
Legal Description: Lot 5, Block 518, Plan 65S21871
Current Zoning: R2
Neighbourhood: Montgomery Place
Date Received: December 19, 2003

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan of Proposed Subdivision No. 47/03.

**A2) Enquiry – Councillor T. Alm (November 17, 2003)
Process for Selling land
(File No. 4215-0)**

RECOMMENDATION: that the information be received.

ADOPTED.

BACKGROUND

Councillor T. Alm made the following enquiry at the meeting of City Council held on November 17, 2003:

“Would the Administration please report on the procedure the City uses when selling a parcel of land.

Would we alter that procedure in any way if we were to sell the Gathercole building and lands? If so, what would the process be?”

REPORT

Procedure for Selling City-Owned Land

City of Saskatoon Council Policy C09-033, Sale of Serviced City-Owned Lands, Attachment No. 1, was adopted by City Council February 10, 2003. The purpose of the policy was to establish general guidelines to be followed by the Administration in pursuing the sale, or responding to requests for direct purchase or long-term lease, of City-owned lands.

The policy states:

“When the City of Saskatoon decides to sell land, it will do so using competitive bidding practices appropriate to the category of land being sold and to the extent it is practical and prudent to do so. The Administration may entertain or persue direct sale or lease of land under limited situations and provided appropriate controls are in place to prevent speculation”.

The situations specific to the Gathercole site are detailed under clause 3.1 of the Council Policy.

Competitive bidding practice for multiple unit residential, institutional, commercial and industrial property is defined as:

1. Newly created lots and parcels are sold through a public tender process.
2. Lots or parcels, which have not been sold at the completion of the public tender process, will be sold on a first-come, first-served basis.

In addition, it should be noted that City Council Policy C01-021, Section 3i), requires that public notice be given before Council considers selling or leasing land for less than fair market value and without a public offering.

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An Altered Process for the Gathercole Site

City Council may decide not to follow its policy for any specific parcel of land and set direct terms and conditions in open Council for the sale or lease of property. At its meeting held on December 8, 2003, City Council resolved, in part, the following with respect to the sale or lease of the east wing of the Gathercole building:

1. that the east wing of the Gathercole be first offered for sale or lease for adaptive re-use on the condition that no City money, either capital or operating, will be made available in relation to the sale and that if no buyer/lessee satisfactory to the City is found by April 1, 2004, the whole Gathercole Building be demolished.
2. that the Administration report in January regarding the process for sale or lease.

The Administration, at the request of Council, is investigating sales/lease processes and will be reporting the results of that investigation to City Council in January.

PUBLIC NOTICE

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

ATTACHMENT

1. Policy No. C09-033, Sale of Serviced City-Owned Lands.

**A3) Enquiry – Councillor E. Hnatyshyn (December 1, 2003)
Operating Costs – Farmers’ Market and
Communications to Council**

**From: Ramesh D. Mahabir, President
Saskatoon Farmers’ Market**

Date: December 17, 2003

**Subject: Saskatoon Farmers’ Market
(File No. 205-7)**

- RECOMMENDATION:**
- 1) that the information be received; and
 - 2) that the Farmers’ Market pay a monthly lease fee of \$333.75 for the building at 401 Avenue A South.

ADOPTED.

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BACKGROUND

The Farmers' Market needed an emergency home for the 2003-2004 winter market and applied to use the west wing of the Gathercole Building. As the Gathercole Building was not available the Administration were directed to seek possible alternative locations.

REPORT

The Administration recommended the old electrical building at 401 Avenue A South as the temporary location for the 2003-2004 winter market. The building was being used mainly for storage of the City's street Christmas decorations. The Electrical Branch agreed to share the building for the winter season with the Farmers' Market.

The City proceeded to clean up the area, both inside and outside the building, and erected a temporary fence around the Christmas decorations being stored in the building.

The Farmers' Market painted the walls and washed down the floor before moving in. The Market currently operates at this location once a week on Saturday.

Costs to the City

The average utility cost for the building at 401 Avenue A South from October to April is as follows:

Gas	\$2,000.00 per month
Electricity	\$ 200.00 per month
<u>Water and Sewer</u>	<u>\$ 25.00 per month</u>
Total	\$2,225.00 per month

The utility costs are presently being paid by the Electrical Branch. The Farmers' Market was not requested to pay utilities as the building was already being heated when the Farmers' Market requested an emergency temporary winter location.

Based on their use of one day per week, the Farmers' Market share would be 1/7 or 15 percent of the monthly utility costs (15 percent of \$2,225.00 per month equals \$333.75 per month).

For the summer location, the Market uses City supplied barricades to block off 23rd Street between 3rd and 4th Avenues. There appears to be no real cost to the City for the use of this location.

