

File

A G E N D A

For Regular Meeting of City Council to be held in Council Chambers
on Tuesday, August 2nd, 1960 at 5.00 p.m.

Present:

Confirmation of Minutes of Council Meeting of July 18th, 1960.

1. Delegation: Page No:
 Balmoral Developments. Re: City Parking Fund 1.
 2. Petition:
 Residents of 42 & 43 Ave. Re: Construction of Lane 1. & 2.
 3. Unfinished Business:
 Building Inspector Re: Abattoir - 4327-54 Ave. 3.
 Commissioners Re: Resolution - Amendment to Zoning By-Law. 3.
 Commissioners Re: Traffic Signs - North Hill 3.
 City Solicitors Re: Early Closing By-law Plebiscite 3. & 4.
 Commissioners Re: School Crosswalk Gaetz Ave.S.Hill 5.
 Commissioners Re: Wildlife Sanctuary 5.6.& 7.
 4. Correspondence:
 1. Engineered Homes. Re: Building By-law Relaxation. 8.
 2. A.G.Phillips & W. Haining Re: Construction of Lane 8.
 3. E.B.Cameron etc. Re: Construction of Lane 8. & 9.
 4. Alliance Tabernacle Re: Parking Lot next to Church 9.
 5. Can. Underwriters Assoc. Re: Red Deer Survey 9. & 10.
 6. Fairgrounds Comm. Re: Addition of Land 10.
 7. D.D.High Re: Entrance to 5515-41 Street 11.
 5. Aldermen's New Business:
 6. By-laws:
 2027G - Amendment to Traffic By-law - 3 Readings.
 2052 - Land Sale Agreements - 3 Readings.
- | <u>NAME:</u> | <u>LOT.</u> | <u>BLK.</u> | <u>PLAN.</u> | <u>ADDRESS.</u> | <u>PUR. PRICE</u> | <u>FLOOR SPACE</u> |
|------------------------------------|-------------|-------------|--------------|-----------------|-------------------|--------------------|
| ALTON BROS. | 15 | 29 | 80 MC. | 4418-35 Avenue | \$2752.52 | 1000 |
| " " | 9 | 30 | 80 MC. | 4405-35 Avenue | \$2752.52 | 1000 |
| " " | 7 | 30 | 80 MC. | 4413-35 Avenue | \$2752.52 | 1000 |
| STEWART SUPPLIES
(PENHOLD) LTD. | 3 | 6 | 5879 KS. | 5102-55 Avenue | \$10879.00 | - |
7. Reports: Page No:
 1. Budget Performance Statement 6 months ending June 30/1960 12.
 2. O.K.Coffee Shop, 5925-54 Avenue 13.
 3. R.D.Civic Employees' Federal Union No.417 - Grievance. 13. & 14.

2.

Reports Contd.

Page No:

4. Re: Street Lighting 15.
5. Analysis of Parking Meter Collections for the week ending June 29/60. 16.& 17.
6. Building Permits July 1960.
7. Minutes of Finance Committee Meeting July 21st, 1960

8.

New Business:

DELEGATION:

4917-Gaetz Avenue,
Red Deer, Alta.

The Commissioners & Council,
City of Red Deer.

Dear Sirs,

We are contemplating building on the former Crescent Theatre and the adjoining Morris properties, and find to our dismay that the City parking fund requires more than \$13,000. before a building permit will be issued. Whilst we commend the City for its continuing efforts to obtain more downtown parking, we protest most vigorously this method of financing because it forces new developers to shoulder a disproportionate amount of the cost.

It will probably be at least ten years before there is any further building on our section of Ross Street requiring a parking fund deposit. Parking for this area is complete, having already been paid out of public funds and money from those parking meters, still collecting, now on Ross Street. We are forced to provide parking for other sections of the City in which the businesses are not required to make any such contribution.

We are a small group, in which it is necessary to borrow the maximum amount from a mortgage company in order to build at all. No mortgage company, we find, will lend money to be paid into a parking fund. It has been said that the party selling the land should pay the parking fund charge, through reducing the price of his land. This just does not happen. No one who has ever done business could seriously accept such a naive statement.

This fund requirement has already made it impossible for at least one small group to go ahead. We do not want to be the second. It is another case of driving more nails in the coffin of the small man, playing directly into the hands of the large groups with their high credit ratings.

We therefore request your serious consideration to remove this discriminatory requirement, levelled against the new builder seeking permission to build.

Yours truly,
J. Lampard,
for Balmoral Developments.

Our Group would welcome the opportunity to discuss this matter with Council.

NOTE:

The Assistant Building Inspector has not been approached with respect to parking requirements, said requirements can only be calculated when plans are submitted.

Regarding the statement in the fourth paragraph, Dr. Lampard stated he was referring to Red Deer Investments, which he stated were required to pay approx. \$8000.00 and that Geo. Morris supplied parking for \$3000.00, the answer to this statement is that Geo. Morris only built a small addition and the existing building was renovated.

COMMISSIONERS.

PETITION:

July 26th, 1960.

City Clerk,
City of Red Deer.

Dear Sir,

We, the following property owners, request that the City of Red Deer do not carry out any further improvements, at the present time, on the lane between 42 Avenue and 43 Avenue and from 35 Street to 37 Street. It is felt the lane is not used by the occupants sufficient to warrant these improvements.

