

A G E N D A

For Regular Meeting of Council of the City of Red Deer to be held in Council Chambers, City Hall, Red Deer, Monday, May 8th, 1967, commencing at 5:00 P.M.

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1. PRESENT:

Confirmation of Minutes of Meeting of May 1st, 1967.

2. UNFINISHED BUSINESS:

1. Minister of Highways - RE: Legislation
Governing Noise 1
2. Red Deer Regional Planning Commission -
RE: Amendment to Provincial Planning
Act 1
3. City Clerk - RE: Airport Commission
Minutes - April 20th, 1966 to May 1st,
1967. 2

3. REPORTS:

1. City Purchasing Agent - RE: Tender
Requests on Cedar Poles 3
2. Fire Chief - RE: Fire Department Re-
port for April, 1967. 3
3. City Engineer - RE: Appointment of
Weed Inspector. 6
4. City Land Administrator - RE: 67th
Street Land Acquisition 6
5. City Engineer - RE: 1967 Programme
Progress Report 6
6. City Building Inspector - RE: Applica-
tion for Home Occupation. 7
7. City Treasurer - RE: Treasurer's Report
Summary - April 30th, 1967. 8
8. City Commissioner - RE: Financial
Statements for year ending December
31st, 1966. 9
9. City Land Administrator - RE: Lots 1 - 6,
Block 21, Plan 7604 S; Lots 27 & 28, Block
21, Plan 174 H.W. - N.E. Corner 60th Street
and 54th Avenue 9

4. WRITTEN INQUIRIES:

5. CORRESPONDENCE:

1. Red Deer Public School District No. 104 -
RE: Letter of Appreciation 12
2. Stanley Associates Engineering Ltd. -
RE: 67th Street Underpass. 12

6. PETITIONS & DELEGATIONS:

Additional Agenda -

7. BY-LAWS:

1. By-law No. 2263 - Debenture By-law.
2. By-law No. 2262 - Dog Control By-law.

8. NOTICES OF MOTION:

UNFINISHED BUSINESSNO. 1.

MINISTER OF HIGHWAYS

Edmonton, Alberta

Mr. F. A. Amy,
City Clerk
The City of Red Deer
Red Deer, Alberta

Dear Sir:

RE: Legislation Governing Noise

This will acknowledge receipt of your recent letter for which I thank you.

Section 55 of the Vehicles and Highway Traffic Act was amended in 1964 in an effort to pass legislation to control the noise of motor vehicles, especially motor-bikes and motorscooters.

At that time, the Departmental Personnel conducted a rather comprehensive study of equipment available to determine accurately what would be considered as "excessive noise".

A study was done of the research carried out by certain jurisdictions in the United States with respect to equipment capable of measuring sound pressure level in terms of decibels. It was the consensus of the personnel of this Department that adequate equipment for measuring sound level was not adequate and until much refinement of present measuring devices is upgraded, the means of measurement would not stand the close scrutiny of a Court of Law.

We have always tried to write legislation that can be enforced and whilst the amendment to the Municipality of Metropolitan Toronto Act has merit, we are hesitant to copy it ipso facto until we are assured that it works in practice. In this respect we will keep a close watch on the success of enforcing this section in Toronto and should it prove successful we will certainly give very serious consideration to providing similar legislation for the consideration of the next Legislature.

With kindest personal regards, I remain,

Sincerely yours,

GORDON TAYLOR,
Minister of Highways

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NO. 2.

The following letter was placed on Additional Agenda for meeting of May 1st, 1967 and was tabled by Council until this meeting.

* * *

RED DEER REGIONAL PLANNING COMMISSION

4920 - 53rd Street
Red Deer, Alberta
April 26th, 1967

Mr. Denis Cole,
City Commissioner
City Hall
Red Deer, Alberta

Dear Sir:

RE: Amendment to Provincial Planning Act
effective April 11th, 1967

At the 1967 sitting of the Provincial Legislature a number of amendments were made to the Planning Act, which have a direct relationship to those municipalities operating under a Zoning By-law, such as the City of Red Deer.

The most drastic changes have been made related to the appeal procedure to be followed by individuals wishing to appeal against the decisions of authorized officials, Council, and Municipal Planning Commissions. Rather than outline the entire amendments some of which could involve Council in a lengthy presentation, I propose at this time to present the amendment related to the appeal procedure in order to obtain direction from Council as to their wishes on this matter.

Once the opinion of Council has been obtained on the appeal procedure, the City Solicitor and myself will then be in a position to proceed with steps to carry out the wishes of Council and present other changes that will be required.

In order to simplify the amendments related to the appeal procedure, the following charts are presented for the consideration of Council.

No doubt further explanations of these charts will be required at the Council meeting.

Yours truly,

ROBERT R. CUNDY, M.T.P.I.C.,
 Director

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NO. 3.

RE: Airport Commission Minutes -
April 20th, 1966 to May 1st, 1967

Attached hereto are copies of all Airport Commission minutes from April 20th, 1966 to May 1st, 1967 as requested by City Council at meeting of May 1st, 1967.

F. A. AMY,
 City Clerk

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R E P O R T SNO. 1.

May 4th, 1967

TO: City Council

FROM: City Purchasing Agent

In response to our request for prices on 15 - 30' cedar poles, 40 - 40' cedar poles and 10 - 45' cedar poles, the following prices were received.