Revenues to the City

The Business License Bylaw requires that each site obtain a license. The licensing fees are to cover the administration costs of reviewing applications, issuing licenses, enforcement, etc. The Administration feels the current fee level adequately covers these costs.

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The Farmers' Market had the following three sites licensed in 2003:

1. 300 Block of 23rd Street – City Hall Site
2. 820 – 51st Street East – Peavey Mart Site
3. 1635 McKercher Drive – Lakewood Civic Centre

A license is being pursued for the winter market at the City Electrical site at 401 Avenue A South. Therefore, the total revenues for the four sites (three summer and one winter) is \$500.00.

Farmers' Market Request

The request to extend the winter market at the Avenue A South until May 8, 2004 is agreeable to the Administration. The request to hold the 2004-2005 winter market at 401 Avenue A South is agreeable to the Administration; however, the Farmers' Market should pay, at least at 15 percent of the buildings total operating and maintenance costs. With regard to the request to move the Christmas decorations out of the building, the Electrical Branch advised they have no alternative location available. Based on current requirements they would need approximately 4,000 square feet of storage space and the building would have to be truck accessible.

We estimate that this type of space would rent for about \$5.00 per square foot; therefore, the total cost to store the decorations in a new location would be \$20,000.00 a year.

PUBLIC NOTICE

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

ATTACHMENTS

1. Memo dated December 2, 2003 from Janice Mann, City Clerk.
2. Memo dated January 7, 2004 from Janice Mann, City Clerk.

Section B – CORPORATE SERVICES

**B1) Capital Funding
(File No. CK. 1702-1)**

RECOMMENDATION: that this report be referred to the Budget Committee for its consideration.

ADOPTED.

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In 2002, City Council received a report entitled *10-Year Capital Funding Discussion Paper – 2003 to 2012*. The intent of this report was to highlight the shortfall that exists in funding requirements to address the City’s infrastructure preservation efforts as well as anticipated construction of new infrastructure projects. The report identified that progress had been made since the previous report prepared in 1998, attributable primarily to two Council decisions. The major first step was Council’s decision to apply all reductions in debt financing costs directly to funding current capital needs. Secondly, Council continues with its policy to dedicate one-third of any growth in assessment towards the City’s capital funding requirements.

In addition to the above two policies, City Council also directed that any funds in excess of \$24,000,000 contained in the Property Realized Reserve be dedicated towards the City’s capital needs. While these opportunities are not recurring, they have, along with limited senior government funding, had a positive impact in addressing the City’s capital shortfall.

The current annual funding shortfall is in the range of \$18,000,000 (exclusive of Utilities). Referenced in the Discussion Paper, but not included in the financial details because of lack of information available, were the expansionary requirements identified by each of the three civic Boards and the Police Commission. While the Discussion Paper provides a broad overview of the types of projects that are anticipated to be constructed in the long term, the report’s conclusions become more relevant when taken within the context of certain immediate needs. The purpose of this report is to provide that context.

In recent weeks, City Council has included in its deliberations discussions on a new Library, Gathercole Site Development, Recreational Facility Additions (University Heights and Soccer Centre), a new South Bridge, a grade separation at Circle Drive/College Drive, expansion of the Mendel Art Gallery, and a new Police Station. Preliminary estimates of the unfunded portion of the cost of just some of these projects are:

South Bridge	\$ 80,000,000
Grade Separation – Circle/College	\$ 13,000,000
Library (assuming application of federal funds)	\$ 10,000,000
Mendel Art Gallery	\$ 13,000,000
Police Station Expansion	\$ <u>27,000,000</u>
Total	\$143,000,000

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Each of these projects has been discussed with some urgency and would likely have sufficient evidence of immediate need to garner Council support had funds been available. With the exception of preliminary design funding, none of the above projects received any tacit approval to proceed. In fact, the City continues to encounter funding deficiencies in its capital preservation program, much less being able to embark on a capital expansion program. Additionally, future budgets will continue to include numerous capital projects for less visual and less costly projects that may not attract individual attention, yet must still proceed as part of the orderly growth of the City.

If no new external funding sources were forthcoming, the City would need to raise property taxes by 13% in order to fund the cost of borrowing for the five projects identified above. To address the annual deficiency identified in the Discussion Paper (which includes the projects referred to above), an immediate one-time property tax increase of 21% would be required (assuming construction staging that would address cash flows).

As Council is aware, the City of Saskatoon was effectively debt free (mill rate supported debt) in 2001. The only borrowing done since that time has been for the grade separations at Circle/ 22nd and Circle/Attridge. It is still your Administration's opinion that the current pay-as-you-go philosophy remains relevant today irrespective of the favorable interest rate environment. Therefore, we will continue to advance our efforts in increasing the annual capital funding provision to address the issues identified in the Capital Discussion Paper. However, it has always been acknowledged that debt is an appropriate instrument to finance major capital expansion projects. The five projects identified above are typical examples of such projects.