<u>NAME</u>	<u>ADDRESS</u>
F. W. Krause	3505-43 Ave.
D. M. Garen	3515-43 Ave.
A. Glover	3614-42 Ave.
L.T. Wiseman	3606-42 Ave.
John Deas	3518-42 Ave.
Earl Storey	3519-43 Ave.
Walter Haining	4211-37 St.
R.M. McCutcheon	3502-42 Ave.
D. Murray	3527-43 Ave.
D. Murray	3523-43 Ave.

We the following renters concur in this request.

E. L. Anderson	3522-42 Ave.
R.S. Tetley	3602-42 Ave.
J.B. Winger	3610-42 Ave.

NOTE:

The above mentioned petition is signed by all the property owners concerned.

This petition was not received within the prescribed time for objections after advertizing.

We have been informed by the Public Works Dept., that this lane is one which requires pumping in the Spring, although one member of the petition stated nobody hardly ever uses the lane, the residents phone for the pumping service each Spring.

We therefore recommend that said lane be constructed and the petitioners be advised why it is being constructed.

COMMISSIONERS.

Unfinished Business:

July 15th, 1960.

1. To: City Commissioner

From: J. MacLean.

Re: Abattoir 4327-54 Avenue, Lot 6, Blk. 2, Plan 4386HW.

The City of Red Deer Zoning By-law No. 2011 for I.2 Districts states that "Abattoirs" up to 2000 square feet are a conditional use only. There is no provision in the by-law for abattoirs in excess of this size for this district.

We would also point out that Condition B of this table states that abattoirs and packing houses shall not have outside pens, runs or enclosures unless otherwise approved by Council.

J. MacLean,
for: Building Inspector.

Note:

The above item was tabled from the last meeting, to enable members of Council to visit the area.

Your Commissioners have, and recommend approval of this request, the expressions of Council with respect to the possible future expansion of this business were discussed with Mr. Boyko and he advised us that if we did not hear from him before this meeting, he requested this application be once again submitted to Council.

COMMISSIONERS.

2. " That Council of the City of Red Deer authorize the amending of the Zoning By-law to give the Building Inspector, in consultation with the Commissioners, the authority to authorize up to a 6" adjustment on set backs and side yard requirements."

NOTE:

The above resolution was tabled by Council for further consideration.

COMMISSIONERS.

3. Re: Traffic Signs on North Hill.

As requested by Council, a study of the above mentioned situation has been made by Mr. MacGowan and Senior Officers of the R.C.M.P., as a result a plan of what is proposed will be submitted to Council, we suggest that this also be implemented by a week of concentrated speed control by the R.C.M.P., followed by spot checks.

If this is not effective, we may have to go to expensive overhead illuminated signs.

COMMISSIONERS.

4. City of Red Deer,
Red Deer, Alberta.

July 26th, 1960.

Attention of Mr. E. Newman.

Dear Sir,

Re: Early Closing By-law Plebiscite

We have examined the City Act in respect to Council's request to determine if a vote could be taken at the proposed Fall plebiscite to ascertain if controlled night shopping is desired by a majority of the voters. The petition submitted requesting a By-law to repeal the Early Closing By-law has, by virtue of Section 269 of the City Act, required Council to prepare and read for a first time a By-law repealing the Early Closing By-law. The Section then provides for the advertising of the Petition prior to the date of voting, and the passing of the By-law by Council if the majority of the votes polled are in favour of it.

It is noted that the vote is to be taken "on the By-law". (See the last line of Subsection 2 of Section 269. Because of this and because of two separate forms of ballot prescribed by the City Act to be used for a vote on By-law or a vote on a question respectively, (see Section 288 and Forms 24 and 25 of the City Act), we feel that no additional question can be added to the ballot used in the vote taken on the By-law. To do otherwise would probably invalidate the vote.

However, Section 399(C) of the City Act permits Council to pass By-laws providing for the taking of a plebiscite upon any question, matter or thing. Council could, we feel, require a separate vote upon the question of amending the present By-law to permit night shopping, and the taking of such vote could be combined with the vote regarding the repeal of the present By-law. However, we also feel that, in order not to create a conflict between the two votes such as might render the results uncertain, the ballot to be used for the vote on the question (as opposed to the vote on the By-law), should be so worded as to be marked only by those voters who have voted against the repeal of the Early Closing By-law.

Yours truly,
KIRBY, MURPHY, ARMSTRONG & BEAMES,
A. B. Armstrong.

NOTE:

We suggest the last paragraph of this letter, and the method of asking a third question would be rather difficult to handle, in that only those voters who have voted against the repeal of the Early Closing By-law be entitled to vote.

In 1953 we had a similar situation with respect to the removal of the Cenotaph.

We submitted two separate ballot papers to the electors, and the first one read "Are you in favour of moving the Cenotaph?". The second paper read "If the first ballot is in favour of moving the Cenotaph, which of the following sites would you prefer:

1. City Hall Park.
2. In front of Memorial Centre"

As you know the first ballot was defeated and the second ballot therefore did not count.

In the light of the information Mr. Armstrong has submitted, we suggest the following questions, on two separate ballot papers be submitted.

