

Council Chambers
City Hall, Saskatoon, Sask.
Monday, April 12, 2010
at 6:00 p.m.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL

PRESENT: His Worship the Mayor, in the Chair;
Councillors Clark, Dubois, Heidt, Hill, Lorje, Neault,
Paulsen, Penner, Pringle, and Wyant;
City Manager Totland;
City Solicitor Dust;
General Manager, Corporate Services Bilanski;
General Manager, Community Services Gauthier;
General Manager, Fire and Protective Services Bentley;
A/General Manager, Infrastructure Services Gutek;
General Manager, Utility Services Jorgenson;
City Clerk Mann; and
Council Assistant Mitchener

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the minutes of meetings of City Council held on March 22 and 29, 2010, be approved.

CARRIED.

Moved by Councillor Dubois, Seconded by Councillor Pringle,

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

CARRIED.

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

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

Committee arose.

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

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

“ADMINISTRATIVE REPORT NO. 6-2010

Section A – COMMUNITY SERVICES

**A1) Land-Use Applications Received by the Community Services Department
For the Period Between March 11, 2010 to March 31, 2010
(For Information Only)
(Files CK. 4000-5, PL. 4355-D, PL. 4350)**

RECOMMENDATION: that the information be received.

ADOPTED.

The following applications have been received and are being processed:

Discretionary Use

- Application No. D2/10: 211 8th Street East
Applicant: Roxanne and Rod Hamm
Legal Description: Lot 32, Block 37, Plan B1858
Current Zoning: R2 District
Proposed Use: Bed and Breakfast
Neighbourhood: Nutana
Date Received: March 11, 2010

- Application No. D3/10: 102 – 109th Street
Applicant: MDK Holdings Ltd.
Legal Description: Lot 3, Block 2, Plan H
Current Zoning: R2
Proposed Use: Parking Lot
Neighbourhood: Sutherland
Date Received: March 18, 2010

- Application No. D4/10: 103 Stonebridge Blvd.
Applicant: 101102382 Saskatchewan Ltd.
Legal Description: Lot 1, Block 199, Plan 101928652
Current Zoning: IB
Proposed Use: Tavern
Neighbourhood: Stonebridge
Date Received: March 24, 2010

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Rezoning

- Application No. Z11/10: Ledingham Way and Rosewood Boulevard West
Applicant: Boychuk Investments
Legal Description: Parcels AA and BB
Current Zoning: R1A
Proposed Zoning: RMTN, RM4, and B1
Neighbourhood: Rosewood
Date Received: March 23, 2010

PUBLIC NOTICE

Public Notice pursuant to Section 3 of the City of Saskatoon Policy C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. Plan of Proposed Discretionary Use No. D2/10
2. Plan of Proposed Discretionary Use No. D3/10
3. Plan of Proposed Discretionary Use No. D4/10
4. Plan of Proposed Rezoning No. Z11/10

**A2) Request For Encroachment Agreement
409 Main Street East
Lots 5 and 6, Block 60, Plan B1858
(Files CK. 4090-2, PL. 4090-2)**

- RECOMMENDATION:**
- 1) that City Council recognize the encroachment at 409 Main Street East (Lots 5 and 6, Block 60, Plan B1858);
 - 2) that the City Solicitor be instructed to prepare the appropriate Encroachment Agreement, making provision to collect the applicable fees; and
 - 3) that His Worship the Mayor and the City Clerk be authorized to execute, on behalf of the City of Saskatoon under the Corporate Seal and in a form that is satisfactory to the City Solicitor, the Agreement with respect to this encroachment.

ADOPTED.

The owner of the property located at 409 Main Street East, has requested to enter into an Encroachment Agreement with the City of Saskatoon. As shown on the attached copy of the Real Property Report, a portion of the eave of the building encroaches over City of Saskatoon property

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on Main Street East by 0.37 metres at the front of the building. The total area of encroachment is approximately 2.42 square metres and will, therefore, be subject to an annual charge of \$50.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy C01-021, Public Notice Policy, is not required.

ATTACHMENTS

1. Letter on behalf of the owner, dated February 2, 2010
2. Copy of Real Property Report dated September 7, 2001 showing area that encroaches

Section C – FIRE AND PROTECTIVE SERVICES

- C1) Enquiry – Councillor P. Lorje (September 28, 2009)
Property Maintenance and Nuisance Abatement Bylaw
(File No. CK. 4400-1)**
-

RECOMMENDATION: that the information be received.

BACKGROUND

The following enquiry was made by Councillor P. Lorje at the meeting of City Council held on September 28, 2009:

“Will the Administration please report on the possibility of adding a category of “severe offensive odours” to the list of items required for keeping property free and clear from nuisances under the Property Maintenance and Nuisance Abatement Bylaw 8175. This enquiry is prompted by complaints regarding property with an obnoxious gagging smell of cat urine that is causing severe distress to the neighbours.”

REPORT

To the best of my understanding, the enquiry arose as the result of a situation where the occupant of a home had numerous cats, was letting them outside to void their bladders, and was not requiring them to use litter boxes indoors. As the result of a complaint, Animal Control, SFPS, and, ultimately, the Department of Health were involved. Odour levels and nuisance to the neighbourhood varied, depending on temperature, wind direction and strength, temporal proximity to the last rainfall and whether the windows in the house were open or closed. The nature of the complaint to property maintenance was odour of urine in the back yard. Eventually, Saskatoon District Health took charge to address the conditions within the home. Nuisance to the neighbourhood was temporarily exacerbated during the mandated clean-up of the house. Essentially, the urine-soaked materials were removed and placed in a Loraas bin kept on the

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property until it was periodically removed. Fire and Protective Services issued a Property Maintenance and Nuisance Abatement Order to Remedy to cut down long grass and weeds, remove junk, debris and garbage, and remove three junked vehicles. These conditions were remedied by the building owner and our file closed. Saskatoon District Health facilitated the clean-up of the building interior. To the best of our knowledge, the occupant has moved out and relocated elsewhere.

The inclusion of categorizing severe offensive odours as a definition of nuisance within the Property Maintenance and Nuisance Abatement Bylaw 8175 presents a challenge to the Saskatoon Fire and Protective Services Department.

For example, cat urine is not much different from any other urine, made up of urea, creatinine, uric acid, sodium and other electrolytes. The uric acid is what makes it smell so bad and cats not being big water drinkers have concentrated urine and so the uric acid also is more concentrated. As it decomposes, it releases thiols which make the cat urine odour worse. The situation inside the house was essentially a public health issue. We could not mandate that furniture from inside a house be removed or destroyed.

We anticipate difficulty of enforcing odour issues. University of Saskatchewan barns issue – they will be penalized for regular operations if such a bylaw is in effect. Also sensitivity differences and different preferences are involved. For example, meat cooking may be a “severe offensive odour” to a vegetarian. In fact, complaints have been made about neighbours barbecuing. In addition, many people are highly sensitive to perfumes and find any scent to be a “severe offensive odour”. Likewise, vehicle exhaust, and other odours which are too numerous to mention. A number of industrial sites generate an odour that may be vented to the atmosphere could be impacted by such a bylaw.

For proceeding before Provincial Court, SFPS endeavours to provide a measure to present the deficiency or contravention. This may take the form of photographs, dimensional drawings, and minimum standards and regulations. There is no means with which to quantify the extent of this type of nuisance as there is no form of olfactory detection that measures the severity of a smell or odour.

To include severe offensive odours in Bylaw 8175 presents a condition or standard that may be indeterminate and your Administration recommends that it not be included.

PUBLIC NOTICE

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

IT WAS RESOLVED: that the general issue of the Property Maintenance and Nuisance Abatement Bylaw be referred to the Planning and Operations Committee for review.

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**C2) Enquiry – Councillor P. Lorje (September 14, 2009)
Property Maintenance Bylaw
(File No. CK. 4400-1)**

RECOMMENDATION: that the information be received.

BACKGROUND

The following enquiry was made by Councillor P. Lorje at the meeting of City Council held on September 14, 2009:

“Will the Administration please report on the possibility of amending the Property Maintenance Bylaw 8175 to give the Fire Chief the authority, at his discretion, to order the fencing of vacant property. This power could be a useful measure to prevent vacant lots from becoming neighbourhood nuisances such as impromptu short-cuts, spontaneous mini landfills, and sites for pit parties.”

REPORT

The Property Maintenance and Nuisance Abatement Bylaw 8175 provides for the maintenance of all yards with respect to nuisances such as accumulation of junk and other unwanted articles, and long grass and weeds.

Creating legislation to require the property owner to install a fence would prevent migration through the property and the dumping of unwanted articles. This preventative measure would last only as long as the fence was maintained.