In response to questions regarding alternatives to property taxes to fund capital, your Administration has focused on opportunities that may arise should the Federal Government commit to shifting some of its fuel taxes for the benefit of local governments. While Saskatoon has one of the lowest levels of municipal property tax in Canada, the emphasis in Saskatchewan on funding for education from property taxes results in a total tax level that is one of the highest in Canada. This limits the City's ability to increase its share of property taxes to a level appropriate to meet its own current and future needs.

A sharing of the proceeds from the fuel tax currently collected by the Federal Government, access to the Provincial fuel tax base, and the creation of taxing room to address local needs (through changes in the funding of education) are all potential resources that would allow the City to address its current and future capital requirements. However, none of these opportunities have yet materialized at a time when the City is facing some obvious capital funding decisions.

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With no further opportunities to transfer savings resulting from reduced debt costs directly to increased capital contributions, the only remaining source of increased capital funding will come from the one-third transfer from the growth in assessment. While the incremental impact of this policy is substantial, it will not address the major problems the City faces. For that reason, your Administration is recommending that City Council consider including, as a specific policy statement, an annual incremental charge to property taxes of 1% to be applied as initial funding for major capital projects and, ultimately, as a base for the repayment of debt incurred for such major projects.

While the 1% increase will not be sufficient in the near term to address the City's capital funding shortfall, it will allow the City to respond more swiftly to changes in senior level government capital funding programs. It is also acknowledged that this recommendation, when combined with expected property tax increases to fund existing operating programs, as well as the continuation of the property tax shift from commercial and multi-family residential to residential (which increases residential property taxes by 1.5% annually), is a difficult one to apply. However, if City Council wishes to proceed with any of the major projects identified, there are no alternatives. While the City's share of the property taxes will still remain competitive, the need to access the necessary tax room (by way of reductions in property taxes for education) becomes even more relevant, as does the need for major capital contributions from senior levels of government.

PUBLIC NOTICE

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

**B2) 2004 Capital Budget (2005-2008 Capital Plan)
(File No. CK. 1702-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

At its meeting held on December 15, 2003, City Council approved the 2004 Capital Budget (2005-2008 Capital Plan). Attached, for Council's information, is the final version of that budget which incorporates the changes which were confirmed at that meeting.

PUBLIC NOTICE

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

ATTACHMENT

1. 2004 Capital Budget (2005-2008 Capital Plan).

Section D – INFRASTRUCTURE SERVICES

**D1) School Signing Revisions
(File No. 6280-3)**

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

ADOPTED.

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

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

- Wildwood School
- St. Luke School
- St. Volodymyr School
- College Park School

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

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

Wildwood School - Plan No. 212-0025-001r003 (Attachment 1):

The existing '5 MINUTE PARKING ZONE, 08:00-17:00, MONDAY-FRIDAY' is currently located on the westside of Rosedale Road extending from the north driveway of the school toward Willoughby Crescent. The '5 MINUTE PARKING ZONE 08:00- 17:00, MONDAY-FRIDAY' will be shortened to add a 'SCHOOL BUS LOADING ZONE, 08:00-17:00, MONDAY-FRIDAY'.

St. Luke School - Plan No. 212-0027-002r002 (Attachment 2):

The 'SCHOOL BUS LOADING ZONE, 08:00-17:00. MONDAY-FRIDAY' located on the north side of Emmeline Road will be removed and reinstalled at a location west of the Swan Crescent intersection. The previous 'SCHOOL BUS LOADING ZONE, 08:00-17:00. MONDAY-FRIDAY' will be replaced with a '5 MINUTE PARKING ZONE, 08:00-17:00, MONDAY-FRIDAY'.

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St. Volodymyr School - Plan No. 212-0019-002r003 (Attachment 3):

The '5 MINUTE PARKING ZONE, 08:00-17:00, MONDAY-FRIDAY' is currently located on the west side of Kellough Road extending from the front entrance of St. Volodymyr School south to the school parking lot. This '5 MINUTE PARKING ZONE, 08:00-17:00, MONDAY-FRIDAY' will be shortened to add a 17 metre long 'SCHOOL BUS LOADING ZONE, 08:00-17:00, MONDAY-FRIDAY'.

College Park School - Plan No. 212-0020-005r004 (Attachment 4):

The 'SCHOOL BUS LOADING ZONE, 08:00-17:00, MONDAY-FRIDAY' will be extended approximately 45 metres to the west along Harrington Street.