<u>No.1.</u> Voting on By-law to Repeal Early Closing By-law	<div style="text-align: center;">FOR THE BY-LAW</div> <hr/> <div style="text-align: center;">AGAINST THE BY-LAW</div>
<u>No.2.</u> If the Early Closing B/Law is retained by plebiscite, are you in favour of 1 night per week late shopping?	<div style="text-align: center;">FOR ONE NIGHT SHOPPING</div> <hr/> <div style="text-align: center;">AGAINST ONE NIGHT SHOPPING</div>

COMMISSIONERS.

5.

Re: School Crosswalk - Gaetz Avenue, South Hill.

The above crossing is now signed as a school zone, we have also discovered that it is not a designated crossing of any kind in our traffic by-law.

We therefore recommend, that before an amendment is prepared, Council agree to this crossing being designated as a crosswalk, this would then be effective 24 hours per day, to satisfy the School Boards previous requests, we could also place "Children Crossing" signs at both approaches.

If Council agree to this recommendation, a resolution authorizing the amendment would be required.

COMMISSIONERS.

6.

Re: Gaetz Lake Wildlife Sanctuary.

Further to the letter of Mr. K. Wood early this Summer, the following is a reply from Dr. Ross, together with Mr. Wood's comments on same

We have sent Dr. Ross a copy of this letter, and invited him to visit the Sanctuary with us, we trust Council will agree with our action to-date in this matter.

COMMISSIONERS.

Mr. E. Newman,
City Commissioner,
City of Red Deer,
Red Deer, Alberta.

MINISTER OF HEALTH,
EDMONTON, ALBERTA.

July 13th, 1960.

Dear Mr. Newman,

Re: Gaetz Lake Wildlife Sanctuary - Red Deer

In reply to your letter addressed to me dated 2nd May, 1960, and pertaining to a letter addressed to the Honourable A.R. Patrick, dated 7th July, regarding the above named Sanctuary, I have now been able to get together information, past and present, in regard to this and wish to inform you of facts pertaining to this particular area and suggestions regarding problems raised.

The Alberta Government purchased (approximately 3/4 section of land) from the J.J. Gaetz estate and, in the year 1920 an area of the wooded land below the arable farm was, according to Mr. Kerry Wood, created a Dominion Bird Sanctuary by an arrangement between the Dominion Government and the former owner, but as far as we can determine, this has no legal status.

The Natural History Society in 1950 approached the Department of Health regarding use of this site for park purposes and bird watching and, as a result of discussions the Minister of Health advised the Chairman, Provincial Parks Board, that the Department of Health under whose jurisdiction this land is operated, (although the title is held by the Department of Public Works,) that he was prepared to have the area declared a bird sanctuary or a provincial park.

The Provincial Parks Board would only entertain the proposal if they were provided with the title to the property and, as this was not acceptable to the Minister of Health at that time, there was no further action taken by the Provincial Parks Board and the area has never been declared a provincial park. It would appear, therefore, that the letter written to Mr. F.A. Amy, City Clerk by Mr. Kerry Wood on April 19th of this year, in the second paragraph of which he states that "During the nine years of its service to Red Deer as an official park" would appear to be wrong since there has never been any official action taken that has made this an official park.

In view of the fact that the Provincial Government has been willing to let an area of their land known as the Gaetz Wildlife Sanctuary be utilized for public park purposes by the City of Red Deer, it would appear to me that if it is the wish of the City of Red Deer to continue the use of this area for parks that they should be prepared to provide any necessary care-taking that is required to keep it acceptable to their general public.

I am aware that the City of Red Deer has in the past years done this and that it has been accomplished by the supervision of Mr. Kerry Wood, who this year was unable to over-see the work and utilize some of the City personnel to assist him in keeping it clean.

I have discussed the possibility of utilizing some of the boys from the Provincial Training School, but in view of the large farm area and lawn area that they have to take care of in the Provincial Training School grounds proper, it will not be possible to get any assistance from the staff of the Provincial Training School to assist in cleaning up the Gaetz Lake Park area.

I would therefore suggest, Mr. Newman, that some arrangement be made by the City of Red Deer to take the necessary steps to provide such caretaking as you are able to make available to it.

Yours very truly,
J. Donovan Ross, M.D.
Minister of Health.

Mr. B. Newman,
City Commissioner,
City of Red Deer.

P.O.Box 122,
Red Deer, Alberta.
July 22nd, 1960.

Dear Mr. Newman,

Regarding the Gaetz Lake Sanctuary and the points raised by the Minister of Health, Dr. J. Donovan Ross, in his letter dated July 13th, I have these comments to make:

The wooded and lake area of the J.J. Gaetz Property was created a Dominion Wildlife Sanctuary by Act of Parliament, sometime around the year 1920. Mr. Gaetz and the officers of the Alberta Natural History Society arranged for this ruling. The Sanctuary status is still in force; the "Gaetz Lake Sanctuary" is listed every year in the Migratory Birds Convention Act, which means that it is a fully recognized wildlife preserve by the laws of both Canada and the United States who subscribe jointly to the Migratory Birds Act. This sanctuary status cannot be altered, unless the new owners, the Government of Alberta, petition the Dominion Government to cancel the sanctuary rating.