In locations where property owners neglect the build-up of junk and other unwanted articles, it is likely they would neglect the fence as well. Currently, where vacant properties have fencing erected, this fencing is generally in a state of disrepair.

Your Administration believes that legislative ability to require fencing of a vacant property would not significantly reduce the service calls to any particular site and would add an additional element requiring correction through enforcement.

PUBLIC NOTICE

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

IT WAS RESOLVED: that the general issue of the Property Maintenance and Nuisance Abatement Bylaw be referred to the Planning and Operations Committee for review.

Section E – INFRASTRUCTURE SERVICES

**E1) Amendments to Bylaw 1523
Construction of Private Sewer and Water Service Connections
Water and Sewer Service Inspection Rates and Boulevard Condition Deposit
(File No. 6320-01, CK. 1905-2)**

- RECOMMENDATION:**
- 1) that Bylaw 1523 (Schedule “A”) be amended to include the proposed 2010 Water and Sewer Inspection rates as described in the following report; and
 - 2) that the City Solicitor be requested to prepare the necessary amendments to Bylaw 1523 (Schedule “A”) for approval by City Council.

ADOPTED.

BACKGROUND

The Construction and Design Branch currently inspects all water/sewer service connections for compliance with construction standards, and to ensure that the integrity and safety of the public utility remains intact. The City provides and charges for water/sewer connection inspection services based on predetermined rates.

The rates for this service were last increased in March of 2008 and 2009. Prior to 2008, rates had not been increased since 1985. Therefore, Council approved a recommendation that the Administration be authorized to phase in a full cost recovery of inspection services within the water/sewer connection inspection program by 2010.

REPORT

In 2007, approximately \$254,000 was spent inspecting and managing 1,088 connections in the cash connection system. Approximately \$82,000 was recovered using the 1985 rates, representing a 32.1% recovery rate. The remaining \$172,000 was subsidized by the water and sewer utility.

In 2008, approximately \$269,000 was spent inspecting and managing 1,159 connections in the cash connection system. Approximately \$159,000 was recovered using the 2008 rates, representing a 58.1% recovery rate. The remaining \$110,000 was subsidized by the water and sewer utility.

In 2009, approximately \$226,000 was spent inspecting and managing 963 connections in the cash connection system. Approximately \$196,000 was recovered using the 2009 rates, representing an 86.7% recovery rate. The remaining \$30,000 was subsidized by the water and sewer utility.

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The Administration is proposing that the current water/sewer inspection rates be adjusted for 2010 as outlined below, and that the refundable 'Water and Sewer Cut off Deposit' and 'Boulevard Condition Deposit' rates do not change in 2010.

	2009 Rates	Proposed New 2010 Rates
1. Residential Inspection of Connections Including Records (New, Disconnects, Repairs or Similar)	\$170/connection	\$180/connection
2. Residential Tapping (maximum 50mm) (Connection to water main by City Forces)	\$85/tapping	\$135/tapping
3. Commercial Inspection of Connections Including Records (New, Disconnects, Repairs or Similar)	\$85/hour regular hours \$170/hour overtime	\$90/hour regular hours \$180/hour overtime
4. Records (Technical drafting services)	\$120/connection	\$130/connection
5. Commercial Tapping (maximum 50mm) (Mueller tapping, all costs to work order)	\$85/tapping	\$135/tapping
6. Water Testing as Required TC & HPC bacteria	\$30/ per set plus Inspection time	\$35/per set plus Inspection time
7. Refundable Deposit for Water & Sewer Service Cut Off as part of Demolition Permit	\$3,000 residential \$7,500 commercial	\$3,000 residential \$7,500 commercial
8. Refundable Deposit for Boulevard Condition Maintenance as part of Demolition Permit	\$150/front meter - residential \$200/front meter - commercial (rounded down to nearest \$100)	\$150/front meter - residential \$200/front meter - commercial (rounded down to nearest \$100)

POLICY IMPLICATIONS

There are no policy implications.

OPTIONS

No other options were considered.

FINANCIAL IMPACT

The proposed rate increases are intended to cover increased labour costs and to attempt to recover 90% to 95% of the cost of inspection and management of water and sewer connections.

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PUBLIC NOTICE

Public Notice pursuant to Section 3 Policy C01-021, Public Notice Policy, is not required.

**E2) Inventory Account
GPS Survey Equipment
(File No. CK. 1000-1)**

- RECOMMENDATION:**
- 1) that the sole source purchase of new Global Positioning System (GPS) survey equipment at a total cost of \$60,671.00 (GST included) from Bench Mark Equipment & Supplies Inc. be approved; and
 - 2) that the purchase of the GPS be charged to inventory with the subsequent allocation of its costs to capital projects in 2010 and 2011.

ADOPTED.

REPORT

Infrastructures Services currently owns 7 Sokkia Global Positioning System (GPS) rover units that run off of a central Sokkia GPS base station. The base station and rover units are approximately 8 years old, requiring replacement to keep up with the most current technology.

The current Sokkia GPS base station has limitations that include inadequate coverage and limited range. Upgrading to the latest technology will allow City staff to conduct their work in a more efficient manner, increasing productivity. At this time, Infrastructure Services would like to purchase a new Sokkia GPS base station along with 2 new Sokkia GPS rover units.

Infrastructure Services is proposing to sole source purchase the new equipment from Bench Mark Equipment and Supplies Inc. because they supply Sokkia survey equipment. This will allow City staff to use their existing Sokkia GPS rover units, as they will be compatible with the new Sokkia GPS base station. Additionally, a cost comparison between Sokkia and other brand name survey equipment showed that Sokkia offers the best value.

It is estimated that the service life of the new Sokkia GPS system will be 8-10 years, depending on advancements in technology.

FINANCIAL IMPACT

Charging the GPS to inventory will allow the cost of this purchase to be allocated to the various capital and land development projects benefiting from its services in 2010 and 2011.

PUBLIC NOTICE

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

E3) Water and Sewer Service Connection Rehabilitation on Private Property
Disturbance of Lead Water Service Connections
(File No. CK. 7500-1, IS 7820-1)

RECOMMENDATION: that the information be received.

REPORT

Most water service connections installed in the City of Saskatoon prior to 1950 were made from lead. The City has been replacing these lead water service connections as part of the water and sewer connection replacement program, as well as in areas where a water main replacement is required. Currently, a property owner may choose not to have their portion of the service connection replaced: located from the house to the property line.

When both the City and property owner's portion of the line is replaced, the costs are shared between the property owner and the City of Saskatoon. Depending on whether only the sewer connection or both the water and sewer connections are replaced, the average total cost varies between \$5,200 and \$6,000, with the homeowner paying 40%, up to a maximum of \$2000 plus GST. Payment options are available, including an option to pay the amount over two years (if the work is completed in 2010, the charges will be included on the 2011 property taxes with no interest charge).

A Public Affairs Advisory from the American Water Works Association (AWWA), dated February 3, 2010, stated that:

“Permanently reducing lead in drinking water fundamentally rests on removing lead material from contact with drinking water, including lead service lines. Because customers are frequently reluctant to replace the portion of the lead service lines under their control, utilities sometimes replace only the utility portion of the line.

Recent utility research suggests that disrupting lead service lines -- as occurs during lead service line replacement -- substantially increase lead levels for a period of time. When lead pipe remains after the disruption, lead levels can continue to be elevated longer.”

Due to the health and safety concerns regarding higher concentration levels of lead in water if the lead line is cut and rejoined with a new non-lead City portion, the City will be exercising its authority, as outlined in Section C-11.1 22 of *The Cities Act*, and homeowners will no longer be given the option of replacing their portion of a lead connection. The replacement will be at the

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homeowner's expense, at the same rates described earlier in this report and further outlined in Attachment #1.

The method of replacement involves digging access holes at the water main, the curb valve (usually at the property line), and next to the house foundation. The old sewer pipe is used as a portal to pull a new sewer and water pipe into place. This method does sacrifice the old sewer pipe (which is prone to other problems), but minimizes excavation, has a 95% success rate and provides a new water and sewer connection. The method greatly reduces costs, and replaces both pipes for approximately the same cost as just digging up and replacing the waterline.

The first area that will be affected included approximately 90 locations along 8th Street, between Lorne Avenue and Lansdowne Avenue, which are planned for water main and/or service connection replacement in the spring, prior to paving. Letters will be sent to the affected homeowners advising that both the City and property owner's portion will be replaced due to health and safety concerns. The package being sent to the affected owners is included as Attachment #1.