PUBLIC NOTICE

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

ATTACHMENTS

1. Plan No. 212-0025-001r003
2. Plan No. 212-0027-002r002
3. Plan No. 212-0019-002r003
4. Plan No. 212-0020-005r004

Section E – UTILITY SERVICES

- E1) Enquiry – Councillor T. Alm (January 5, 2004)
Transit Services – Western Development Museum
(File No. Ck.7310-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following enquiry was made by Councillor Alm at the meeting of City Council held on January 5, 2004:

“Would the Administration please report on providing city bus transit to the Western Development Museum on a regular schedule.”

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REPORT

The Transit Services Branch provides bus service through the exhibition area using Route 1 Exhibition regular service bus. The closest bus stop to the Western Development Museum is located on the east side of Lorne Avenue north of Ruth Street, approximately a 680 metre walking distance to the front doors of the WDM. The Western Development site and surrounding Exhibition Grounds site is designated Special Use within the Development Plan and is bordered by light industrial land uses within the C.N. Industrial area directly to the east of the site and residential land uses to the north of Ruth Street.

Transit Policy provides for public transit service within a walking distance of 450 metres of one-unit dwellings, 250 metres of medium and high-density dwellings, and 150 metres of special needs housing and other uses such as high schools, shopping centres and hospitals. Transit Policies for industrial areas is 600 meters where feasible.

Route 1 serves to provide regular public transit services to the residential population within the Exhibition area. Route 1 provides thirty-minute service through the exhibition area from the city centre from approximately 6:30 a.m. to 7:30 p.m. and one hour service from 7:30 p.m. to 12:30 a.m. Monday through Friday. Sixty-minute service is provided on Saturdays from 6:30 a.m. to 10:30 a.m., thirty-minute service from 10:30 a.m. to 6:30 p.m. and sixty-minute service from 6:30 p.m. to 12:30 a.m. Sixty-minute service is provided on Sundays from approximately 9:30 a.m. to 9:30 p.m.

Up to the early to mid-nineties several buses serviced the exhibition and C.N. Industrial areas with one stop on Lorne Avenue within approximately 185 metres of the WDM. It was determined after several months of passenger counts and review of service in the area that the stop in front of the WDM was not being utilized and the C. N. Industrial area was being over-serviced during peak hours. Route 9 now provides limited service to enable workers in the industrial area to get to and from work. Directional service is provided for 2 trips in the a.m. and 3 trips in the p.m. Mondays through Fridays, with the closest stop to the WDM at Jasper and Portage Avenue.

Currently there is not sufficient time on either the Route 1 or Route 9 schedules to include regular transit service to the WDM site.

PUBLIC NOTICE

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

Section F – CITY MANAGER

**F1) Power Boat Launch Site
(File No. CC 4130-2)**

RECOMMENDATION: that City Council confirm that there will be no temporary boat launch for 2004 except for emergency requirements.

ADOPTED.

The approval of the South Downtown Riverfront Park Plan meant that the existing public powerboat launch at the Gathercole site would no longer be available as soon as construction begins in the spring of 2004. As part of the design of the riverfront park, the consultants, Crosby Hanna and Associates, were asked to recommend a new public powerboat launch site. The site recommended was Victoria Park.

The same consultant was requested by the Leisure Services Branch to review the Victoria Park Program Plan as there was already a recently constructed skate park, the Gardener's Residence was a question, and now a new boat launch and parking lot were being proposed.

When the program plan was presented to the public, there was significant opposition (36% support vs. 64% oppose) to placing the new public boat launch in Victoria Park. The opposition, based mainly on the fear of extra traffic and the loss of green space, is significant enough that your Administration believes that this potential site should be abandoned.

A separate issue is whether or not we will attempt to provide a temporary launch for 2004. Due to environmental issues and required approvals, a new temporary location is probably not possible.

PUBLIC NOTICE

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

**F2) Gathercole Site – Request for Proposals
(File No. CC 4130-2-1)**

DEALT WITH EARLIER. SEE PAGE NO. 8.

LEGISLATIVE REPORT NO. 2-2004

Section A – OFFICE OF THE CITY CLERK

**A1) Appointment of Acting City Clerk
(File No. CK. 4510-1)**

RECOMMENDATION: that Marlene Hall, or in her absence either Diane Kanak or Joanne Sproule, be appointed to act as City Clerk whenever the City Clerk is absent from the office.

ADOPTED.

The appointment of an Acting City Clerk is necessary so that legal documents can be signed on behalf of the City in the absence of the City Clerk. On December 5, 1994, Council passed a motion that the Assistant City Clerk be appointed to act as the City Clerk whenever the City Clerk is absent from duty for more than one day.