In 1950 when the Natural History Society petitioned the Alberta Government to create the wasteland part of the Gaetz Lake property a public park, Mr. J.W.Holloway, Chairman of the Provincial Parks Board at that time, visited the area and fully agreed with the proposal. I have his acceptance letter on file, fully endorsed by both the Provincial Departments of Health and the Parks Department.

For a three year period this was an established provincial park, called a "nature park" in Alberta government publicity concerning provincial park areas. The Parks Board, through correspondence between Superintendent C.H.Harvie and myself, mentioned the spending of funds for improving the Gaetz Lake Sanctuary and picnic facilities. For example, \$100 was paid to the Farnell Construction Co., of Red Deer for building a number of benches; the Parks Board donated two large rolls of page wire fencing, and paid for cedar fence posts, also labor charges to Mr. Gordon Cressman of Red Deer for fencing; and authorized the drilling of a \$1000 well at the public picnic site. Mr. Larry Telning of Red Deer was commissioned to have the well drilled and install a suitable cement platform and a heavy duty pump.

Then the provincial authorities sent a government survey team to the park, to define its boundaries for office records. Dr. LeVann of the Provincial Training School objected strongly to the presence of the government surveyors, and even ordered the destruction of their stakes and filling in of their marker holes. Dr. LeVann got in touch with the Minister of Health of that period, Dr. Cross, and it was immediately after this that Mr.C.H.Harvie wrote to inform me that the Department of Health authorities had belatedly refused to transfer jurisdiction over the Gaetz Property wastelands to the Parks Department, therefore the Parks Board could not authorize any more spending on the area. He asked me to cancel the well drilling project, even though pipe and material had already been ordered by Mr. Telning.

The Natural History Society appealed to the Provincial Government, (indeed, direct to the Premier on one occasion.) The only concession made was a promise by Mr. Manning, (letter on file in L.W.Askin's office in Red Deer) that One Year's Notice would be given to the Natural History Society if and when the wasteland part of the Gaetz Lake property had to be closed to the public. Since then, all spendings on the picnic area and park furnishings such as benches, tables, etc., have been paid for by a very few local citizens. All caretaker work, from 1950 on, has been done by myself on a purely voluntary basis, and, as you know from my April 19th letter written to the City Office, I have been out of town so frequently this present Summer that I could not carry on these duties for the time being.

It seems to me that the matter should be personally discussed in further detail with Dr. Ross, not with any idea of having the provincial government assume the caretaking responsibilities or spend monies on the area, but to ensure that the wasteland part of the old J.J.Gaetz Property be kept open to the general public as a park and picnic area from now on, with the City of Red Deer or the Natural History Society to assume the maintenance. I am sure that if Dr. Ross ever had the opportunity to visit the region, he would realize that the wasteland part of the property provides this region with an ideal wildlife sanctuary, and it has always served Central Alberta (throughout the late J.J.Gaetz's kindly control and since,) as a favourite beauty spot visited annually by large numbers of town and district residents.

Yours sincerely,
Kerry Wood.

CORRESPONDENCE:

ENGINEERED HOMES (RED DEER) LTD.

Letter No. 1.

July 15th, 1960.

The City Council,
City of Red Deer,
Red Deer, Alta.

Dear Sirs,

We have received the attached Engineer's Certificate "unsigned" because of the infraction of Building By-law 2011.

Due to the expansion of concrete we find this house is 0.1 ft. short of the 35 ft. frontage requirements. We, therefore, wish to place this before you for your consideration.

Yours truly,
M. Strabel,
Superintendent.
ENGINEERED HOMES (RED DEER) LTD.

NOTE:

The above will be subject to Council's decision re authority in respect to the 6" relaxation.

COMMISSIONERS.

Letter No. 2:

4215-37 Street,
Red Deer, Alta.

July 20th, 1960.

The Commissioners,
City of Red Deer,
Red Deer, Alta.

Dear Sirs,

Re: Lots 4, 4A and 4B, Block 2, Plan 3020 K.S.

We, the owners of the above mentioned Lots wish to protest against the construction and gravelling of the lane running South of our property. This lane runs East from 43rd Avenue to another lane which runs South from 37th Street to 35th Street.

Sincerely,
A.G. Phillips,
Walter Haining.

NOTE:

The above lane construction was duly advertized and no objection was made within the prescribed period, however, as all the property owners concerned do not want this lane, we recommend its removal from the programme.

COMMISSIONERS.

Letter No. 3:

Regarding Short Lane to be installed between 42nd and 43rd Ave., on 37th Street serving 3 homes.

We the undersigned home owners are not desirous of having said alley put in at 90¢ a foot. We feel that the home in the middle is the only benefactor and do not wish to have the heavy tax increase since neither of us needs the alley.

We, W.H. & E.B. Cameron are right on the alley at our side door and Mrs. V. Cross has access to garbage collection etc., from 43rd Avenue.

Signed E.B. Cameron,
Wm. H. Cameron
4212-37th Street.
Mrs. Violet Cross, 4220-37 St. Red Deer.

NOTE:

Mr: Williams who owns the centre lot is on holidays and has not signed this petition, it is possible that he may advise Council of his wishes before the meeting. However, as the lane was duly advertized, and no objection received within the prescribed time, we can only recommend that if Mr. Williams needs it for access to the rear of his property, that said lane be constructed.