PUBLIC NOTICE

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

ATTACHMENT

1. Letter and Information Package to Owners of affected Property

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

- 2) *that the Administration provide a report on the experience of the first round of replacements once they have been completed.*

**E4) Appointment of Municipal Dutch Elm Disease Inspectors – 2010
Dutch Elm Disease Control Regulations, *The Forest Resources Management Act*
(Files IS-4200-1, IS-4510-1, CK. 4200-4)**

- RECOMMENDATION:**
- 1) that Mr. Geoff McLeod and Mr. David McKee of the Infrastructure Services Department be appointed as the City of Saskatoon's 2010 Municipal Dutch Elm Disease Inspectors, in accordance with the provisions of *The Forest Resources Management Act*; and
 - 2) that the City Clerk notify the Minister of the Environment.

ADOPTED.

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REPORT

Section 8, Article 2 of the *Forest Resources Management Act* requires that City Council appoint one or more Municipal Dutch Elm Disease Inspectors annually. The function of the Inspectors is to enforce the Dutch Elm Disease regulations specified in the Act.

Mr. Geoff McLeod, Superintendent, Urban Forestry and Mr. David McKee, Pest Management Supervisor, both of the Infrastructure Services Department, are recommended for appointment to this office for 2010.

PUBLIC NOTICE

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

**E5) Award of Tender
Turf Maintenance Services – Contract No. 10-0045
(Files CK. 292-010-23 and IS. 4205-1)**

- RECOMMENDATION:**
- 1) that the tender submitted by Urban Landscape Solutions (ULS) Maintenance and Landscaping for roadway mowing services, at a cost of \$227,760.75 in 2010, \$233,454.75 in 2011, and \$239,291.09 in 2012 (including PST and GST) be accepted; and
 - 2) that the City Solicitor be instructed to prepare the appropriate agreements for execution by His Worship the Mayor and the City Clerk under the Corporate Seal.

ADOPTED.

REPORT

The City's roadway mowing services have been contracted out since 1994. The Administration reviewed and discussed the possibility of providing this service in-house rather than contracting it out. At present, given the increased hectares added and new additions as a result of all the new parks being built, the Parks Branch currently does not have the equipment or resources to re-assume this service.

In addition, the service area is being substantially increased this year as a result of the new roadways being turned over to the City from the Department of Highways. Thus, it was felt that roadway mowing services should continue to be contracted out for another three (3) years. A three-year period was included in the tender in an attempt to attract more than one bidder and secure more competitive pricing.

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FINANCIAL IMPACT

Two bids were received and opened on March 16, 2010. The bid prices are identified below.

Year	Contractor	Bid Price	GST	Total Contract Price
2010	ULS Maintenance & Landscaping	\$ 216,915.00	\$10,845.75	\$ 227,760.75
2011	ULS Maintenance & Landscaping	\$ 222,337.86	\$11,116.89	\$ 233,454.75
2012	ULS Maintenance & Landscaping	\$ 227,896.29	\$11,394.80	\$ 239,291.09
	TOTAL FOR 3 YEARS	\$ 667,149.15	\$33,357.44	\$ 700,506.59
2010	Custom Lawn Care	\$ 318,461.33	\$15,923.07	\$ 334,384.40
2011	Custom Lawn Care	\$ 351,792.43	\$17,589.62	\$ 369,382.05
2012	Custom Lawn Care	\$ 358,822.48	\$17,941.12	\$ 376,763.60
	TOTAL FOR 3 YEARS	\$1,029,076.24	\$51,453.81	\$1,080,530.05

The increased amount has been budgeted for the 2010 and future years operating budgets. Sufficient funds are in place as a result of the additional funding received from the Province of Saskatchewan with the return of the additional roadways to the City.

The Administration is recommending that the tender for roadway mowing services submitted by ULS Maintenance & Landscaping be accepted.

PUBLIC NOTICE

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

**E6) Proposed Amendments to Capital Reserves Bylaw 6774
 Creation of a Grounds Maintenance Equipment Acquisition Reserve
 (Files CK. 1815-1, IS. 1815-1)**

- RECOMMENDATION:**
- 1) that Capital Reserves Bylaw 6774 be amended to include a Parks Branch Grounds Maintenance Equipment Acquisition Reserve; and
 - 2) that the City Solicitor be requested to prepare the necessary bylaw amendments for consideration by City Council.

ADOPTED.

BACKGROUND

Section 26 of Capital Reserves Bylaw 6774 states that the purpose of the Grounds Maintenance Equipment Replacement Reserve is to finance the cost of replacing small equipment with a unit

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replacement value of less than \$25,000, as identified on the annual inventory list, with no provision for the purchase of additional equipment. This Reserve is funded annually from an authorized provision in the City's Operating Budget equal to 5.4% of the current replacement value of the equipment (net of salvage value).

The Parks Branch is required to purchase new equipment required to increase the fleet from funds within the Operating Budget as budgeted for each year.

REPORT

Prior to the completion of the Arbor Creek and Briarwood neighbourhoods in 2002 and 2004 respectively, the existing fleet of grounds maintenance equipment was sufficient to maintain approved levels of service.

In 2000, the Parks Branch maintained a total of 889 hectares (2,200 acres) of parks and open spaces. With the redevelopment of existing parks and the development in the new areas of Willowgrove, Hampton Village, Blairmore, Lakewood Suburban Centre and Stonebridge neighbourhoods, this will increase to 1,127 hectares (2,785 acres) in 2010. This equates to an additional 238 Hectares (588 acres) over the past ten years.

These increases do not include the future neighbourhoods of Evergreen, Rosewood, Blairmore Suburban Centre (28.84 ha) and the Lakewood Suburban Centre, which will add an additional 45.6 ha of parks and open spaces.

The Administration is recommending that Capital Reserves Bylaw 6774 be amended to include a Parks Branch Grounds Maintenance Equipment Acquisition Reserve, in order to provide a more efficient method of setting aside funds to provide for additions of equipment to the Parks Branch Fleet. Currently, additional equipment must be paid for in full from each year's operating budget as provided for. This reserve will allow contributions to accumulate and efficiently allow for the purchase of equipment as needed.

The reserve would be funded, commencing in 2010, from an annual provision approved in the Parks Maintenance Operating Program and provide a source of funding to purchase new equipment in order to meet the maintenance challenges due to the growth of the city.

The Parks Branch Grounds Maintenance Equipment Acquisition Reserve should be described in Capital Reserves Bylaw 6774 as follows:

“Parks Branch Grounds Maintenance Equipment Acquisition Reserve”

Purpose

- (1) The purpose of the Parks Branch Grounds Maintenance Equipment Acquisition Reserve is to provide a funding source for the purchase of new, additional equipment required by the Parks Branch, Maintenance Programs to ensure service

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levels are met in delivering approved maintenance service levels, considering future growth of the City of Saskatoon, as well as any approved service level increases.

Funding

- (2) This Reserve shall be funded annually from an authorized provision in the City's Operating Budgets.

Expenditures

- (3) Funds in this Reserve shall be used only for capital expenditures for the purposes described in Subsection (1)."

OPTIONS

No other options were considered.

POLICY IMPLICATIONS

If the creation of the Parks Branch Grounds Maintenance Equipment Acquisition Reserve is approved, revisions to Capital Reserves Bylaw 6774 will be required.

FINANCIAL IMPACT

The annual transfer to the reserve will be reviewed annually during Operating Budget deliberations.

PUBLIC NOTICE

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

Section G – CITY MANAGER

**G1) River Landing Parcel "Y"
(Files CK. 4129-3 and CC. 4130-2)**

RECOMMENDATION: that at the direction of City Council, Administration be authorized to negotiate a Sale Agreement with Lake Placid River Landing Inc. for Parcel "Y" and the lane, or pursue a Request for Proposals process for the site.

IT WAS RESOLVED: that the matter be considered with the presentation of the speakers. See Page No. 39.

LEGISLATIVE REPORT NO. 4-2010

Section B – OFFICE OF THE CITY SOLICITOR

**B1) Muskeg Lake Cree Nation Urban Reserve Creation
2511 - 22nd Street West
(File No. CK. 4000-4)**

- RECOMMENDATION:**
- 1) that City Council approve the Municipal Services and Compatibility Agreement and the Police Services Agreement; and
 - 2) that His Worship the Mayor and the City Clerk be authorized to execute the Agreements.

ADOPTED.

The Muskeg Lake Cree Nation (“Muskeg Lake”) has purchased the property at 2511 - 22nd Street West. The most recent use of the property is as a gas station and confectionery. Muskeg Lake intends to turn the property into an urban reserve. As part of that process, they have negotiated two agreements with the City as follows.

Municipal Services and Compatibility Agreement

This Agreement is very similar to the Agreements which exist for the Muskeg Lake urban reserve in Sutherland, and the One Arrow urban reserve at 20th Street and Avenue P.