While it is preferable to have either the City Clerk or Acting City Clerk in the office at all times, occasionally a circumstance may arise where both are out of the office for either business or personal reasons.

PUBLIC NOTICE

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

**A2) Possible Referendum
Gathercole Building
(File No. CK. 4130-2-11)**

RECOMMENDATION: that the information be received.

ADOPTED.

The purpose of this report is to formally advise Council of the response provided by the City Clerk to an enquiry that was made regarding the timing of any petition relating to the demolition of the Gathercole Building.

A petition must be handed in to City Council within 90 days of the date of the first signature collected. However *The Cities Act* does not have a specific time frame for when a petition to overturn a decision has to be started. In this case, it was felt that it would be fair to advise the public what the City's position would probably be, should this ever become an issue.

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The casino petition from last year was submitted to City Council 18 weeks after the Council decision, and our understanding is that this was a reasonable amount of time for the petitioners. If the same time frame were applied in this instance, the petition would have to be handed in by Thursday, April 8, 2004.

It would be the City's position that it is reasonable to ask the petitioners to have their petition handed in by April 8, 2003, since this gives the petitioners time to collect the signatures, and also ensures that if there is no petition, or there is an incomplete petition, City Council can still proceed with its plans during this year's construction season, which starts in April, 2004.

PUBLIC NOTICE

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

REPORT NO. 1-2004 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

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

**1. Riveredge Facility Lease Agreement
(File No. CK. 610-6)**

RECOMMENDATION: 1) that the Lease Agreement between the City of Saskatoon, the Saskatoon Rowing Club Inc., the Saskatoon Racing Canoe Club Inc., the Saskatoon Canoe Club Inc., and the Nordic Ski Club Saskatoon for use of the Victoria Park Riveredge Building (i.e. Boathouse) be renewed from January 1, 2004 to December 31, 2008 as outlined in the report of the General Manager, Community Services Department dated December 16, 2003 (Attachment 1) and in accordance with the 1999 to 2003 Agreement (Attachment 2); and

- 2) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under Corporate Seal, the appropriate agreement as prepared by the City Solicitor.

ADOPTED.

Your Committee has reviewed and supports the recommendations outlined in the attached report of the General Manager, Community Services Department dated December 16, 2003 with respect to the renewal of the above Lease Agreement.

REPORT NO. 1-2004 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. **Communications to Council**

From: Federation of Canadian Municipalities (FCM)
Date: November 24, 2003
Subject: FCM – Optional Payment
Saskatchewan’s Travel Fund
(File No. CK. 155-2)

RECOMMENDATION: 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.

ADOPTED.

Attached is a copy of the above-noted communication from the Federation of Canadian Municipalities requesting approval of an optional payment of \$9,840.55 to contribute towards Saskatchewan’s Travel Funds. Your Committee has reviewed this request and recommends that this optional payment be denied.

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2. Communication to Council

**From: John Riggs, President
Saskatoon Soccer Centre Inc.**
Date: September 3, 2003
Subject: Indoor Soccer Facility – Property Taxes
(File No. CK. 1965-1)

RECOMMENDATION: 1) that approval be granted for a one-year extension, for the year 2004, of the tax exemption for the Saskatoon Kinsmen/Henk Ruys Soccer Centre; and

2) that the City Solicitor be requested to prepare the applicable documents.

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department, dated December 16, 2003, in response to the Committee's referral of the request from the Saskatoon Soccer Centre Inc. for an additional five-year tax exemption for their property.

Your Committee has met with representatives of the Saskatoon Soccer Centre Inc., and has determined that they rely on this tax exemption to operate the facility, which was built in a co-operative alliance with the City. They also need this exemption in order to qualify for funding for the proposed new indoor facility. Your Committee has also determined that the Administration has been working with the Soccer Centre to establish a suitable tax deferral arrangement for future years.

3. Communications to Council

**From: Boyd Clark, Executive Director
Saskatoon SPCA Inc.**
Date: October 27, 2003
**Subject: Enforcement of Bylaw 8176 Involving
Dangerous Animals Within the City of Saskatoon**
(File No. CK. 151-1)

RECOMMENDATION: that the information be received.

City Council considered the above-noted communication at its meeting held on November 3, 2003, and resolved that the matter be referred to the Administration for a report to the Administration and Finance Committee.

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Attached is a copy of the report of the General Manager, Corporate Services Department, dated December 2, 2003, as well as a copy of the above-noted communication from Mr. Boyd Clark, Executive Director, Saskatoon SPCA Inc. Your Committee has met with Mr. Clark and has determined that this service will be included in the tender for animal control services, and that there has been no additional billing by the SPCA as mentioned in their letter, in that there have been no dangerous dog occurrences since the letter was written. Your Committee looks forward to reviewing the administrative report on the results of the tender call, and will report further after that time.