<u>Vendor</u>	<u>Location</u>	<u>Total Cost</u> <u>30' poles</u>	<u>Total Cost</u> <u>40' poles</u>	<u>Total Cost</u> <u>45' poles</u>	<u>Total</u>
Bell Pole Co. Ltd.	Calgary	\$ 429.00	\$ 2,022.00	\$ 592.00	\$ 2,043.00
B. J. Carney	Enderly, B. C.	425.25	2,028.00	565.50	3,018.75
Niedermeyer - Martin Co.	Portland, Oregon	480.00	2,080.00	---	2,560.00 (Incomplete)
Domtar Ltd.	Calgary	379.50	2,004.00	564.00	2,947.50

I would recommend purchase of all the above pole requirements from Domtar Ltd. of Calgary for the total sum of \$2,947.50.

Yours very truly,

A. S. KRAUSE,
City Purchasing Agent

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Concur with recommendations of the Purchasing Agent.

DENIS COLE,
City Commissioner

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NO. 2.

THE CITY OF RED DEER

Office of:
The Fire Chief

Red Deer, Alberta
May 3rd, 1967

His Worship the Mayor
and City Council

Ladies & Gentlemen:

I wish to report, during the month of April, 1967, the Fire Department responded to:

Ambulance calls	37
Fire Calls	15

The Fire Calls consist of:

Fire in buildings	3
Brush & Grass	3
Misc. outdoor fires	1
Vehicles	1
Smoke Investigations	1
Public Assistance Calls	3
Rescue or Emergency Calls	1
Accidental Alarms	1
Out of City	1

4.

Fires in Buildings (3)

April 5th. 1967 at 13:28 hours - Fire from spilled gasoline on cement floor of local Busline's Garage. Engine 6 dispatched. Fire out on arrival, extinguished by Garage employee. Firemen checked premises and vehicles for smouldering and possible damage to property.

April 11th. 1967 at 00:20 hours - Deep fat fire reported in the kitchen of local hotel restaurant. Engine 6 responded. Fire out on arrival. Firemen ensured gas was turned off and the vat cooling. Instructions were left for the kitchen to be checked periodically for the balance of the early morning hours.

April 12th. 1967 at 12:40 hours - Engine 6 and Truck #2 responded to call to private home. Fire located in refrigerator motor and on wall behind. Firemen extinguished fire and ventilated house to remove smoke.

Brush and Grass Fires (3)

April 17th. 1967 at 16:26 hours - Grass fire in open field near 5802 - 43rd Street. Engine #3 responded and put out the fire.

April 22nd. 1967 at 13:25 hours - Rubbish and grass fire at 6024 - 63rd Avenue. Engine #3 dispatched. After extinguishing fire, the area was thoroughly checked for sparks.

April 24th. 1967 at 14:01 hours - Grass fire between 61st Street and 58th Avenue. Engine #6 responded. Hose laid to protect buildings and control fire nearby, while Firemen with extinguishers proceeded to put out the fire on the balance of area involved.

Miscellaneous Outdoor Fires (1)

April 25th. 1967 at 13:25 hours - Wooden detour sign fell onto a burning flare. Fire Chief Thomlison proceeded to area with Car #1 and extinguished fire.

Vehicles (1)

April 20th. 1967 at 10:47 hours - Car in downtown area reported on fire. Engine #6 dispatched after which another call reported fire out.

Smoke Investigations (1)

April 11th. 1967 at 16:48 hours - Smoke reported in basement 5055 - 45th Avenue. Engine #6 and Truck #2 dispatched. Firemen located cause of smoke and called in Electric Light & Power to check service wiring.

Public Assistance Calls (3)

April 16th. 1967 at 17:10 hours - Truck #2 responded in answer to retrieve boy's bike from Piper's Creek. However, swift flooding conditions had carried the bike down stream and it was unobtainable.

April 20th. 1967 at 21:20 hours - Fireman with private car responded to call from 4029 - 47th Street reporting a leaking hot water heater. Resident unable to "shut-off" the heater.

April 26th. 1967 at 12:21 hours - Engine #3 responded to a request to check a furnace at 3943 - 35A Avenue. Overheating furnace determined to be fault of thermostat. Northwestern Utilities contacted RE: same.

Rescue and Emergency Calls (1)

April 5th. 1967 at 10:04 hours - Car #1 dispatched to 3541 - 43rd Avenue in answer to a call regarding a three-year old child locked in a bathroom.

Accidental Alarms (1)

April 30th. 1967 at 14:31 hours - Ambulance and crew dispatched to 4319 - 51st Avenue in order to reset an alarm. The "Pull-type" alarm had been accidentally pulled by a small child.

Out of City Calls (1)

April 22nd. 1967 at 14:16 hours - Engine #3 responded to trailer fire on #2 highway. Fire caused by friction of the tire rubbing against the wheel well. Amount billed \$75.00.

During the month of April, the Volunteer Brigade held 4 practises with an average attendance of 11 members.