The Agreement has two main features. Firstly, the City agrees to provide all regular City services to the property in return for an annual fee-for-service payment from Muskeg Lake. This payment will be calculated to be the same amount in each year, as would be paid in municipal and library property taxes if the land was subject to municipal taxation.

Secondly, the Agreement provides for bylaw compatibility. It is agreed that the occupation, use, development and improvement of the property will at all times be essentially the same as similarly zoned properties in Saskatoon.

Police Services Agreement

This Agreement is very similar to the Agreement which exists for the One Arrow urban reserve at 20th Street and Avenue P. The main purpose of the Agreement is to make clear that policing services will be provided by the Saskatoon Police Service, and that these are part of the services which Muskeg Lake will be paying for with the annual fee-for-service payment.

This Agreement must also be approved by the Saskatoon Board of Police Commissioners.

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Muskeg Lake has already approved and executed both of the above Agreements.

Community Consultation

There is a standing instruction from City Council that before a Municipal Services and Compatibility Agreement and a Police Services Agreement are brought to City Council for approval, there must be a City-led notification process in the immediate neighbourhood to let the community know that an urban reserve is being created.

The following is the Community Services' report on the public consultation process which was undertaken by the Planning and Development Branch.

“At the end of February 2010, the Planning and Development Branch mailed a letter and a ‘frequently asked questions’ brochure about urban reserves and the process for creating them to 39 assessed owners and business operators located within a 75 metre radius of Muskeg Lake’s property, and to the Meadowgreen, Mount Royal, and Pleasant Hill Community Associations. A copy of the brochure is attached. The 75 metre radius is consistent with the notification radius required by *The Planning and Development Act* for certain development proposals.

The assessed owners and business operators were invited to call the Planning and Development Branch with any questions regarding the proposed urban reserve. The Planning and Development Branch offered to meet with the Community Association Executives if requested. One telephone enquiry was received; no meetings were requested by the Community Association Executives.”

PUBLIC NOTICE

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

ATTACHMENTS

1. Municipal Services and Compatibility Agreement
2. Police Services Agreement
3. Copy of “Frequently Asked Questions” brochure

REPORT NO. 5-2010 OF THE PLANNING AND OPERATIONS COMMITTEE

Composition of Committee

Councillor G. Wyant, Chair
Councillor B. Dubois
Councillor P. Lorje
Councillor C. Clark
Councillor B. Pringle

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**1. Urban Design Program 2009 Report
(Files CK. 4110-1 and UD. 216-30)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is the report of the General Manager, Community Services Department dated March 15, 2010, with respect to the above matter.

Your Committee has reviewed and is forwarding the report to City Council for information. Copies of the Urban Design Program 2009 Report were provided to City Council members and are available for review on the City's website www.saskatoon.ca under the City Clerk's Office, "Reports and Publications".

**2. Communications to Council
From: Les Sicherman
Date: October 1, 2009
Subject: Residential Parking – School Buses
(Files CK. 6120-1 and IS. 6280-1)**

RECOMMENDATION: that the information be received.

ADOPTED.

City Council, at its meeting held on November 16, 2009, considered the above communication and referred the matter to the Administration to report to the Planning and Operations Committee.

Your Committee has reviewed the attached report of the General Manager, Infrastructure Services Department dated March 9, 2010, with the Administration and is not recommending any changes to the Traffic Bylaw with respect to this matter. The report is forwarded to City Council for information.

**3. New Rental Construction Land Cost Rebate Program
Seymour Pacific Group – Willis Crescent
(Files CK. 750-4 and PL. 952-6-6)**

RECOMMENDATION: 1) that the application for funding of \$625,000 received from Seymour Pacific Group for the creation of 125 new rental units on Willis Crescent be approved;

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- 2) that a five-year tax abatement of the incremental taxes be applied to the subject property commencing the next taxation year following completion of construction; and
- 3) that the City Solicitor's Office be instructed to prepare the necessary Incentive Agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement on behalf of the City of Saskatoon.

ADOPTED.

Attached is the report of the General Manager, Community Services Department dated March 15, 2010, with respect to the above application for funding under the New Rental Construction Land Cost Rebate Program.

Your Committee has reviewed the report with the Administration and supports the above recommendations.

**4. 2009 Kinsmen Park Rides Annual Report
(Files CK. 4205-9 and LS. 4206-KI-9)**

- RECOMMENDATION:**
- 1) that the information be received;
 - 2) that a report be forwarded to the Budget Committee recommending:
 - a) that the service level reduction, as outlined in the report of the General Manager, Community Services Department dated March 15, 2010, be approved; and
 - b) that based on the above recommendation, the annual operating budget reflect a mill rate impact of \$35,300 (2010), \$37,000 (2011), and \$38,700 (2012) for Kinsmen Park Rides.

ADOPTED.

Your Committee has reviewed and supports the attached report of the General Manager, Community Services Department dated March 15, 2010, with respect to the above matter. The report will be forwarded to the Budget Committee for further consideration during Operating Budget deliberations.

REPORT NO. 4-2010 OF THE ADMINISTRATION AND FINANCE COMMITTEE

Composition of Committee

Councillor G. Penner, Chair
Councillor M. Neault
Councillor D. Hill
Councillor M. Heidt
Councillor T. Paulsen

**1. City Treasurer's Report on Investments – December 2009
(File No. CK. 1790-3)**

RECOMMENDATION: that the information be received.

ADOPTED.

Attached is a report of the General Manager Corporate Services Department dated March 17, 2010 submitting the City Treasurer's Report on Investments to December 31, 2009.

Your Committee has reviewed the report with Administration and it is being forwarded to City Council as information.

**2. Policy No. C03-027 – Borrowing for Capital Projects
(File No. CK. 1704-1)**

RECOMMENDATION: that the amendments to Policy C03-027, Borrowing for Capital Projects outlined in Attachment 1 to this report, be approved.

ADOPTED.

Attached is a report of the General Manager Corporate Services Department dated March 2, 2010, outlining proposed amendments to Policy C03-027, Borrowing for Capital Projects. Your Committee has reviewed and supports the proposed amendments. The amendments are necessary to update the policy to reflect current borrowing practice and to ensure that the proper authorizations and responsibilities are in place to satisfy applicable legal, regulatory and audit requirements.

**3. 2009 Annual Report – Saskatoon Environmental Advisory Committee
(File No. CK. 430-19)**

RECOMMENDATION: that the information be received.

ADOPTED.

Your Committee has considered and is forwarding the attached 2009 Annual Report of the Saskatoon Environmental Advisory Committee to City Council as information. The attachment can be found on the City's website at www.saskatoon.ca, (Look under "S" in the A-Z Listing for Saskatoon Environmental Advisory Committee, Reports and Publications).

**4. Saskatoon Transit Eco Pass Program
(File No. CK. 7312-1)**

RECOMMENDATION:

- 1) that an Eco Pass Program for City of Saskatoon employees be approved;
- 2) that the City of Saskatoon's employer contribution to an Eco Pass Program be funded through increased revenues resulting from the implementation of this program;
- 3) that the Administration prepare Eco Pass agreement terms and conditions and submit to Council for approval;
- 4) that Administration report back to the Administration and Finance Committee in early 2011 regarding the success of the program; and
- 5) that the Administration be directed to pursue partnerships with other external agencies to implement Eco Pass programs.

ADOPTED.

On July 13, 2009, City Council approved an Eco Pass Program in principle and requested that once the program had been developed, considering the results of the Civic Employee survey, Council receive a further report outlining the particulars of the pilot program being offered to City employees.

Your Committee has reviewed and fully supports the piloting of a civic employee Eco Pass Program as outlined in the attached report of the General Manager, Utility Services Department dated March 17, 2010.

REPORT NO. 2-2010 OF THE LAND BANK COMMITTEE

Composition of Committee

Councillor M. Heidt, Chair
Councillor D. Hill
Councillor P. Lorje
Councillor G. Penner
Councillor M. Neault

1. **Request to Lease City-Owned Farmland West Saskatoon**
NW ¼ 2-37-6 W3, Pt SE ¼ 2-37-6 W3, NW ¼ 35-36-6 W3, Pt S ½ 27-36-6 W3, Pt NW
¼ 1-37-6 W3, NW ¼ 27-36-06 W3, NE ¼ 27-36-06 W3, Pt SE ¼ 12-37-6 W3
To Mr. Darrell Ozeroff

- RECOMMENDATION:**
- 1) that the lease of City-owned farmland known as: NW ¼ 2-37-6 W3, Pt SE ¼ 2-37-6 W3, NW ¼ 35-36-6 W3, Pt S ½ 27-36-6 W3, Pt NW ¼ 1-37-6 W3, NW ¼ 27-36-06 W3, NE ¼ 27-36-06 W3, Pt SE ¼ 12-37-6 W3 to Mr. Darrel Ozeroff be approved, under the following terms and conditions:
 - a) the annual lease rate be \$32 per seeded acre, according to the Farmland's Canada-Saskatchewan Crop Insurance Seeded Acreage Report, paid in two instalments, with the first payment being due April 30 (450 acres x \$32 = \$14,400, plus GST) and the second payment due October 31 (outstanding acreage from crop insurance report x \$32, plus GST) of each crop year;
 - b) the term of lease to be three years with the Lessee having the first option to lease the land at the end of the term on an annual basis, if not required for development;
 - c) the Lessee to carry a minimum \$2,000,000 third party liability insurance on the Leased Land; and
 - 2) that the City Solicitor be instructed to prepare the necessary Farm Lease Agreement for execution by His Worship the Mayor and the City Clerk.