Pursuant to earlier resolution, Item AA36 of Communications was brought forward and considered.

IT WAS RESOLVED: that the information be received.

**4. Central North American Trade Corridor Association (CNATCA)
(File No. CK. 1870-1)**

- RECOMMENDATION:**
- 1) that the Administration be directed to include a provision of \$2,500 for membership in the Central North American Trade Corridor Association in the 2004 Operating Budget;
 - 2) that the membership payment be remitted only if other Saskatchewan cities agree to similar membership; and
 - 3) that a copy of this report be forwarded to the Budget Committee for its information.

At its meeting held on December 1, 2003, City Council considered a communication dated November 20, 2003, from His Worship the Mayor forwarding a copy of a letter from Mr. Steven A. Pederson, Community Development Representative, inviting the City of Saskatoon to become a member of the Central North American Trade Centre Association (CNATCA). Council passed a motion that membership in the Central North American Trade Corridor Association be approved, and that the matter of funding be referred to the Administration and Finance Committee for a report.

Attached is a copy of the report of the General Manager, Corporate Services Department, dated December 17, 2003, which your Committee has received in response to the question of a source of funding. Your Committee has reviewed this report with the Administration and supports the recommendations. Also attached, for reference purposes, is a copy of the communication dated November 20, 2003, from His Worship the Mayor.

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- IT WAS RESOLVED:*
- 1) *that the Administration be directed to include a provision of \$2,500 for membership in the Central North American Trade Corridor Association in the 2004 Operating Budget;*
 - 2) *that the membership payment be remitted only if a majority of other Saskatchewan cities agree to similar membership; and*
 - 3) *that a copy of this report be forwarded to the Budget Committee for its information.*

5. Youth Sports Subsidy Program – 2002-2003
(File No. CK. 1720-3-1)

- RECOMMENDATION:**
- 1) that the report on the Youth Sports Subsidy Program variables for the 2003-2004 program year and the results of the 2002-2003 program year be received as information; and
 - 2) that \$20,435 be transferred to the Special Events Reserve established under City of Saskatoon Policy C03-003 (Reserves for Future Expenditures).

ADOPTED.

Attached is a copy of the report of the General Manager, Community Services Department, dated January 5, 2004, with respect to the Youth Sports Subsidy Program. Your Committee has reviewed this report, and supports the recommendations

6. Gordon Howe Campground – 2004 Fees and Charges
(File No. CK. 1720-1)

- RECOMMENDATION:** that the following fees and charges (including G.S.T.) be approved for the Gordon Howe Campground, effective April 16, 2004:

ADOPTED.

Serviced Sites

Daily	(15 amp)	\$ 23
Weekly	(15 amp)	\$138
Monthly	(15 amp)	\$414

Attached is a copy of the report of the General Manager, Community Services Department, dated January 6, 2004, forwarding a recommendation for a change in fees for 60 serviced sites at the Gordon Howe Campground, which were not able to be upgraded from 15-ampere to 30-ampere service in 2003. Your Committee has reviewed this report, and supports the recommendation.

**7. Proposal to Ban Smoking in Public Places
and
Implementation Plan – Saskatoon Health Region
(File No. CK. 151-1)**

DEALT WITH EARLIER. SEE PAGE NO. 17.

REPORT NO. 1-2004 OF THE AUDIT COMMITTEE

Composition of Committee

Councillor D.L. Birkmaier, Chair
Councillor T. Alm
Councillor O. Fortosky
Councillor T. Paulsen
Councillor G. Wyant

**1. Audit Report and Implementation Plan – Vehicle and Equipment Services
(File No. CK. 1600-9-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has reviewed the Audit Report and Implementation Plan for the Vehicle and Equipment Services Section, Facilities Branch, Infrastructure Services Department with the Administration, and has received the report of the General Manager, Infrastructure Services Department, dated December 11, 2003, in response to the following resolution:

“that the information be received and that the Administration be requested to report back whether a rental rate increase would be in order to rectify the problem with the Reserve, and on the reasoning behind the increase of the fleet.”

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Attached is a copy of the Implementation Plan for the Vehicle and Equipment Services Audit as well as a copy of the report of the General Manager, Infrastructure Services Department dated December 11, 2003, as referenced above. The Audit Report was previously provided to all members of Council, and is therefore not being recopied at this time. A copy of the Audit Report will be available for viewing in the City Clerk's Office.

Your Committee has determined that there may be an opportunity for cost savings by purchasing and/or leasing vehicles through/from the Saskatchewan Property Management Corporation. Your Committee has therefore requested that the Saskatchewan Property Management Corporation be included in future tenders for purchasing and/or leasing vehicles, in accordance with the City's specifications.