The Fire Prevention Bureau Statistics for the month of April show the following work:

Inspections	147
Rechecks	107
Buildings Under Construction checked	20
Places of Assembly - evening	2
License Inspection	3
Familiarization tours	23
Fire Drills	9
Training (Firemen)	3
Conditions referred to other Departments	4
Hazardous conditions corrected	4
Lectures & film showings	2
Evening lectures	3
Investigations (fire & fumes)	2
Calls, contacts & appointments	11
Underground tankage tested	1
Tank or tankers tested	48
Explosive & radioactive permits issued	6
Building plans checked	5
Burning permits issued	5
Other permits issued	30
Courses - Guides - Scouts	4

In addition to the foregoing, the Bureau also

Delivered safety regulations to 49 garages.

Checked out one truck illegally parked.

Investigated crude oil in City ditch and sewer, also used oil running over City sidewalk.

Gave lecture and demonstration regarding Fire Prevention Regulations.

Assisted in tour of ambulance by students of a local Elementary School.

Attended Federal Underwriters Investigation Bureau Seminar.

Prepared brief regarding History of Red Deer Fire Department for current school essay contest.

Delivered above noted brief to local School Boards for distribution and arranged for advertising in local news medias.

Respectfully submitted,

Wm. N. THOMLISON,
Fire Chief

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NO. 3.

TO: City Council
FROM: City Engineer

RE: Appointment of Weed Inspectors

It is recommended that City Council pass a resolution appointing Mr. L. McMurdo as a Weed Inspector for the City of Red Deer, pursuant to the provisions of the Noxious Weeds Act.

Council should also rescind appointment of Mr. G. Sweda as Weed Inspector.

M. J. DECK, P. Eng.,
City Engineer

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NO. 4.

TO: City Council
FROM: Land Department

RE: 67th Street Land Acquisition

Permission is hereby requested from City Council to purchase the following lands required for the widening of the proposed 67th Street Expressway.

(1)	29' strip throughout of E $\frac{1}{2}$ of Lot 4, Plan 6562 E.T.	Purchase Price	\$90.00
(2)	Additional 2.6' throughout of Lot 1, Block 1, Plan 24 H.W.	" "	40.00
(3)	Additional 2.6' throughout of Lot L, Plan 2175 H.W.	" "	40.00
(4)	Additional 2.6' throughout of Lot 9, Plan 6154 E.T.	" "	40.00

The 2.6' land request is due to adjustments in survey plan.

Respectfully submitted,

D. J. WILSON,
City Land Administrator

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Recommend Council authorize purchase of the lands noted and that cost of same be charged to the 67th Street Road Construction Program and be recovered by debenture borrowing.

DENIS COLE,
City Commissioner

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NO. 5.

May 5th, 1967

TO: City Commissioners
FROM: City Engineer

RE: 1967 Programme Progress Report(1) 67th Street Underpass

Absolute approval has not been received from the Board of Transport Commissioners. This is expected about May 18th. Detailed design is underway by Stanley and Associates.

(2) 67th Street - 65th Avenue to Gaetz Avenue

Tenders close on May 17th. Construction will likely commence before the end of the month.

(3) South End of the One-Way Couplet

Final design should be received next week. Tenders can then be called as soon as the Expropriation By-law is given first reading.

(4) Bridge at 49th Avenue and Waskasoo Creek

Same as (3) above.

(5) 60th Street Underpass

A more detailed design was forwarded to the Provincial Government (for agreement) on April 10th. No word has been received from them as yet.

(6) Trunk Sanitary Sewer - North Hill

Saturated soil conditions have slowed progress. Contractor is behind schedule but should finish by May 10th.

(7) North Hill Water and Sanitary Sewer Lateral

Saturated soil conditions have slowed progress. Water line is almost completed. Sanitary laterals and services have not been started. Contractor is ahead of schedule.

City Forces Work

- (1) Alberta School Hospital Hill, North End of 49th Avenue, Crown Surfacing, Gravel Roads and Parking Lots - Work to commence as soon as ground conditions improve. Possibly by May 15th.
- (2) Sanitary Sewer to College - Completed on April 27th.
- (3) Water Main to College - Completed.
- (4) Water Line in C.N.R. - Held up due to delay in receiving fittings. Will likely be completed May 5th.
- (5) Storm Sewers - One short storm lateral left to be completed.
- (6) Extension of Utilities Prior to Road Construction - Several small extensions of sanitary, storm and water will be started on May 5th. Likely will be completed by the end of May.
- (7) Utilities in Morrisroe Subdivision Stage II B - Tenders will be called on materials in week of May 8th. Lane excavation will also start in this week. Construction can commence about May 15th.

N. J. DECK, P. Eng.,
City Engineer

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NO. 6.

May 4th, 1967

TO: City Commissioner

FROM: City Building Inspector and
Zoning Officer

RE: Application for Home Occupation

The attached Home Occupation application has been checked and found to be within the provisions of City By-laws for Home Occupations and is therefore submitted for approval by the City Council.

James Speers (Speer's Sign Service), 14 Onslow Square -

Sign Service

G. K. JORGENSEN,
City Building Inspector and
Zoning Officer

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~~Recommend~~ approval.

DENIS COLE,
City Commissioner

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NO. 7.

May 5th, 1967

TO: City Commissioner

FROM: City Treasurer

RE: Treasurer's Report Summary -
April 30th, 1967

Attached are sufficient copies of the Treasurer's Report Summary as at April 30th, 1967 for submission to Council.