ADOPTED.

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Attached is the report of the General Manager, Community Services Department dated March 1, 2010 forwarding information on a proposal to lease the above-noted farmland to Mr. Darrell Ozeroff, which is a further three-year Lease Agreement containing the provision that the Land Branch would be able to remove acreage from the leased area as required for development within the next three years.

Your Committee has reviewed this proposal with Administration and supports this lease proposal.

**2. Land Pre-designation Program
Parcel A, Plan 102006425
1015 Patrick Crescent
(File No. CK. 4215-1)**

- RECOMMENDATION:**
- 1) that the Land Branch Manager be authorized to remove the pre-designation attached to Parcel A, Plan 102006425 (1015 Patrick Crescent) for entry level homeownership;
 - 2) that the Land Branch Manager be authorized to sell this parcel to the highest bidder through a public tender process with a reserve bid price of \$7,080,000;
 - 3) that if the parcel is not sold through the tender process, it be placed for sale, over-the-counter, on a first-come, first-served basis; and
 - 4) that His Worship the Mayor and the City Clerk be authorized to execute the necessary documentation to complete the sale by public tender.

ADOPTED.

Attached is the report of the General Manager, Community Services Department dated March 1, 2010 regarding the removal of the pre-designation of the above-noted property for entry level homeownership, and requesting authorization to sell this parcel to the highest bidder through a public tender process, as outlined in the report.

Your Committee has reviewed this report with the Administration and supports the recommendation, as it has been determined that this site is not suitable for the land pre-designation program for the following reasons:

- 1) the site is too large for most developers to finance and purchase as a single site;
- 2) due to the large size, it could result in an unacceptable concentration of entry-level units, and it was proving difficult to mitigate this through design; and

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- 3) the triangular shape and depth of the site is difficult to develop, resulting in extra costs that cannot be absorbed by an entry-level project.

**3. Lot Sales Policy
(File No. CK. 4110-36)**

- RECOMMENDATION:**
- 1) that the three-year time frame to build requirement remain as is; and
 - 2) that the Lot Allocation Policy be amended by removing the lifetime ban for all individual purchasers who do not meet the time frame to build requirement or the residency requirement.

ADOPTED.

City Council considered Clause 1, Report No. 1-2009 of the Land Bank Committee regarding an amendment to the Lot Sales Policy at its meeting held on January 26, 2009 and adopted the following recommendation:

that the Lot Allocation Policy be amended by extending the two-year build requirement to three years.

City Council also resolved:

that this change regarding the time frame to build requirement be reviewed on an annual basis for new sales.

Attached is the report of the General Manager, Community Services Department dated January 24, 2010 in follow-up to the review of the Lot Sales Policy, recommending that the three-year time frame to build requirement remain in place, however, the lifetime ban be removed for all individual purchasers who do not meet the time frame to build requirement or the residency requirement.

It was determined that since April, 2008 when City Council approved a change to the Lot Sales Policy to reduce speculators, in the form of a \$50,000 City mortgage, this is expected to achieve a greater rate of compliance for those lots purchased since this penalty was initiated. The lifetime ban was implemented as another method of reducing speculators from the market along with the financial penalty. The financial penalty is believed to be more effective than the lifetime ban, and therefore it is being recommended that the lifetime ban be removed.

The \$50,000 City mortgage will remain in place.

Your Committee has reviewed this proposed change to the Lot Sales Policy with Administration and supports the recommendations.

REPORT NO. 4-2010 OF THE EXECUTIVE COMMITTEE

Composition of Committee

His Worship Mayor D. Atchison, Chair
Councillor C. Clark
Councillor B. Dubois
Councillor M. Heidt
Councillor D. Hill
Councillor P. Lorje
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner
Councillor B. Pringle
Councillor G. Wyant

1. Saskatoon Planning District Official Community Plan Open Houses
(File No. CK. 4240-5)

RECOMMENDATION: that the information be received.

ADOPTED.

Attached for the information of Council is a report of the General Manager, Community Services Department dated March 15, 2010.”

His Worship the Mayor assumed the Chair.

Moved by Councillor Dubois, Seconded by Councillor Pringle,

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

CARRIED.

COMMUNICATIONS TO COUNCIL

The following communications were submitted and dealt with as stated:

B. ITEMS WHICH REQUIRE THE DIRECTION OF CITY COUNCIL

1) Dawn McNally, dated March 17

Submitting comments of appreciation to the City of Saskatoon regarding the employment of her son with the City. (File No. CK. 4560-1)

RECOMMENDATION: that the information be received and forwarded to all employees involved.

Moved by Councillor Hill, Seconded by Councillor Pringle,

THAT the information be received and forwarded to all employees involved.

CARRIED.

**2) Denise Gress, Executive Director
Saskatchewan Choral Federation, dated March 30**

Requesting that the fee for charter service be waived for the Podium 2010 conference being held in Saskatoon from May 20 – 23, 2010. (File No. CK. 7300-1)

RECOMMENDATION: that the request be denied in accordance with the advice of the General Manager, Utility Services Department that there is no source of funding.

Moved by Councillor Heidt, Seconded by Councillor Wyant,

THAT the request be denied in accordance with the advice of the General Manager, Utility Services Department that there is no source of funding.

CARRIED.

3) Linda Brown, dated March 22

Submitting comments regarding the Lake Placid River Landing proposal and process. (File No. CK. 4129-3)

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4) Bernie McLane, dated April 5

Submitting comments regarding Lake Placid and the River Landing development. (File No. CK. 4129-15)

5) Karen Kerpan, dated March 29

Submitting comments regarding Lake Placid and the River Landing development. (File No. CK. 4129-15)

RECOMMENDATION: that the letters be considered with Clause G1, Administrative Report No. 6-2010.

Moved by Councillor Penner, Seconded by Councillor Dubois,

THAT the letters be considered with Clause G1, Administrative Report No. 6-2010.

CARRIED.

C. INFORMATION ITEMS

1) Itsuko Abe, New Japan Women's Association Branch, dated March 8

Submitting a petition to obtain signatures to join the effort for eliminating nuclear weapons. (Photos referred to in the letter can be viewed in the City Clerk's Office) (File No. CK. 277-1)

2) Angela Wallman, Finance & Personnel Officer, Tourism Saskatoon, dated March 16

Submitting Tourism Saskatoon's 2009 Audit Financial Statements for the year ending December 31, 2009. (File No. CK. 1870-10)

3) Jennifer Ernst, dated March 22

Submitting comments regarding private parking in the downtown area. (File No. CK. 6120-1)

**4) Marlene Chatterson, President
The Canadian Federation of University Women – Saskatoon, dated March 17**

Submitting comments asking that members of City Council take further steps to ensure that new housing and commercial buildings are more energy efficient. (File No. CK. 375-5)

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5) Susan Lukiwski, dated March 9

Submitting appreciation to the City for grooming cross country ski trails, park walkways, maintenance of the Lions Speed Skating Oval, and snow clearing. (File No. CK. 6290-1)

6) David Wohlberg, dated March 22

Submitting comments regarding property taxes. (File No. CK. 1920-1)

7) Jacqueline Deck, dated March 22

Submitting comments regarding the Smoking Bylaw. (File No. CK. 185-3)

**8) Darrell Lessmeister, President
Saskatchewan Parks and Recreation Association, dated March 18**

Providing information regarding the Saskatchewan Parks and Recreation Association. (File No. CK. 155-1)

9) John Werle, dated April 4

Submitting comments regarding the lack of infrastructure located in the west end near the new Wal-Mart development. (File No. CK. 6320-1)

10) Dwayne Sekundiak, dated March 29

Submitting comments regarding allowing dogs in parks and on private property. (File No. CK. 152-2)

11) Curtis Coleman, dated March 29

Submitting information regarding disposable bags. (File No. CK. 7550-1)

12) Maja Russell, dated March 31

Submitting comments regarding curbside recycling. (File No. CK. 7830-5)

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13) Margaret Fredeen, dated March 29

Submitting comments regarding curbside recycling. (File No. CK. 7830-5)

14) Allan Johnson, dated April 4

Submitting comments regarding curbside recycling. (File No. CK. 7830-5)

15) Jackie Kelleher, dated April 6

Submitting comments regarding curbside recycling. (File No. CK. 7830-5)

16) T. Bennett Finley, dated March 30

Submitting copy of a letter sent to the Administration regarding the condition of the back alley behind his property on Estey Drive. (File No. CK. 6315-1)

17) Joe and Connie Abrook, dated April 3

Submitting comments regarding littering in the city. (File No. CK. 185-1)

18) Joanne Sproule, Secretary, Development Appeals Board, dated March 8

Submitting Notice of Hearing of the Development Appeals Board with respect to the property located at 908 – 4th Avenue North. (File No. CK. 4352-1)

19) Joanne Sproule, Secretary, Development Appeals Board, dated March 8

Submitting Notice of Hearing of the Development Appeals Board with respect to the property located at 920 Temperance Street. (File No. CK. 4352-1)

20) Joanne Sproule, Secretary, Development Appeals Board, dated March 8

Submitting Notice of Hearing of the Development Appeals Board with respect to the property located at 416 – 22nd Street West. (File No. CK. 4352-1)

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RECOMMENDATION: that the information be received.