COMMISSIONERS.

Letter No.4:

Alliance Tabernacle.

July 20th, 1960.

The Commissioners,
City of Red Deer.

Gentlemen,

Our Pastor, Rev. Rose, made some enquiry of Mr.C.E.Ross as to the possibility of our obtaining the use, for parking, of the next lot North of the lots obtained from the City for our new church. Mr. Ross advised Rev. Rose that the City Commissioners should be approached directly.

The board of the Alliance Tabernacle request permission to use said lot as parking space. Because of the nature of the terrain it would seem unlikely that building would be allowed on this lot. The board would like to rent the lot for a term of years, at a nominal rental, and would undertake to fill and level it, and keep it in good condition. If, at some future date, sale of the lot is considered, they request the privilege of first refusal.

Trusting that this request will receive favorable consideration.

I remain,
Yours truly,
J. Crossley, Secretary,
Alliance Tabernacle.
5334-45 Avenue.

NOTE:

The above mentioned church is located on three 33' lots on the corner of 54 Ave. and 60 Street, Lots 28,29 & 30, Block 16, Plan 7604S.

As the lot in question, 27, is too low for servicing we recommend we rent this lot for \$10.00 per year.

Sale price would be:-

160% of Assessed Value	\$120.00	-	\$192.00
Plus Survey			<u>35.00</u>
Total:-			<u>\$227.00</u>

COMMISSIONERS.

Letter No.5:

Canadian Underwriters' Association,
259 Portage Ave., Winnipeg 2, Man.

Mr. E. Newman,
City Commissioner,
Red Deer, Alta.

July 14th, 1960.

Dear Mr. Newman,

Re: Red Deer Survey

Your letter of July 7 to Mr. Smith has been referred to me for reply.

We were very interested to learn of the improvements that have been made to the fire defences in Red Deer since 1955. Those outlined in your letter are of a major character and since some of the minor recommendations contained in our last report no doubt have been implemented also, we agree that a resurvey would be advisable, and have arranged to carry out this work about the first week in October.

It was indeed a pleasure to have seen you again at Banff and I shall look forward to another meeting this fall.

Yours very truly,
C.P. Wright, P. Eng.,
Chief Engineer.

NOTE:

We trust Council will agree with our action in requesting another survey in the fall. There is no cost to the City, and it could assist us in insurance rates, also the report on our fire fighting system and waterworks distribution system is quite valuable.

COMMISSIONERS.

Letter No: 6.

Red Deer Fairgrounds Commission.

July 21st, 1960.

City Commissioners,
City of Red Deer,
Red Deer, Alberta.

Dear Sirs,

At the regular meeting of the Red Deer Fairgrounds Commission considerable discussion was given to the overall plan of the facilities in the Fairgrounds and the possibility of acquiring additional land for expansion. As you are aware, the following report of the Land Committee of the "Interim Fairgrounds Commission" was approved at their meeting of February 24, 1960.

"After discussion of the Fairgrounds with the District Planning Commission it is the recommendation of this Committee that the present site of the Fairgrounds be retained, but, for future development of the Fairgrounds it is further recommended that land adjacent to the South and East be reserved for Fairgrounds use."

As there is now apparent need for increased recreational play fields in conjunction with extended Fairground facilities the following resolution was duly moved and seconded for presentation to City Council.

"Whereas the Fairgrounds Commission requires knowledge as to land areas available for future expansion before long range plans may be formulated for future Fair and Recreational facilities, the City Council advise as soon as possible what lands adjoining the present Fairgrounds area can be acquired for the expansion of present facilities. This includes lands to the South, East and North of the present Fairgrounds."

Will you please arrange for this information to be presented to City Council meeting of August 2, 1960 in order that the Commission may proceed with plans as soon as possible.

Yours truly,
R.N. McGregor,
Secretary-Treasurer.

NOTE:

A plan of the area will be submitted for Council's perusal.

We are not sure of what is required by the Commission when they say "The City Council advise as soon as possible what lands adjoining the Fairgrounds area can be acquired for the expansion of the present facilities."

The map shows the area surrounding the Fairgrounds, but we are not in a position at the present time to say they can be acquired.

Is it the wish of Council that we negotiate for the acquisition of some of these lands?

If so we suggest a financial study of our land acquisition commitments be made by our Finance Committee before any further action is taken, or we could supply the Commission with this map showing the various owners, and they in turn could recommend to Council.

COMMISSIONERS.

Letter No.7.

City Council,
Red Deer, Alta.

4732-55 Street,
Red Deer, Alta.

July 28th, 1960.

Gentlemen,

Re: Entrance to 5515-41st Street.

On July 21st, two of the Engineering Department Staff, viewed the above, as also an obstruction preventing drainage to ditch and culvert, giving access to alley at back of property in question.

Regards entrance from 41st Street, for years there has been, what some referred to as a ditch, over which two planks were placed, recently a colony of wasps made it necessary to lift said planks. This plank walk never was very safe, and has now been rendered less so, hence my action for having the above inspection arranged for.

Regards ditch, so called, ditching is reverted to, to carry off surplus water, since this does not have an outlet it is more proper to refer to it as a dugout.