The report shows section and function totals but does not show totals by Fund. These are as follows:

<u>Fund</u>	<u>Amount</u>	<u>Excess Revenue</u> <u>(Excess Expenditure)</u>
<u>General Revenue Fund</u>		
Total Revenues	\$ 230,680	
Total Expenditures	<u>1,312,891</u>	(\$1,082,211)
<u>E. L. & P. Utility</u>		
Total Revenues	530,716	
Total Expenditures	<u>247,851</u>	282,865
<u>Water Utility</u>		
Total Revenues	93,302	
Total Expenditures	<u>141,652</u>	(48,350)
<u>Sewer Utility</u>		
Total Revenues	37,610	
Total Expenditures	<u>51,147</u>	(13,537)
<u>Transit System</u>		
Total Revenues	31,213	
Total Expenditures	<u>58,252</u>	(27,039)
<u>Airport</u>		
Total Revenues	2,137	
Total Expenditures	<u>4,169</u>	(2,032)
Net Excess of Expenditure		<u>(\$ 890,304)</u>

The report includes all expenditures to April 30th, including debenture debt repayments charged to each utility on the basis of one-twelfth of annual total per month.

Bank Loans

Comparative bank loan position is as follows:

April 30th, 1967	\$ 200,000
April 30th, 1966	700,000

During April our loans were again at one point reduced to zero as a result of the tax prepayment plan.

H. K. HALL,
City Treasurer

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NO. 8.

RE: Financial Statements for Year Ending December 31st, 1966

Enclosed with Council Agenda are Financial Statements for the year ending December 31st, 1966.

Council may wish to defer discussion of these reports for one week to enable all members to have additional time to review same.

DENIS COLE,
City Commissioner

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NO. 9.

May 3rd, 1967

TO: City Commissioner

FROM: Land Department

RE: Lots 1 - 6/21/7604 S
Lots 27 & 28/21/174 H.W.
N.E. Cor. 60th Street & 54th Avenue

As you are aware, City Council gave second reading to the Zoning By-law to change the N.E. corner of 60th Street and 54th Avenue to a C.2 area. The third reading was not given in order that a report could be submitted pertaining to J. T. Miller Construction Limited's request for the rezoning and purchase of the lands.

Mr. Miller originally approached this Department to ascertain if City Council would rezone and sell the land to him for the development of a proposed supermarket type operation. Before presenting plans, etc., Mr. Miller wanted the land rezoned and assurance that he would have first refusal of same.

City Council of February 20th, 1967, passed a resolution to the effect that the lands be rezoned to C.2 and that if the lots were rezoned, that the City grant to J. T. Miller Construction Ltd. the first opportunity to purchase the said lands for such price and upon such conditions and terms as Council may determine.

Normal City policy respecting the sale and development of City owned commercial land is to advertise the site for sale subject to the applicants submitting to Council their proposal for developing same. The terms of sale are usually a 10% deposit on application with the balance of the purchase price being paid in three equal installments within 8 months of acceptance by Council. The agreement stipulates that the building must be started within one year and be completed within two years. Failure to commence construction, the applicant pays a 10% penalty and the agreement becomes null and void. Should construction be started and not completed, the agreement allows the City to place an amount equal to what the taxes would have been on the Tax Roll had the building been completed.

It was my understanding that when Mr. Miller spoke to Council he was looking more for an option to purchase than for an agreement to purchase due to the present market conditions and also the City's plans for an underpass at 60th Street and Gaetz Avenue.

It is my opinion that before City Council gives the third reading to the Zoning By-law, Mr. Miller should submit to Council his proposals for the acquisition and development of the land.

The City should stipulate the following as conditions of any agreements:

- (1) Developer to purchase Lots 29 and 30 from the private owner.
- (2) Developer be responsible for a replot scheme, survey and registration of the lots and land into one parcel.
- (3) Construction to be started within 1 year and completed within 2 years of date of sale agreement.
- (4) Overall plans for development be approved by City Council.
- (5) Standard penalty clauses be in agreement.

A recommended sale price would be \$21,000 for the land plus the cost of sewer and water connections and any underground wiring which may be required.

Should Council wish to grant an option, City policy is to charge 2% of sale i.e. 2% of \$21,000 = \$420 for an 90 day option.

Respectfully submitted,

D. J. WILSON,
Land Administrator

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COMMISSIONER'S COMMENTS:

1. Mr. Miller has requested Council
 - (i) to rezone these lots for commercial development,
 - (ii) to close the lane separating these lots from other lands he proposes to buy,
 - (iii) to grant him an option to purchase the lands for a period of 1 - 2 years.
2. Mr. Miller has in mind a small group of stores including a small supermarket with provision for parking but no plans have yet been prepared.

3. Mr. Miller has indicated that assurance on zoning and the lane closing and the granting of an option are necessary pre-requisites to promoting the development of the site, i.e. negotiating with prospective tenants and with sources of finance.
4. Mr. Miller indicated that the development would be unlikely to materialize until 60th Street is paved (Fall, 1968 adjacent to the property; Fall, 1969 to Oriole Park).
5. An application is on file to purchase the site for an apartment development.
6. The Provincial Planning Director has indicated that he does not look favourably on the proposed rezoning to commercial.
7. The Act requires third reading of the Rezoning By-law prior to submission to the Provincial Board for endorsement. The By-law will not be effective until approved by the Board.