2. Internal Audit Charter
(File No. CK. 1600-1)

RECOMMENDATION: that the draft Internal Audit Charter be approved and established as a Policy of City Council.

ADOPTED.

The Internal Auditing profession is governed by the International Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors. The Standards underwent substantial revision since 2000, with the new Standards for Assurance Audits taking effect January 1, 2002 and the new Consulting Services Standards coming into effect in the summer of 2002.

The Standards for the Professional Practice of Internal Auditing require that the purpose, authority and responsibility of the Internal Audit Function be formally defined in a Charter and approved by the governing body.

Pursuant to the IIA Standards, Robert Prosser & Associates Inc. has prepared a draft Charter for City Council's approval. The Charter ensures the ongoing independence and objectivity of the City's Internal Audit Function. It also requires those providing internal audit services for the City of Saskatoon, to comply with the International Standards for the Professional Practice of Internal Auditing. Your Committee concurs with and recommends adoption of the policy.

REPORT NO. 1-2004 OF THE EXECUTIVE COMMITTEE

- 1. Request for Reinstatement
Advisory Committee on Women's Issues
(File No. CK. 225-48)**

DEALT WITH EARLIER. SEE PAGE NO. 16.

- 2. Appointment to the Downtown Business Improvement District Board of Management
(File No. CK. 175-48)**

RECOMMENDATION: that Councillor E. Hnatyshyn be appointed to the Downtown Business Improvement District Board of Management.

ADOPTED.

The above appointment is necessary to replace former Councillor Waygood.

- 3. Appointment to the Traffic Safety Committee
(File No. CK. 225-8)**

RECOMMENDATION: that Ms. Melissa Bewer be appointed to the Traffic Safety Committee to the end of 2005, to replace Mr. Ian Oliver.

ADOPTED.

It is necessary to replace Mr. Ian Oliver on the Traffic Safety Committee, since he has been appointed to the Property Maintenance Appeal Board and City Council has a policy that an individual cannot sit on more than one committee at one time.

**4. Saskatoon Airport Authority
Board Member Appointment Dates
(File No. CK. 175-43)**

- RECOMMENDATION:** that the terms of the members of the Saskatoon Airport Authority be changed as follows:
- 1) Fraser Sutherland from terminating as of December 31, 2004 to terminating at the conclusion of the 2005 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2005;
 - 2) Wayne Brownlee from terminating as of December 31, 2004 to terminating at the conclusion of the 2005 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2005;
 - 3) Dr. Karim W. Nasser from terminating as of December 31, 2004 to terminating at the conclusion of the 2005 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2005;
 - 4) E. Robert Stromberg, Q.C., from terminating as of December 31, 2004 to terminating at the conclusion of the 2005 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2005;
 - 5) Peter MacKinnon, Q.C., from terminating as of December 31, 2005 to terminating at the conclusion of the 2006 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2006; *and*
 - 6) Nancy Hopkins, Q.C., from terminating as of December 31, 2005 to terminating at the conclusion of the 2006 Public Annual Meeting of the Corporation, which will be held prior to May 15, 2006.

ADOPTED.

The above changes are necessary in order to ensure that Board members continue to serve until the termination of the Annual Public Meeting of the Saskatoon Airport Authority.

**5. Appointment to the Board of Revision
(File No. CK. 175-6)**

RECOMMENDATION: that Mr. Patrick Thomson be appointed to the Board of Revision as an alternate member for the year 2004.

ADOPTED.

The above recommendation is necessary to replace Mr. Brian Bell, a newly-appointed alternate member who has declined his appointment.

**6. Appointment to the Marr Residence Management Board
(File No. CK. 225-26)**

RECOMMENDATION: that Councillor Elaine Hnatyshyn be appointed to the Marr Residence Management Committee.

ADOPTED.

The above appointment is necessary to replace former Councillor Waygood.

**7. Travel Expenses – Councillors
(File No. CK. 225-26)**

RECOMMENDATION: that the information be received.

ADOPTED.

Section 3.4 of Policy No. C01-023, “City Councillors’ Travel and Training”, states that the City Clerk will, on an annual basis, prepare a report listing the total cost of Councillors’ combined travel and training from the Councillors’ Common Travel and Training Budget, and the total cost of each Councillor’s individual travel and training.

Each Councillor is allotted \$3,500 per year for general travel and training, such as attendance at the annual SUMA and FCM conferences. In addition, a Common Travel and Training Budget in the amount of \$3,500 is provided in order for a Councillor to attend annual conferences or board meetings of any organization on which he or she sits as an official representative of the City of Saskatoon, such as the Trans Canada Yellowhead Highway Association.