After discussion of the two items - while our opinions were not unanimous - I was led to believe correction would be made. Up to time of writing no action has been taken and as the aforementioned plank walk is unsafe, I am applying to you for attention. I would be pleased for permission to be present when you discuss this matter.

Thanking you.

Yours truly,
D.D.High.

To: City Commissioners,

From: D.W.MacGowan.

July 29th, 1960.

Re: Mr. D.D.High's Letter.

Mr. Hill and I met Mr. High at his property to discuss his problem.

We agreed to ditch the troublesome water around the corner and to use what dirt was available from the excavation to shape up the existing ditch. We did not feel that the City should be obligated to haul dirt to fill the ditch or to provide him with a walk across the ditch when the water was drained away. We also agreed to do some ditch work in the lane behind.

To-date we have not had man or equipment available to do this work as we are involved in lane construction and work at Grandview Park. This ties up all our equipment except one grader which is badly needed for general maintenance of streets.

I suggested to Mr. High that the answer to street drainage problems was a paved street and that if he wished an end to it once and for all he should petition for paving. He indicated that he was not interested in circulating a petition.

D.W.MacGowan.

NOTE:

The above report is self explanatory.

COMMISSIONERS.

REPORTS:

No. 1:

July 21st, 1960.

City Commissioners,
City of Red Deer,
Red Deer, Alberta.

For submission to City Council.

Budget Performance Statement as at June 30, 1960.

I am pleased to report on our Budget operations for the six month period ending June 30, 1960.

You will note the overall operations produce a deficit picture of \$30,420.00 after provision of the pro rated allotment of the 1959 Surplus - this deficit is made up as follows:

General Fund	Deficit	\$135,000.
Water Fund	Deficit	<u>43,170.</u>
		\$178,170.
Less E.L. & P. Surplus		<u>\$147,750.</u>
Net Operating Deficit		<u>\$ 30,420.</u>

Revenues & Expenditures - Revenue Fund

Revenues: For the most part revenues are holding the line in accordance with budget estimates with one or two minor exceptions such as: Building trade revenues are drastically low but could conceivably improve with the advent of mortgage money availability. Tax penalties will not produce any revenue until the year end at which time penalties for all unpaid current and arrears taxes will be charged.

Expenditures: To-date expenditures in total account for 51.405% of the Budget and consequently account for the largest portion of the deficit to-date. For the most part over expenditures are all explainable and some of the major accounts will require constant study in order to maintain the estimates. All departments concerned are acquainted with this problem and will endeavour to hold the line particularly on the controllable accounts.

E.L. & P. Fund. As in the past revenues and expenditures in this department are maintaining a fairly constant balance with the estimates.

Waterworks Fund:- Revenues of 46% are slightly under budget estimates, however, peak water useage during July, August and possibly September will undoubtedly improve this deficit.

Expenditures of 52% are accountable due to repairs of two major leaks that were Winter work and budgeted for plus all the hydrant and valve maintenance which is nearly completed for the full operating year. With completion of the major expenses this fund should be greatly improved within the last half of 1960 providing no major repairs are required.

Should further clarification of any account be required by Council, I will be pleased to offer an explanation.

R. N. McGregor,
City Treasurer.

NOTE:

The above should be considered with the June 30, 1960 Budget Performance Statement.

COMMISSIONERS.

Report No.2:

Re: J. Yee - O.K. Coffee Shop, 5925-54 Avenue.

A certificate of compliance has been issued by R.D.D.P.C., but as this is an accessory building to the main use, it requires approval of Council. Plan will be submitted.

Recommend approval subject to normal City regulations are complied with.

COMMISSIONERS.

Report No.3:

IN THE MATTER OF A Grievance between the Red Deer Civic Employees' Federal Union Local 417, and the City of Red Deer, Red Deer, Alberta.

The Arbitration Board consisted of the following:-

MR. JOHN HARVIE, Chairman.
MR. J.W.BEAMES, Member representing the City of Red Deer.
MR. F. C. BODIE, Member representing Local 417.

Representative of the Employer:-

Mr. E. Newman, City Commissioner.

Representative of the Union:-

Mr. H. Horne, President, N.U.P.E. Alberta Division.
Mr. Patrick Lenihan, Southern Alberta Representative, N.U.P.E.
Mr. L.W.Hewson, President, Local 417, N.U.P.E. Red Deer.

This is a dispute between the Red Deer Civic Employees Federal Union No.417, National Union of Public Employees and the City of Red Deer, Alberta, with respect to a difference of opinion regarding Statutory Holiday Pay.

The City did not pay its employees (other than those on shift work) for Boxing Day in the year 1959, which fell on a Saturday, contending that the employees are entitled to an extra day's pay only if the legal holiday falls within the contractual work period which the City claims to be Monday to Friday.

The Agreement between the parties, effective January 1st, 1959, contains the following Articles:-

Article 4 - Holidays - reads:-

"The following shall be considered Statutory Holidays:-

New Year's Day	Labour Day	Good Friday
Remembrance Day	Victoria Day	Christmas Day
Dominion Day	Boxing Day	Thanksgiving Day

And all general holidays proclaimed by the City of Red Deer and holidays proclaimed by the Province of Alberta or the Dominion of Canada and adopted by the City of Red Deer."

Article 5 (a) reads in part:-

"Public Holidays are not included in the vacation period."