Recommendations:

1. If the City wishes to proceed with rezoning it should endeavour to get approval in principle of Provincial Planning Board prior to third reading.
2. If the City is successful in getting written approval in principle from the Board it should withhold the third reading until specific plans are submitted by Mr. Miller with a commitment to build.
3. As normal City Land policy is limited to a 90 day option at 2% of sale price, the City Council should, if it so desires, formally resolve to give Mr. Miller an option on the following terms:
 - (a) Option to purchase, exercisable on or before paving of 60th Street from 49th Avenue to Riverview Avenue.
 - (b) Purchase price to be \$21,000 plus sewer and water connections.
 - (c) Option may not be exercised unless and until detailed plans are submitted and approved by Council and an agreement entered into to commence development within 1 year and complete within 2 years.
 - (d) Mr. Miller to pay all costs in relation to lane closing and consolidation of lots to be sold by City and lots privately acquired.
 - (e) Standard penalty clauses.
 - (f) Option fees to be 5% of purchase price of site (\$1,050) per annum payable on signing of contract and thereafter annually in advance. Non-payment of option fee on due date to result in cancellation of option. Option fees to be applied to purchase price if option exercised.

DENIS COLE,
City Commissioner

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CORRESPONDENCENO. 1.

RED DEER PUBLIC SCHOOL DISTRICT NO. 104

4747 - 53rd Street
 Red Deer, Alberta
 May 3rd, 1967

Mr. F. A. Amy,
 City Clerk
 City of Red Deer
 Red Deer, Alberta

Dear Mr. Amy:

We appreciate very much the action of the Council of the City of Red Deer in relaxing the provisions of Table C of By-law No. 2011 so that we may extend the George Wilbert Smith School to the South and within 26 feet of the property line.

Yours sincerely,

G. H. DAWE,
 Superintendent of Schools

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NO. 2.

STANLEY ASSOCIATES ENGINEERING LTD.

8908 - 99th Street
 Edmonton, Alberta
 May 4th, 1967
 File 614-7-b

Mr. N. J. Deck, P. Eng.,
 City Engineer
 The City of Red Deer
 Red Deer, Alberta

Dear Sir:

RE: 67th Street Underpass

As per your request of May 2nd, 1967 we are pleased to submit our estimated schedule for design and construction of the above project.

The schedule is as follows:

- | | |
|--|-----------------|
| 1. Start Design (Prior to Board Order) | May 8th, 1967 |
| 2. Submit Details of Structure to C.P.R. and Department of Highways for Preliminary Approval. | June 1st, 1967 |
| 3. Finalize Design and Submit to B.O.T.C., C.P.R. and Department of Highways for final approval. | July 21st, 1967 |
| 4. Call for Tenders | July 24th, 1967 |
| 5. Close Tenders | Aug. 14th, 1967 |
| 6. Award Contract by | Aug. 24th, 1967 |
| 7. Start Construction | Sept. 1st, 1967 |
| 8. Complete Contract | July 31st, 1968 |

This schedule is based on normal design time and approval times required for a project of this nature. However, if it is required, we can cut down on the design time by putting on extra staff and working more overtime. In any case it does not appear possible that the project can be completed this year. Paving, curb and gutter, sodding and seeding and clean-up will most likely have to be done in the spring of 1968.

We will be happy to discuss this schedule with you further at your convenience.

Yours very truly,

G. R. DONALD, P. ENG.

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This letter is submitted for Council's information mainly to indicate that this project will not be completed until 1968.

N. J. DECK, P. Eng.,
City Engineer

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BY-LAW NO. 2262

A By-law to provide for licensing, restraining and regulation of dogs and impounding and disposing of dogs running at large.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Section 1 In this By-law, unless the context otherwise requires:

- (a) "City" means the City of Red Deer.
- (b) "Dog" means any dog other than one which has not been weaned.
- (c) "Dog Catcher" means any person appointed by City Council to carry out the provisions of this By-law.
- (d) "Running at large" when used in this By-law in relation to a dog, means a dog off the premises of its owner and not under the immediate, continuous and effective control of its owner or some other person. Without restricting the generality of the foregoing, a dog shall be deemed to run at large when it is not under the immediate, continuous and effective control of its owner or some other person, and it is found on any public street, lane, alley, park, school grounds or any other publicly owned property within the City, or is on any private property or in private premises without the permission of the owner or occupant thereof.
- (e) "Owner" means a person who owns, possesses or harbors a dog.

Section 2.(a) The owner of every dog in the City shall each year register each such dog with the License Department of the City and for such registration shall pay an annual license fee of:

- (i) \$2.00 for each male dog
 - (ii) \$5.00 for each female dog
 - (iii) \$2.00 for each female dog in respect of which the owner produces a certificate from a qualified veterinary surgeon that such female dog is spayed.
- (b) Upon receipt of payment of the license fee for each dog a metal tag indicating the year for which the fee has been paid and marked with a number corresponding to the number in the master register book, shall be issued to the owner.
- (c) ~~The~~ period of validity of a registration shall be from January 1st to December 31st, of any year. The full amount of the license fee shall be payable regardless of when the dog is registered during the year.
- (d) The buyer, purchaser or new owner of a dog registered under this By-law shall report such transfer of registration to the License Department of the City but no annual license fee shall be payable in respect of such transfer of registration.