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The following are the expenditures in 2003:

Individual Travel and Training

Total Amount Budgeted	\$35,000.00
Total Amount Spent	\$16,550.73

Individual Expenditures

Councillor Atchison	\$1,392.76
Councillor Fortosky	\$2,120.36
Councillor Heidt	\$ 0.00
Former Councillor McCann	\$ 0.00
Councillor Paulsen	\$1,738.75
Councillor Penner	\$1,088.30
Former Councillor Roe	\$2,388.81
Former Councillor Steernberg	\$2,842.48
Former Councillor Swystun	\$3,120.14
Former Councillor Waygood	\$1,859.13

Combined Travel and Training

Total Amount Budgeted	\$3,500.00
Total Amount Spent	\$275.65

**8. Alterations to City Hall Building
(File No. CK. 640-1)**

RECOMMENDATION: that there be a formal policy that elected officials are not permitted to undertake any action, without the approval of City Council, which alters the appearance of any part of City Hall.

ADOPTED.

The purpose of the above is to formalize a requirement that the Mayor, or individual members of Council, may not undertake on their own, renovations or other actions which alter the appearance of the City Hall building.”

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

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

CARRIED.

ENQUIRIES

**Councillor T. Paulsen
Approximate Cost of Studies – South Downtown
(File No. CK. 4130-2)**

Could the Administration please report on the approximate cost of all the studies the City of Saskatoon has conducted regarding the South Downtown over the past 25 years to date.

**Councillor E. Hnatyshyn
Feasibility of Controlled Crossing – 8th Street and McPerson Avenue
(File No. CK. 6150-1)**

Would the Administration please report on the feasibility of a controlled crossing at 8th Street and McPherson Avenue including the possibility of pedestrian overpasses.

**Councillor D.L. Birkmaier
Unpaid Parking Tickets on Rental Vehicles
(File No. CK. 1550-1)**

Would the Administration please report on the policy or practice presently in place that deals with the handling of unpaid parking tickets issued to rental cars.

**Councillor T. Alm
Possible Closure of Walkway – Preston Avenue to Murphy Crescent
(File No. CK. 6295-1)**

Would the Administration please report on the possibility of closing the pedestrian walkway from Preston Avenue to Murphy Crescent.

Local residents have repeatedly had private property vandalized with graffiti. City Police have been unable to prevent these acts. Community safety is a concern to the residents and property values are being affected.

GIVING NOTICE

Councillor Fortosky gave the following Notice of Motion:

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

‘WHEREAS Saskatoon is proud of its involvement with the Canadian Light Source Synchrotron, the City of Saskatoon add to its letterhead the phrase, “Home of the Synchrotron”’.

INTRODUCTION AND CONSIDERATION OF BYLAWS

Bylaw No. 8269

Moved by Councillor Heidt, Seconded by Councillor Hnatyshyn,

THAT permission be granted to introduce Bylaw No. 8269, being “The Zoning Amendment Bylaw, 2004 (No. 2)” and to give same its first reading.

CARRIED.

The bylaw was then read a first time.

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT Bylaw No. 8269 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT Council go into Committee of the Whole to consider Bylaw No. 8269.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8269 was considered clause by clause and approved.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

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

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8269 read a third time at this meeting.

CARRIED UNANIMOUSLY.

Moved by Councillor Heidt, Seconded by Councillor Fortosky,

THAT Bylaw No. 8269 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Bylaw No. 8271

Moved by Councillor Heidt, Seconded by Councillor Hnatyshyn,

THAT permission be granted to introduce Bylaw No. 8271, being “The Zoning Amendment Bylaw, 2004 (No. 4)” and to give same its first reading.

CARRIED.

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The bylaw was then read a first time.

Moved by Councillor Heidt, Seconded by Councillor Neault,

THAT Bylaw No. 8271 be now read a second time.

CARRIED.

The bylaw was then read a second time.

Moved by Councillor Heidt, Seconded by Councillor Penner,

THAT Council go into Committee of the Whole to consider Bylaw No. 8271.

CARRIED.

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

Committee arose.

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

That while in Committee of the Whole, Bylaw No. 8271 was considered clause by clause and approved.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

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

CARRIED.

Moved by Councillor Heidt, Seconded by Councillor Paulsen,

THAT permission be granted to have Bylaw No. 8271 read a third time at this meeting.

CARRIED UNANIMOUSLY.

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Moved by Councillor Heidt, Seconded by Councillor Fortosky,

THAT Bylaw No. 8271 be now read a third time, that the bylaw be passed and the Mayor and the A/City Clerk be authorized to sign same and attach the corporate seal thereto.

CARRIED.

The bylaw was then read a third time and passed.

Moved by Councillor Heidt,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 1:20 a.m.

Mayor

City Clerk