Article 5 (c) reads:-

"Where a holiday as listed in Article 4 falls on an employees day off he shall receive a day's pay, providing he is a permanent employee."

Article 6 reads:-

"Any employee obliged in the course of his regular duty to work shall on a legal holiday in addition to his regular salary be paid one day's extra pay."

Article 8 (a) reads in part:-

"Double time for Saturdays, Sundays, and legal holidays, inclusive of the regular pay provided in Article 6....."

Article 8 (h) reads:-

"The legal holidays for which overtime rates are to be paid shall be those defined in the Agreement."

Article 9 (a) reads:-

"employees shall work forty (40) hours per week, the hours of work being from 8.00 a.m. to 12.00 noon and 1.00 p.m. to 5.00 p.m. five (5) days per week, Monday to Friday, except in the case of double running or revolving shifts who shall work forty (40) hours per week and with further exception that working hours of office staff shall be from 8.30 a.m. to 5.00 p.m. with one hour for lunch."

Under Article 4, the employees are entitled to the day off, - Statutory Holiday - , but nothing is said in Article 4, with respect to pay for such day.

Article 5 (c) says that - "Where a holiday as listed in Article 4 falls on an employees day off he shall receive a day's pay, providing he is a permanent employee."

Article 5 (c) gives an employee who is on vacation leave, or other type of leave for which he still receives remuneration, a day's pay. It is inferred from the wording in Article 5 (a) that the pay is compensation for the fact that he is being deprived of the Statutory Holiday no provision being made to give him another day in its place and Article 5 (a) distinctly says that Public Holidays are not included in the vacation period.

For the immediate purpose of interpreting this part of the Agreement the Board of Arbitration takes the meaning given to "day off" as defined by the City in its brief.

Again under Article 6 - Holiday work - "Any employee obliged in the course of his regular duty to work shall on a legal holiday in addition to his regular salary be paid one day's extra pay."

The above quotations from the Agreement emphasize when and under what circumstances an employee is entitled to pay on a Statutory Holiday.

As pointed out above nothing is said in Article 4, with respect to remuneration and lacking such stipulation the employees are entitled to the Statutory Holidays but without pay. The exceptions are very carefully defined in the Agreement.

Reviewing the briefs and the oral presentations before the Board, and after giving the most careful consideration to the wording of the Agreement the Board of Arbitration rules that the City of Red Deer is not obliged under Article 4, to give its employees a day's pay for a Statutory Holiday that falls on a Saturday.

While this was the only question before the Board of Arbitration other questions had to be carefully considered and the Members of the Board wish to emphasize to the parties concerned the importance of carefully reviewing the wording of the Agreement.

May the Board of Arbitration express its appreciation for the capable way in which the views and opinions of the parties were presented.

All of which is respectfully submitted.

John Harvie,
Chairman, Board of Arbitration

J.W. Beames,
Member, Board of Arbitration.

F.C. Bodie,
Member, Board of Arbitration.

NOTE:

The above report for information of Council. City's share of Mr. J. Harvie's fee is \$280.00 in addition we will receive an account for our member. Had we lost this case it could have cost approx. \$1200.00, and also creates a costly precedent for the future.

COMMISSIONERS.

Report No. 4:

July 27th, 1960.

City Commissioners,
City of Red Deer.

Gentlemen,

Recently, the General Electric Company loaned us a very accurate light meter (foot-candle meter) for the purpose of checking our street lights. Thought you might be interested in some of the results and observations from the use of this meter, without going too much into detail with actual ft. cdle. readings.

1. There seems to be little or no difference between the various manufacturers luminaires.
2. There is little or no difference between the various lamps in use, including lower priced foreign lamps.
3. Fluorescent luminaires give a little lower ft. cdle. reading than mercury-vapor types of about equal wattage, but the light is more even over a wider area. Mercury-vapor gives a bright spot below the fixture which is not noticeable with fluorescent.
4. Both Gaetz Avenue and Ross Street (in the business section) are adequately lighted, being equal or better than standard practice for streets carrying 1200 vehicles per hour with medium pedestrian traffic. (.8 to 1.1 ft.cdles.)
5. We have been a bit too sparse with lights in residential districts. Edmonton had advised use of 250 ft. to 300 ft. spans between lights. Our tests would indicate a maximum spacing of 175 ft. as after this the ft.cdle. level falls rapidly to zero.
6. 56 Street-4700 block is in need of additional lights on the North side, as originally planned, due to the trees.
7. 55 Street from 47A Ave. to Gaetz Ave., should have about one additional light per block on the North side. Light level is about normal (average .4 ft.cdles.) for a residential street, but increasing traffic as a through road would seem to warrant the extra lights.
8. Ross St. from 47 Ave. East to 40 Ave., would appear adequate except for a slightly low level in the 4600 block. Street is too wide here for one side lighting, and extra lights on the North side seem indicated.
9. 43 Ave., from Ross St. South to 39 St. is lighted O.K. for vehicular traffic up to about 300 per hour with light pedestrian traffic.
10. The Post Office parking lot is well lighted except the entrance way. With good mercury-vapor lighting on 49 St., this problem would be eliminated. (Present lighting on 49 St., is about equal to 43 Ave., above noted).
11. The new parking lot at 49 St., and 49 Ave., (Hudson Bay) is over lighted. We could quite safely reduce the size of fixtures here.
12. Our old incandescent fixtures show a gross inefficiency. Very bright spot under the fixture, but fades out to nearly zero at 50 feet. We are gradually replacing these and tests would indicate a stepped-up program would be in order. (How about Government Winter Work Program?)