Section 3 Any person being the owner of a dog who fails to register such dog and pay the license fee in accordance with this By-law shall be guilty of an offence and liable to the penalties prescribed in this By-law, and if such dog is impounded under this By-law the Owner shall pay in addition to the penalties prescribed in this By-law a fine equal to the sum of the impounding fees, board fees and license fees as set out in this By-law.

Section 4 Any person who registers and obtains a tag for an unspayed female dog as a male dog or as a spayed female dog shall be guilty of an offence and liable to the penalties prescribed in this By-law.

Section 5 Any dog found running at large in the City may be taken and impounded in a pound, where it shall be kept for three (3) days, unless the owner of the dog shall produce to the Poundkeeper a subsisting license issued for the dog, and shall pay to the Poundkeeper:

- (a) an impoundment fee of
 - (i) \$5.00 if such dog had not previously been impounded in the preceding twelve months,
 - (ii) \$10.00 if such dog had previously been impounded not more than once in the preceding twelve months,
 - (iii) \$15.00 if such dog had previously been impounded more than once in the preceding twelve months, and
- (b) A board fee calculated as follows:
 - (i) if such dog remains in pound after the day upon which it was impounded \$1.50 for each day or any portion thereof,
 - (ii) if such dog remains in pound beyond two days after the day upon which it was impounded \$2.00 for each day or any portion thereof, and
- (c) A charge of \$2.00 per day or a portion thereof that the dog remains in pound beyond 48 hours after midnight of the day on which it was impounded.

Section 6 Any dog not redeemed from the pound by its owner within 3 days of it being impounded may be sold by the Poundkeeper to any person who pays the fees and costs set out in Section 5 hereof, and any dog not redeemed or sold may be destroyed by the Poundkeeper.

Section 7 The Poundkeeper shall supply adequate shelter, food and water for dogs impounded and shall keep a record of all such dogs. Such record shall give the date the dog was impounded, a description of the dog, whether redeemed, euthanized, sold or still impounded, the owners name, address and telephone number, the dog's registration number and the amount of fees collected. This record shall be for the period from the first day of the month to the last day of the month and shall be forwarded to the License Department immediately after the end of each month, together with the fees collected.

Section 8 The City Council by resolution shall appoint a Poundkeeper and designate a place to be operated as the Pound.

Section 9. The City Council by resolution may appoint one or more dog catchers for the purpose of carrying out the provisions of this By-law.

Section 10. If any impounded dog is ordered destroyed

- (a) by a justice pursuant to the Dangerous Dog Act, or
- (b) by anyone authorized to make such order pursuant to the provisions of the Animal Contagious Disease Act of Canada, or any order or regulation made pursuant thereto, the Poundkeeper shall cause the same to be destroyed and its carcass disposed of in a manner safe to public health.

Section 11 Where a dog is on any private property or premises without the permission of the owner or occupant thereof, the dog catcher may with the permission of such owner or occupant enter upon such property or premises to apprehend such dog.

Section 12. When necessary, a dog catcher may employ the use of lures, baits, nets, sonix and mechanical devices or any other means of apprehending dogs, providing always that such methods are applied in the interest of humaneness.

Section 13. A notice or form commonly called a dog control ticket, having printed wording approved by the City Commissioners, may be issued by a dog catcher, police constable or by a City License Inspector to any person alleged to have breached any provision of this By-law, and the said notice shall require a payment to the City as follows:

- (i) \$5.00 for the first offence, and
- (ii) \$10.00 for the second offence, and
- (iii) \$15.00 for the third and each subsequent offence.

Section 14. A dog control ticket shall be deemed to be sufficiently served

- (a) if served personally on the owner of the dog, or
- (b) if mailed by single registered mail to the address of the owner of the dog, as recorded at the time of registration of said dog with the License Department of the City of Red Deer.

Section 15. Payment of the dog control ticket within seven (7) days from the date of service of the dog control ticket may be accepted by the City in lieu of prosecution.

Section 16. Any person who violates or fails to comply with any of the provisions of this By-law shall be liable upon summary conviction to a fine of not less than,

- (i) \$5.00 for the first offence, and
- (ii) \$10.00 for the second offence, and
- (iii) \$15.00 for the third and each subsequent offence, and costs.

Section 17. By-law No. 2166 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____ A.D.
1967.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____ A.D.
1967.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day of
_____ A.D. 1967.

MAYOR

CITY CLERK

BY-LAW NO. 2263

A By-law to authorize the borrowing of monies by issue and sale of debentures for the purpose of constructing a washroom building, constructing baseball dugouts and erecting fencing and backstops at Great Chief Park in the City of Red Deer.