Moved by Councillor Wyant, Seconded by Councillor Paulsen,

THAT the information be received.

CARRIED.

D. ITEMS WHICH HAVE BEEN REFERRED FOR APPROPRIATE ACTION

**1) Randy Pshebylo, Executive Director
Riversdale Business Improvement District, dated March 16**

Submitting a request for warning lights at the intersection of Idylwyld Drive and 20th Street. (File No. CK. 6250-1) **(Referred to the Traffic Safety Committee.)**

2) Joanna Phoenix, dated March 30

Submitting comments regarding the intersection at 8th Street and Acadia Drive. (File No. CK. 6000-1) **(Referred to the Administration for consideration.)**

3) Sheila Reddekopp, dated March 30

Expressing concerns regarding the speed of traffic travelling on Richardson Road. (File No. CK. 6320-1) **(Referred to the Administration for consideration.)**

4) Trevor Lohneis, dated March 17

Submitting comments regarding the condition of alley behind his property. (File No. CK. 6315-1) **(Referred to the Administration for consideration.)**

5) Gary Budd, dated March 22

Submitting comments regarding the future use of Chief Whitecap Park. (File No. CK. 4205-38) **(Referred to the Administration.)**

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6) Angela Congdon, Helping Hands ABC Daycare, dated March 22

Submitting comments regarding a proposed childcare centre in the Hampton Village. (File No. CK. 4355-1) **(Referred to the Administration for a report.)**

7) Nadine Parohl, dated March 23

Submitting comments regarding a private parking lot in the downtown area. (File No. CK. 6120-1) **(Referred to IMPARK.)**

8) Michael Weinmeyer, dated March 28

Submitting comments regarding parking lots in the downtown area. (File No. CK. 6120-5) **(Referred to the Administration to respond to the writer.)**

9) David Greenshields, March 26

Submitting comments regarding construction noise on the Sid Buckwold Bridge. (File No. CK. 5000-1) **(Referred to the Administration for review.)**

10) Trina Langlois, dated March 26

Submitting a request for turning arrows on 33rd Street. (File No. CK. 6250-1) **(Referred to the Administration for consideration.)**

11) Tim Fehr, dated March 28

Submitting comments regarding garbage cans in the back alleys. (File No. CK. 7830-3) **(Referred to the Administration for appropriate action.)**

12) Tim Fehr, dated March 28

Submitting comments regarding off-leash dogs in Achs Park. (File No. CK. 152-2) **(Referred to the Administration to respond to the writer.)**

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13) Darren Miller, T.D.B. Holdings Ltd., dated March 19

Expressing interest in purchasing land in the Blairmore subdivision. (File No. CK. 4125-1) **(Referred to the Land Bank Committee.)**

14) Brad Beznoska, dated March

Submitting comments regarding low-flying aircraft. (File No. CK. 150-1) **(Referred to the Board of Police Commissioners.)**

**15) Todd Brandt, Bid Committee, Tourism Saskatoon
2012 Canadian Country Music Awards, dated March 22**

Submitting a request for funding for Saskatoon to host the 2012 Canadian Country Music Awards. (File No. CK. 1870-1) **(Referred to the Administration for a report.)**

16) Justin Kotko, dated March 24

Requesting that odometer test sections be installed in the city. (File No. CK. 6000-1) **(Referred to the Administration for consideration.)**

17) Nathan Goddard, dated March 16

Submitting comments regarding the condition of the back alley on Matheson Drive. (File No. CK. 6315-1) **(Referred to the Administration to respond to the writer.)**

18) Doreen Wilson, dated April 4

Submitting comments regarding the condition of transit buses and advertising on buses. (File No. CK. 7300-1) **(Referred to the Administration for appropriate action.)**

19) Jean Luc Gaudet, École Henry Kelsey, dated March 29

Requesting that a school speed zone be installed on 33rd Street near Henry Kelsey School. (File No. CK. 5200-1) **(Referred to the Administration for appropriate action.)**

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20) Dennis and Melanie Penner, April 1

Submitting comments regarding parking of recreational vehicles on residential property. (File No. CK. 6120-1) **(Referred to the Administration for consideration.)**

21) Murray Gordon, dated April 3

Expressing concern regarding development of the South Bridge and its affect on Diefenbaker Park. (File No. CK. 5520-1) **(Referred to the Administration to respond to the writer that there are no plans to shut down Diefenbaker Park.)**

RECOMMENDATION: that the information be received.

Moved by Councillor Dubois, Seconded by Councillor Neault,

THAT the information be received.

CARRIED.

E. PROCLAMATIONS

1) Dr. David Butler-Jones, Chief Public Officer, Public Health Agency, undated

Requesting Council proclaim April 24 to May 1, 2010 as National Immunization Awareness Week in Saskatoon. (File No. CK. 205-5)

2) Lorie Lagenfurth, Sponsorship Chair, Leave a Legacy-Saskatoon, dated March 25

Requesting Council proclaim May 2010 as Leave a Legacy Month in Saskatoon. (File No. CK. 205-5)

**3) Tamara Yankovich, Chairperson Public Relations
Rotary Clubs of Saskatoon, dated March 29**

Requesting Council proclaim May 17 – 23, 2010 as Rotary Week in Saskatoon. (File No. CK. 205-5)

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**4) Roger Carver, Executive Director
Saskatchewan Deaf and Hard of Hearing Services, dated March 29**

Requesting Council proclaim May 2010 as Speech and Hearing Awareness Month in Saskatoon. (File No. CK. 205-5)

5) Cathy Holtlander, Saskatoon Food Coalition, dated March 30

Requesting Council proclaim August 28, 2010 as Local Foods Day in Saskatoon. (File No. CK. 205-5)

**6) Michael San Miguel, Vice President
Filipino-Canadian Association of Saskatoon, Inc., dated April 5**

Requesting Council proclaim June 12, 2010 as Filipino Canadian Day in Saskatoon and requesting that the Philippine Flag be raised on June 12, 2010 at City Hall Square at 9:00 a.m. (File No. CK. 205-5)

**7) Lindsay Bryson, Communications Manager
MS Society of Canada – SK Division, dated March 24**

Requesting Council proclaim May 2010 as MS Awareness Month in Saskatoon. (File No. CK. 205-5)

The City Clerk distributed copies of an additional letter from Ms. Bryson submitting a further request that the City raise the Multiple Sclerosis Society of Canada's flag from May 3 – 7, 2010, in conjunction with the request to Council to proclaim May 2010 as MS Awareness Month in Saskatoon.

8) Garry Viden, Welcome Wagon, dated April 6

Requesting Council proclaim April 12 – 16, 2010 as Welcome Wagon Week in Saskatoon. (File No. CK. 205-5)

- RECOMMENDATION:**
- 1) that City Council approve all proclamations as set out in Section E;
 - 2) that the City Clerk be authorized to sign the proclamations, in the standard form, on behalf of City Council;

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- 3) that the Filipino-Canadian Association of Saskatoon, Inc., be granted permission to raise the Philippine Flag on June 12, 2010 at City Hall Square at 9:00 a.m., subject to administrative conditions; and
- 4) that the Multiple Sclerosis Society of Canada be granted permission to raise its flag from May 3 – 7, 2010, at City Hall Square, subject to administrative conditions.