I feel the use of this meter has been most helpful as we can now formulate our own plans without relying on vague descriptions from other Cities, and sales talks from our suppliers.

Yours truly,
O.C.Mills,
Elec. Supt.

NOTE:

We feel the above report is of great interest and therefore have submitted same to Council for comments if any.

With respect to "Winter Work" program, it probably would be a good idea to check and see if it can be claimed.

Also suggest if Council wish to consider a "stepped-up" program, we have a detailed report prepared of cost, and how the budget for street lighting stands this year.

COMMISSIONERS.

Analysis of Parking Meter Collections for the Week Ending June 29,1960

<u>Location:</u>	<u>June 29/60.</u>	<u>Revenue Per Meter</u>	<u>June 3/59.</u>	<u>Revenue per Meter</u>	<u>No. of Meters.</u>
1. Post Office Parking Lot	104.14	1.03	113.77	1.13	101
2. Gaetz Ave. West Side 52 St. to 53 St.	3.91	.98	4.42	1.11	4
3. Gaetz Ave. East Side 52 St. to 53 St.	10.28	1.71	9.49	1.58	6
4. Meters removed see below					
5. " " " "					
6. 51 St. North side 49 Ave. to Gaetz Ave.	12.68	.70	22.25	1.24	18
7. 51 St. South Side 49 Ave. to Gaetz Ave.	14.76	.82	19.95	1.11	18
8. Ross St. North Side 48 Ave. to 49 Ave.	30.87	.81	33.63	.88	38
9. Ross St. South Side 48 Ave. to 49 Ave.	11.66	.45	18.22	.70	26
10. Ross St. North Side 49 Ave. to Gaetz Ave.	39.26	2.06	44.88	2.36	19
11. Ross St. South Side 49 Ave. to Gaetz Ave.	34.53	1.80	37.73	1.98	19
12. Ross St. North Side Gaetz Ave. to 51 Ave.	49.58	2.16	45.58	1.98	23
13. Ross St. South Side Gaetz Ave. to 51 Ave.	47.46	2.37	43.04	2.15	20
14. 49 Ave. East Side Ross St. to 49 St.	7.68	.77	8.27	.83	10
15. 49 Ave. West Side Ross St. to 49 St.	8.27	1.38	8.17	1.36	6
16. 49 St. North Side 49 Ave. to Gaetz Ave.	19.79	1.52	22.12	1.70	13
17. 49 St. South Side 49 Ave. to Gaetz Ave.	15.43	1.02	18.85	1.26	15
18. 49 St. North Side Gaetz Ave. to 51 Ave.	11.50	1.28	12.68	1.41	9
19. 49 St. South Side Gaetz Ave. to 51 Ave.	21.97	1.83	19.59	1.63	12
20. 48 St. Northside 49 Ave. to Gaetz Ave.	13.00	.81	8.43	.53	16
21. 48 St. South Side 49 Ave. to Gaetz Ave.	10.55	.75	11.79	.84	14
22. Meters removed see below					
23. " " " "					
24. 51 St. Parking Lot	10.26	.36	12.76	.46	28
25. 48 St. North Side 50 Ave. to 51 Ave.	6.13	.76	6.10	.76	8
26. 52 St. South Side 49 Ave. to 50 Ave.	24.00	2.19	13.05	1.19	11

<u>Location</u>	<u>June 29/60</u>	<u>Revenue Per Meter</u>	<u>June 3/59</u>	<u>Revenue Per Meter</u>	<u>No. of Meters.</u>
27. 52 St. Northside 49 Ave. to 50 Ave.	19.17	2.13	13.39	1.49	9
28. 51 Ave. West Side 52 St. to Ross St.	5.63	.63	6.09	.68	9
29. 51 Ave. East Side Ross St. to 49 St.	18.05	1.39	14.34	1.10	13
30. 51 Ave. West Side 49 St. to 48 St.	22.29	1.31	17.08	1.00	17
31. 51 Ave. East Side 49 St. to 48 St.	9.90	1.65	7.21	1.20	6
32. 51 Ave. West Side 48 St. to 47 St.	2.58	.22	1.77	.15	12
33. 51 Ave. East Side 48 St. to 47 St.	2.39	.17	1.11	.08	14
34. Meters removed see below					
35. '8 St. South Side Gaetz Ave. to 51 Ave.	4.91	.30	10.10	.63	16
36. 51 Ave. North Parking Lot	25.13	.79	15.28	.48	32
37. 51 Ave. South Parking Lot	32.39	1.24	32.33	1.24	26
4.& 5. Gaetz Ave. 51 St.) To 51 St. E. & W.)					
22.& 23. Gaetz Ave - 48 St.) TO 49 St. E. & W.)					
34. Gaetz Ave.-47 St.) To 48 St. W.S.)	48.14	1.15	53.67	1.28	42
TOTAL:-	\$698.29		\$707.14		630

Respectfully submitted,
R.N. McGregor,
City Treasurer.