WHEREAS Council of the City of Red Deer deems it expedient to construct a washroom, construct dugouts and erect fences and backstops, as described in Schedules "A" and "B" hereto, on property owned by the City, and

WHEREAS plans, specifications and estimates of the cost of construction have been made by the Red Deer Recreation Board, Mr. G. R. Beatson, Architect and Stevenson, Raines, Barrett, Hutton, Seton and Partners, Architects, whereby the total cost of the said construction is estimated at Fifteen Thousand (\$15,000.00) Dollars, and

WHEREAS it is deemed expedient to borrow money pursuant to Section 646 of the City Act and to pay the cost of the aforesaid construction by the issue and sale of debentures of the City of Red Deer in the principal amount of Fifteen Thousand (\$15,000.00) Dollars bearing interest at a rate not exceeding Seven (7%) per cent per annum payable annually, which is the amount of the debt intended to be created by this By-law, and

WHEREAS the said indebtedness is to be repaid over a period of Twenty (20) years, in annual installments with interest not exceeding Seven (7%) per cent per annum payable annually, and

WHEREAS the estimated life of the construction described in the said By-law is Twenty (20) years, and

WHEREAS the whole rateable property of the City of Red Deer according to the last revised Assessment Roll is Forty-eight million, Seventy-Five Thousand, Four Hundred Thirty (\$48,075,430.00) Dollars, and

WHEREAS the amount of the existing debenture debt of the said City is Nine Million, Five Hundred Seventeen Thousand, One Hundred Forty-Five and Ninety-eight cents (\$9,517,145.98) Dollars, and no part of the principal or interest thereof is in arrears.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER DULY ASSEMBLED ENACTS AS FOLLOWS:

1. The Municipal Council of the City of Red Deer is hereby empowered and authorized to enter into such contracts for the construction or carrying out of the proposed works as may be necessary.
2. That money shall be borrowed by the issue and sale of debentures of the City of Red Deer in the principal amount of Fifteen Thousand (\$15,000.00) Dollars.
3. The debentures to be issued under this By-law shall be for the said sum of Fifteen Thousand (\$15,000.00) Dollars, shall be dated the first day of June, 1967 or upon such day as may be appropriate having regard to the day of the borrowing of the money, shall be payable in Twenty (20) annual installments, in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual installments on the first day of June in each of the years 1968 to 1987 inclusive, shall bear interest from the first day of June, 1967 or upon such day as may be appropriate having regard to the day of the borrowing of the money, at a rate not exceeding Seven (7%) per cent per annum, the annual installments being rounded off to the nearest One Hundred (\$100.00) Dollars or a multiple thereof.
4. That the said debentures and coupons, if any, thereto attached, shall be payable in lawful money of Canada at the Canadian Imperial Bank of Commerce, in the cities of Edmonton and Red Deer.

5. That the said debentures shall be sealed with the seal of the City of Red Deer and signed either by the Mayor or some person authorized by By-law to sign the same in his stead, and the coupons attached to the debentures shall bear the signatures of the Mayor or some person authorized by the By-law to sign the same in his stead, and of the City Treasurer or some person authorized by By-law to sign the same in his stead. The signature of the Mayor or other person authorized by By-law to sign in his stead on the debentures, and of the City Treasurer or other person authorized by By-law to sign the same in his stead on the coupons attached to the debentures may be reproduced by lithographing or printing or any other method of mechanical reproduction. The signature of the City Treasurer on the memorandum of registration of said debentures in the Debenture Register of the City endorsed on said debentures may be lithographed or printed or otherwise mechanically reproduced.

6. That in each of the years 1968 to 1987, both inclusive, the respective amounts necessary to pay the interest and the principal of the said debentures as such interest and principal become due and payable, shall be levied and raised by an annual rate sufficient therefore over and above all other rates on all the rateable property in The City of Red Deer, at the same time and in the same manner as other rates.

7. The said indebtedness is contracted on the credit and security of the City of Red Deer at large.

8. The net amount realized by the issue and sale of debentures issued under this By-law shall be applied only for the purposes for which this indebtedness was created unless otherwise authorized by an Order of the Local Authorities Board.

9. This By-law shall come into effect upon its final passage.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____

A.D. 1967.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____

A.D. 1967.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day of

_____ A.D. 1967.

MAYOR

CITY CLERK

BY-LAW NO. 2263

SCHEDULE "A"

Construction of a Washroom Building:

LOCATION:

Great Chief Park - legally described as Block X, Plan 2333 P.

Estimated Cost of Project \$ 7,500.00

SCHEDULE "B"

Construction of Dugouts, Erection of Fences and Backstops:

LOCATION:

Great Chief Park - legally described as Block X, Plan 2333 P.

Estimated Cost of Project \$ 7,500.00

ADDITIONAL AGENDA

For Regular Meeting of Council of the City of Red Deer to be held in Council Chambers, City Hall, Red Deer, Monday, May 8th, 1967 commencing at 5:00 P.M.

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NO. 1.

CITE DU CAP DE LA MADELEINE
Cabinet Du Maire

Cap-de-la-Madeleine
May 3rd, 1967

His Worship Mayor Ed. Barrett
Messrs the Aldermen
Messrs the Municipal-officers
Red Deer, Alberta

Gentlemen:

During my trip back to Cap-de-la-Madeleine, every thing was going in the very best conditions; but there is no use to tell you that my work schedule was in a slowness position, and that is the reason of my delay to express my gratitude as much for the warm welcome as the princely way I have been treated in you City.

My sojourn among your people has been for me a rich experience and a real delight. Mr. Barrett, I beg you to be my expounder to the members of your Town Council, the Municipal-officers, the directors of your social and civic groupings, and your population, to express them, from the bottom of my heart, a sincere thank, and my feelings of admiration for the friendship and the generous compliance I have been proved.