Moved by Councillor Heidt, Seconded by Councillor Dubois,

- 1) *that City Council approve all proclamations as set out in Section E;*
- 2) *that the City Clerk be authorized to sign the proclamations, in the standard form, on behalf of City Council;*
- 3) *that the Filipino-Canadian Association of Saskatoon, Inc., be granted permission to raise the Philippine Flag on June 12, 2010 at City Hall Square at 9:00 a.m., subject to administrative conditions; and*
- 4) *that the Multiple Sclerosis Society of Canada be granted permission to raise its flag from May 3 – 7, 2010, at City Hall Square, subject to administrative conditions.*

CARRIED.

ENQUIRIES

**Councillor P. Lorje
Community Clean-Up Program
(File No. CK. 7830-1)**

Will the Administration please report on the Community Clean-up Program, including a historical analysis of the program's effectiveness, cost and benefits annually to the city, and recommendations, if any, for changes and improvements to the program.

The meeting recessed at 6:52 p.m. and reconvened at 7:00 p.m. with His Worship the Mayor in the Chair.

PRESENTATION

Grant Foster and Linette Nelson, 2009 United Way Civic Employee Co-Chairs, presented The United Way "Thanks-A-Million" Award which was awarded to the City of Saskatoon.

MATTERS REQUIRING PUBLIC NOTICE

- 8a) **Intent to Borrow**
(File Nos. CK. 1750-1; CS 1702-1 and 1750-1)

REPORT OF THE CITY CLERK:

“The following is a report of the General Manager, Corporate Services Department dated March 29, 2010:

- RECOMMENDATION:** that City Council authorize the planned borrowing to finance the following projects approved, in principle, through Capital Budgets and capital plans:
- 1) an additional \$8,100,000 (up to \$39,000,000) for the Water Treatment New Intake Facility (Capital Project 1208) to finance the construction of the supply main across the river; and
 - 2) up to \$2,200,000 for Electrical Redundancy/Standby Generation (Capital Project 2211) to finance the design and construction of electrical service redundancy and standby generation requirements for the Wastewater Treatment Plant.

REPORT

The Cities Act and City Council Bylaw 8171 require that City Council give Public Notice before borrowing money, lending money or guaranteeing the repayment of a loan.

Capital Budget Borrowing

The above-noted projects listed in the recommendation are included in the 2010 Capital Budget. Through its Capital Budget deliberations, City Council has authorized these projects to proceed, subject to a Public Notice Hearing for borrowing. While some expenditures may have already been incurred, no borrowing has been undertaken pending this Public Hearing. It should also be noted that while authorization is being requested for the full borrowing requirements for these projects, actual borrowing will occur based on cash flow requirements and/or prevailing market conditions. Debt repayment on all these capital projects is supported by utility rates.

OPTIONS

The alternative option is not to proceed with the construction of the various capital projects noted above, or to finance these projects without borrowing.

POLICY IMPLICATIONS

City Council should be aware that the Administration will follow its existing practice with respect to borrowing. Once an Administrative decision has been made to borrow, Council will be requested to authorize the General Manager, Corporate Services, to effect that borrowing within specified ranges (interest rates, for example). Once a borrowing has occurred, the Administration will draft and present a borrowing bylaw, with all of the relevant data related to the transaction, for Council's approval.

City Council is also asked to allow a 10% variance on the borrowing requirements for each project identified. Any variance greater than 10% of the borrowing amount identified must be reported to City Council.

FINANCIAL IMPACT

The requested borrowing identified through the recommendation is being proposed within the capital budget plan with debt repayment covered through utility rates.

PUBLIC NOTICE

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

- Advertised in the *Saskatoon StarPhoenix* on Saturday, April 3, and Saturday, April 10, 2010.
- Posted on City Hall Notice Board on April 1, 2010.
- Posted on City Website on April 1, 2010.

ATTACHMENT

1. Photocopy of Public Notice.””

General Manager, Corporate Services Bilanski presented her report.

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

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT City Council authorize the planned borrowing to finance the following projects approved, in principle, through Capital Budgets and capital plans:

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- 1) *an additional \$8,100,000 (up to \$39,000,000) for the Water Treatment New Intake Facility (Capital Project 1208) to finance the construction of the supply main across the river; and*
- 2) *up to \$2,200,000 for Electrical Redundancy/Standby Generation (Capital Project 2211) to finance the design and construction of electrical service redundancy and standby generation requirements for the Wastewater Treatment Plant.*

CARRIED.

8b) South Caswell Concept Plan
(File No. CK. 4110-43)

REPORT OF THE CITY CLERK:

“The following is a recommendation of the General Manager, Community Services Department:

RECOMMENDATION: that City Council adopt, in principle, the redevelopment Concept Plan for South Caswell Hill as shown on Attachment 1 to the report of the General Manager, Community Services Department dated February 24, 2010.

Attached are copies of the following:

Municipal Planning Commission

- Report of the General Manager, Community Services Department dated February 24, 2010, recommending the above;
- Letter dated March 25, 2010, from the Secretary, Municipal Planning Commission advising the Commission supports the above recommendations;

Planning and Operations Committee

- Report of the General Manager, Community Services Department dated February 24, 2010, recommending the above (see Attachment to Municipal Planning Commission);
- Letter dated March 24, 2010, from the Secretary of the Planning and Operations Committee advising that the Committee supports the above recommendation;

Other material

- Notice that appeared in the local press under dates April 3 and April 10, 2010; and
- Letter dated April 6, 2010, from Charles Olfert, aodbt architecture + interior design, requesting permission to address Council on the above matter.

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The South Caswell Concept Plan can be viewed in the City Clerk's Office, all public library locations, and is also available on the City Clerk's website www.saskatoon.ca, click on "c" for City Clerk's Office and look under Reports and Publications."

The City Clerk distributed copies of the following letters:

- *Dorothy Johnstone, Caswell Community Association, dated April 6, 2010, submitting comments regarding the above matter; and*
- *John Nicholson, Vice President, Caswell Community Association, requesting permission to address Council.*

Neighbourhood Section Planning Manager Alan Wallace presented the South Caswell Concept Plan.

Mr. Charles Olfert, aodbt architecture + interior design, indicated that he is in favour of the relocation of the bus barns and provided a powerpoint presentation outlining a broader context for the project which could further enhance the downtown area and the Caswell community.

Councillor Lorje noted that Mr. John Nicholson was not able to address Council at this time and made Council aware that the Caswell Community Association is in favour of the concept plan.

Moved by Councillor Lorje, Seconded by Councillor Hill,

THAT City Council adopt, in principle, the redevelopment Concept Plan for South Caswell Hill as shown on Attachment 1 to the report of the General Manager, Community Services Department dated February 24, 2010.

CARRIED.

ADMINISTRATIVE REPORT NO. 6-2010 - continued

Section G – CITY MANAGER

**G1) River Landing Parcel "Y"
(Files CK. 4129-3 and CC. 4130-2)**

RECOMMENDATION: that at the direction of City Council, Administration be authorized to negotiate a Sale Agreement with Lake Placid River Landing Inc. for Parcel "Y" and the lane, or pursue a Request for Proposals process for the site.

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BACKGROUND

On January 14, 2008, the City and Lake Placid River Landing Inc. (Lake Placid) entered into a Sale Agreement for Parcel "Y", a site located in River Landing. The purpose of the Agreement was to facilitate the construction on Parcel "Y" of a very specific development which had been proposed by Lake Placid through a Request for Proposals (RFP) process. Lake Placid subsequently purchased the adjoining lane from the City and obtained the necessary approvals to proceed with the construction of the specified development. However, the Sale Agreement ended on October 30, 2009, because the necessary financial payment under the Agreement was not forthcoming.

On November 23, 2009, the Executive Committee instructed the Administration to bring forward a new RFP process for Parcel "Y", including new appraisals of the land. The Administration was planning to bring this forward by the end of April 2010.

On March 22, 2010, Mr. Michael Lobsinger, on behalf of Lake Placid, came to City Council and requested that the City "... re-open the purchase and sale agreement for Parcel "Y" and lane, which has expired." The intent of the request, as understood by the Administration, is to facilitate the construction of the same development on Parcel "Y" as was proposed in 2008.

Mr. Lobsinger was supported in his request to Council by Dr. Karim Nasser. Council was advised by Mr. Lobsinger that Lake Placid had executed an agreement with Dr. Nasser's company, Victory Majors Investments Corporation "... for the purposes of developing River Landing." Dr. Nasser confirmed that their purpose was to build the original development project submitted by Lake Placid.

The requests of Mr. Lobsinger and Dr. Nasser were referred to the Administration for a report back to City Council.

REPORT

City Council has before it a request to "re-open" the original Lake Placid Agreement and development for Parcel "Y". It also (through Executive Committee) has asked the Administration to bring forward a new RFP process. These two requests cannot occur concurrently. In particular, once City Council starts an RFP process, it is legally required to follow through with that process.