I had the favour to assist to the official opening of EXPO '67, and I am pleased to assure you that no visitor will be disappointed, as it is simply grandiose....I am sure you will be delighted.

The programmation for our twinning ceremonies are normally progressing and the complete schedule will be transmitted to you, as soon as available.

Please accept and transmit to your people, my very best regards with those of my citizen.

Yours respectfully,

J. REAL DESROSIERS,
Mayor

* * * * *

NO. 2.

MURPHY, ARMSTRONG, BEAMES & CHAPMAN

5017 - Ross Street
Red Deer, Alberta
May 4th, 1967

City Clerk
City of Red Deer
Red Deer, Alberta

Dear Sir:

RE: Red Deer Industrial Airport

On April 18th, 1966, Council passed the following resolution:

Council of the City of Red Deer do hereby authorize the Red Deer Municipal Airport Commission, together with the City Commissioners, to take interim action necessary to control and operate the Red Deer Municipal Airport, from April 18th, 1966 to December 31st, 1966 and enter into contract for that purpose.

At the end of this period a full report will be made available to City Council in order that a proper tender may be prepared for future operations."

It will be noted that the above resolution authorized the Airport Commission and the Commissioners to enter into a contract for the purpose of controlling and operating the Airport from April 18th, 1966 to December 31st, 1966. There followed meetings attended by members of the Airport Commission, the Commissioners, Patrick L. Johnson and myself as a result of which an Agreement in writing dated May 27th, 1966 was entered into between the City, and Johnson and Johnson Air Services Ltd. It is my understanding that one of the conditions of the contract required by Johnson was the exclusive right to conduct from the Airport services covered by classes 4 and 7 Air Transport Board Charters. During the negotiations, Johnson represented that the licenses held by Waskasoo Aviation Ltd. covering such services had been assigned to him, but although I requested a copy of the assignment, it was never produced. While the Minutes of Council do not appear to indicate that the contract was ever formally brought to Council, I believe that Council was aware of the contract. It is my view that at that point of time, there was a binding Agreement until December 31st, 1966.

The Minutes of the Finance Committee meeting of November 14th, 1966 show that a resolution similar to the Council resolution quoted below was passed after the Chairman of the Airport Commission recommended continuation of the provision of services to the Airport by Johnson Air Services Ltd. for a period of 8 months. At its meeting of November 21st, 1966, Council passed the following resolution:

"Council of the City of Red Deer, having considered recommendations of the Finance Committee, do hereby resolve that the Red Deer Municipal Airport Commission be empowered to negotiate arrangements concerning providing of management services to the Red Deer Municipal Airport for a further period of eight (8) months from December 31st, 1966."

Although the latter resolution, on its face, authorizes the Commission only "to negotiate", it must, in my view, be presumed to authorize the Commission to conclude arrangements concerning the provision of management services for a period of 8 months from December 31st, 1966, since by Section 5(e) of By-law No. 2234, the Commission already had power to negotiate agreements with operators. At this point in time, I believe, as indicated above, that Council was aware of the contract, and it does not seem unreasonable to assume that Council, by the latter resolution, intended that the contract be extended for 8 months, particularly in view of no suggested amendments or changes having been made, so far as I am aware.

At its meeting of December 19th, 1966, the Airport Commission "agreed to extend the appointment of Pat Johnson as Airport Manager to August 31st, 1967". There being no evidence to the contrary, it again seems reasonable to assume that the Commission was referring to the contract. I am advised by the Chairman of the Commission that the Commission thereby intended to extend the contract and that Johnson had the same intent.

While neither the Council resolution of November 21st, nor the Commission decision of December 19th are happily worded, the lack of any indication of intention to amend or change the situation as it then, in fact, existed, leads to the presumption that both Council and the Commission intended that what was to be extended was the contract.

While I am unable to state with finality that there is a binding contract, there is nevertheless a good possibility, at least, that Johnson could establish that the contract is presently in force. It might be observed that, in my opinion, an agreement in writing extending the contract was not a legal necessity.

Under the foregoing circumstances, and as I stated at the meeting of May 1st, I cannot recommend that Council enter into any arrangements with Waskasoo relating to the provision of services which Johnson is now in fact providing. I take this position because there may be an existing contract, the breach of which could result in the City being liable for damages, and because the City is, in my opinion, under no legal obligation to enter into such other arrangements. On the other hand, I would not recommend that Council not enter into any arrangements relating to services which Johnson is not providing, subject always to any such arrangements terminating August 31st, 1967 or upon Johnson becoming able to provide and providing such services, whichever first occurs. I take this position because even if there is a contract, it is my view that Johnson cannot be heard to complain if the City permits others to provide services which he is not able to provide. This view is based in part upon my opinion that the exclusive right granted by the contract is predicated upon Johnson being able to provide and providing the services in question.

I trust that the foregoing will be of assistance.

Yours faithfully,

J. W. BEAMES

* * * * *

NO. 3.

TO: City Council
FROM: Chairman, Red Deer Industrial
Airport Commission

The Red Deer Industrial Airport Commission recommends Council acceptance of the application to lease space of Waskasoo Aviation Ltd. and will submit a proposed resolution for consideration when the matter comes up.

Alderman R. G. McCullough,
Chairman,
Red Deer Industrial Airport Commission

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