As a result, the Administration requires instruction from City Council as to whether, at this time, City Council wishes to:

- a) proceed with a new RFP process; or,
- b) instruct the Administration to enter into negotiations with Lake Placid for the purchase and development of Parcel "Y" and the lane. This latter instruction would include a financial due diligence process as set out below.

If the instruction is to bring forward a new RFP, the contents thereof will be included in that report.

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If the instruction is to negotiate with Lake Placid, the following are some of the main components of that negotiation as anticipated by the Administration.

The Development

As mentioned, it is the Administration's understanding that the purpose of the Agreement would be to facilitate the construction of the same development on Parcel "Y" and the lane, as was proposed in the January 2008 Agreement. This development has been approved by both City Council and the Meewasin Valley Authority.

The Purchase Price

The purchase price for Parcel "Y" in 2008 was \$4.765 million. The price for the lane was \$475,494.21. As instructed by the Executive Committee, the Administration has obtained new appraisals for Parcel "Y" from two separate companies.

The appraisal reports completed by Suncorp Valuations Ltd. and Beatty Appraisal and Consulting Ltd. resulted in an estimate of value for Parcel "Y" within a narrow range of \$98 per square foot to \$110 per square foot. If these appraisals were used, the price average value between the two appraisals is approximately \$104 per square foot which would result in a purchase price of \$11 million. If City Council wished to look at the appraisals in more detail, your Administration recommends the appraisal report be referred to the Executive Committee for review and the appraisers be invited to the meeting to discuss their market research and rationale for the estimates.

The Deposit

The original deposit made by Lake Placid for Parcel "Y" was \$250,000. This, together with accrued interest, was forfeited to the City on October 30, 2009.

The Construction Requirement and Option to Purchase

The original Agreement provided that the City was specifically selling the land for the purpose of having constructed thereon, the specific development proposed by Lake Placid and approved by the City and Meewasin Valley Authority. If that development did not occur in a timely manner, the land was to be returned to the City.

In furtherance of this objective, the Agreement provided that a specific stage in the construction had to be completed by a specific date. If Lake Placid failed to meet that requirement, the City had the option of repurchasing the land for the same amount as was paid, less encumbrances. If the Administration is instructed to negotiate a similar agreement to sell the land for the purpose of facilitating the development of the same project, a similar construction requirement and option to purchase would be necessary.

LEEDS and Limitations on Sale or Transfer

The original Agreement provided that "... Lake Placid will not undertake accreditation under the LEED program; however, Lake Placid will use reasonable efforts to construct the development to a standard that would match the minimum certification level had the development been submitted for accreditation." The Agreement also contained provisions to prevent Lake Placid from divesting

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itself of the majority ownership of the land until construction of the approved development was complete.

If the Administration was instructed to negotiate a new agreement similar to the old Agreement, we would expect to include the same or similar provisions.

Financial Due Diligence

From the beginning, the goal of City Council has been to not sell Parcel “Y” or permit the beginning of construction on the land, unless the City is satisfied that the purchaser has the wherewithal to complete the entire development project. The Administration assumes that that goal continues.

As a result, if the Administration is instructed to negotiate with Lake Placid, we would be proposing to include in those negotiations a financial due diligence process. We have taken the precaution of confirming with our outside auditors, Deloitte & Touche Inc., that they would be able and willing to assist us in this process if required. Your Administration, and representatives from Deloitte & Touche Inc., met with Mr. Lobsinger and Dr. Nasser on Wednesday, April 7, 2010. Mr. Lobsinger and Dr. Nasser, as an act of good faith, provided documentation for review by Deloitte & Touche Inc. They indicated their willingness to provide further details as required by the outside auditors.

PUBLIC NOTICE

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

Pursuant to earlier resolution Items B3 to B5 of Communications to Council were brought forward.

“B3) Linda Brown, dated March 22

Submitting comments regarding the Lake Placid River Landing proposal and process. (File No. CK. 4129-3)

B4) Bernie McLane, dated April 5

Submitting comments regarding Lake Placid and the River Landing development. (File No. CK. 4129-15)

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B5) Karen Kerpan, dated March 29

Submitting comments regarding Lake Placid and the River Landing development. (File No. CK. 4129-15)”

Item A4 of Communications to Council was brought forward.

“A4) Morris Michayluk and Norman Rebin, dated March 26

Requesting permission to address Council regarding River Landing and homelessness in Saskatoon. (File No. CK. 4129-1)”

The City Clerk distributed copies of the following letters:

- *Bryce Looyenga, dated April 9, 2010, submitting comments regarding the above matter;*
- *Michael Lobsinger, Lake Placid Developments, dated April 9, 2010, requesting permission to address Council; and*
- *John Thomson, dated April 11, 2010, submitting comments regarding the above matter.*

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Morris Michayluk, Norman Rebin and Michael Lobsinger be heard.

CARRIED.

His Worship the Mayor noted that Messers Morris Michayluk and Norman Rebin were not present in the gallery.

Mr. Michael Lobsinger, Lake Placid Group, spoke on behalf of Lake Placid, Dr. Nasser and his family, indicating that both parties are ready, willing and able to complete this project as outlined in the building and development permits and look forward to an opportunity to meet with the City Administration.

Moved by Councillor Wyant, Seconded by Councillor Lorje,

THAT the submitted correspondence be received.

CARRIED.

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Moved by Councillor Neault, Seconded by Councillor Dubois,

THAT the Administration enter into discussions with Lake Placid and partners with the intent of entering into a new Sale Agreement for Parcel "Y" and the lane, based upon the terms and conditions of the original agreement with Lake Placid, including an appropriate due diligence review as outlined in the City Manager's report dated April 8, 2010, with a report back to City Council on May 10, 2010 if possible, but no later than May 25, 2010.

His Worship the Mayor called a recess at 8:15 p.m. in order that the City Solicitor, City Manager and City Clerk could discuss the motion. The meeting reconvened at 8:20 p.m. with His Worship the Mayor in the Chair.

IN AMENDMENT

Moved by Councillor Wyant, Seconded by Councillor Neault,

THAT the motion be amended by adding the words "at a purchase price of no less than \$4.8 million" after the words "based upon the terms and conditions of the original agreement with Lake Placid".

*YEAS: His Worship the Mayor, Councillors Dubois, Heidt, Hill, Lorje,
Neault, Paulsen, Penner, Pringle, and Wyant* 10

NAYS: Councillor Clark 1

THE AMENDMENT WAS PUT AND CARRIED.

MAIN MOTION

*YEAS: His Worship the Mayor, Councillors Dubois, Heidt, Hill, Lorje,
Neault, Paulsen, Penner, Pringle, and Wyant* 10

NAYS: Councillor Clark 1

THE MAIN MOTION AS AMENDED WAS PUT AND CARRIED.

COMMUNICATIONS TO COUNCIL – continued

A. REQUESTS TO SPEAK TO COUNCIL

1) John Waddington, Saskatoon Cosmopolitan Couples Club, dated March 23

Requesting permission to address Council regarding a proposed “Children’s Safety Village”. (File No. CK. 5300-1)

RECOMMENDATION: that John Waddington be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT John Waddington be heard.

CARRIED.

Mr. John Waddington, Cosmopolitan Couples Club, spoke regarding a proposed Children’s Safety Village and asked the City to provide approximately two acres of land.

Moved by Councillor Clark, Seconded by Councillor Penner,

THAT the matter be referred to the Administration for review and report.

CARRIED.

2) Zena Putnam, dated March 26

Requesting permission to address Council regarding process at Council meetings. (File No. CK. 255-1)

RECOMMENDATION: that Zena Putnam be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Zena Putnam be heard.

CARRIED.

Ms. Zena Putnam provided comments regarding the process of making it easier to speak to City Council.

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Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

3) Zena Putnam, dated March 26

Requesting permission to address Council regarding the condition of city streets. (File No. CK. 6315-1)

RECOMMENDATION: that Zena Putnam be heard.

Moved by Councillor Hill, Seconded by Councillor Paulsen,

THAT Zena Putnam be heard.

CARRIED.

Ms. Zena Putnam spoke regarding the condition of city streets.

Moved by Councillor Penner, Seconded by Councillor Wyant,

THAT the information be received.

CARRIED.

4) Morris Michayluk and Norman Rebin, dated March 26

Requesting permission to address Council regarding River Landing and homelessness in Saskatoon. (File No. CK. 4129-1)

RECOMMENDATION: that Morris Michayluk and Norman Rebin be heard.

DEALT WITH EARLIER. SEE PAGE NO. 39.

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Moved by Councillor Dubois,

THAT the meeting stand adjourned.

CARRIED.

The meeting adjourned at 9:08 p.m.

Mayor

City Clerk