

File

A G E N D A

For the Regular Meeting of RED DEER CITY COUNCIL
to be held in the Council Chambers, City Hall,
MONDAY, AUGUST 29, 1983, commencing at 4:30 p.m.

- (1) Confirmation of the August 15, 1983 minutes

PUBLIC HEARINGS

A Public Hearing is scheduled for 7:00 p.m., Monday, August 29, 1983,
respecting Bylaw 2672/L-83 (p.73)

- (2) UNFINISHED BUSINESS

- 1) Asst. City Clerk - Re: Financing of Westerner Relocation .. 1
(Note: Page 4 has been deleted)
- 2) F.C.S.S. Board - Re: 1982 F.C.S.S. Review .. 9
- 3) City Clerk - Re: Proposed Referendum on General Disarmament .. 11
- 4) City Clerk - Re: Land Use Bylaw Amendment 2672/F-83
Public or Quasi Public Buildings/Remand Centre .. 20

- (3) REPORTS

- 1) City Clerk - Re: Disposal of Public Reserve
 - a) Lot 4R, Plan 386 N.Y.
 - b) Remainder of Lot 3MR, Block 1, Plan 802-2704 .. 38
- 2) Landlord & Tenant Advisory Board - Re: Annual Report
August 1/82 - July 31/83 .. 41
- 3) Pander Realty - Re: Foothills Motorcycle Ltd.
Offer to Purchase/Gaetz Ave. & 81 St.
Part of Lot 21-C, Blk. 9, Plan 812-2206 .. 43
- 4) R.D.R.P.C. - Re: Land Use Bylaw Amendment 2672/M-83/Deer Park .. 49
- 5) City Engineer - Re: Proposed Sidewalk Replacements .. 50
- 6) Fire Chief - Re: Fire Bylaw 2823/83 .. 51
- 7) City Solicitor - Re: Sculpture for Red Deer Society/Agreement .. 53

- 8) City Treasurer - Re: Electrical Connection Charges .. 54
Red Deer & District Family Education Society
- 9) City Assessor - Re: Property Tax Penalty/48 Hermary Street .. 56
- 10) Mayor McGhee - Re: M.L.A. Representation for The City of Red Deer.. 58
- 11) Fire Chief - Re: Ambulance Responses Outside City Limits .. 71
- 12) City Clerk - Re: Public Hearing/Bylaw 2672/L-83 .. 73
Basement Suite - 414 Terrace Park
- 13) City Clerk - Re: Checkmate Court/Storm Sewer Outfall .. 74

(4) WRITTEN ENQUIRIES

(5) CORRESPONDENCE

- 1) Mayme Arthur - Re: Proposed Basement Suite - 3241 - 55 Ave. .. 76
- 2) Central Alta. Pioneers' & Oldtimers' Association - Re: Pioneer
Lodge Boundaries .. 81
- 3) Super Country Radio CKGY & Parkland Mall - Re: Sunday & Holiday
Closing Bylaw .. 87
- 4) Waskasoo Museum Foundation - Re: Red Deer 75th Anniversary
Heritage Fund/Agreement .. 92
- 5) County of Red Deer - Re: Water Service South of City .. 96

(6) PETITIONS & DELEGATIONS

(7) NOTICES OF MOTION

(8) BYLAWS

- 1) 2672/F-83 - Public or Quasi Public Buildings/Remand Centre - 3rd reading
p.20
- 2) 2672/L-83 - Basement Suite, 414 Terrace Park - 2nd & 3rd readings p.73
- 3) 2672/M-83 - Land Use Bylaw Amendment - Single Family Lots/Deer Park -
1st reading p.49
- 4) 2823/83 - Fire Dept. Bylaw - 3 readings p.51

A D D I T I O N A L A G E N D A

For the Meeting of RED DEER CITY COUNCIL to be held in the
Council Chambers, MONDAY, AUGUST 29, 1983, commencing at
4:30 p.m.

UNFINISHED BUSINESSNO. 1

August 16, 1983.

TO: City Council
FROM: Asst. City Clerk

RE: Financing of the Westerner Relocation

The attached report dated August 4, 1983, from the City Treasurer concerning the above topic was presented to Council, August 15, 1983, and at which meeting the following resolution was introduced.

Moved by Alderman Hood, seconded by Alderman Kokotailo

"RESOLVED that Council of the City of Red Deer having considered report dated August 4, 1983 from the City Treasurer re: Financing of The Westerner Relocation, hereby agree that the 1982 and 1983 debenture payments be funded as outlined in the aforementioned report presented to Council August 15, 1983 and in accordance with the recommendations from the City Commissioners."

Prior to voting on the above motion, it was agreed the item be tabled for two weeks pending a report on the status of land sales on the old Exhibition Site and the Highway Commercial Strip between the new Westerner location and Highway No. 2.

Enclosed herewith is further information from the Administration as requested by Council.

C. Sevcik
Asst. City Clerk

CS/ds

Encl.

August 4, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: FINANCING OF THE WESTERNER RELOCATION

In 1979 City Council agreed to pay for the costs of servicing a new site for the Westerner. The estimated servicing costs were \$3,500,000.

The servicing costs were proposed to be funded from the sale of part of the old site and a strip of the new site. It was anticipated in 1979 that this should recover \$3,950,000 after servicing costs were deducted.

Since the decision to proceed with relocation was made, conditions have changed significantly.

1. There is very little market for residential or commercial property.
2. Land values have stagnated and not kept pace with inflation.
3. Carrying charges have increased the original servicing cost significantly.

It now appears that the land that will be available for sale will sell very slowly. During the period it takes to sell the land, it is expected land values will increase very little (if at all). The servicing costs for the new Westerner site, however, will keep increasing because of carrying costs until the servicing costs are offset by sale proceeds.

At December 31, 1982 the servicing costs for the New Westerner site were \$4,800,000 (including carrying charges). The projected net proceeds from land sales were \$2,300,000. This means

...2

that a shortfall of at least \$2,500,000 can be anticipated in funding the Westerner relocation. Unless land values begin increasing, it is expected this shortfall will increase due to carrying charges.

A debenture was issued in 1981 to fund the Westerner servicing costs until recoveries were received from land sales. As at least \$2,500,000 is now expected to not be recovered, the debenture payments related to the \$2,500,000 should be funded from property taxation. This means that provision should be made for payment of the 1982 and 1983 debenture payments. Starting in 1984, the debenture payment will have to be funded in the operating budget.

It is recommended the 1982 and 1983 debenture payments should be funded as follows:

<u>Payment Year</u>	<u>Payment Amount</u>	<u>Funding Recommended</u>
1982	\$291,544	Unallocated Municipal Debt Reduction Reserve
1983	292,744	1983 Operating Accounts possible surplus

Starting in 1984, an annual provision of approximately \$294,000 will be required in the operating budget to fund the debenture payment.

Council approval of the recommended funding is respectfully requested.



A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

cc: City Engineer
City Commissioner
Mayor

Commissioners comments:

We would concur with the recommendations of the City Treasurer with respect to the 1982 and 1983 payments of budgetary payments for 1983 and subsequent years. As Council is aware, negotiations are in progress for the sale of a portion of the old Exhibition Site to Alberta Housing Corporation for a senior citizens facility. Accordingly, we would recommend that future budgetary provisions be reviewed in the light of actual sales.

"R.J. McGHEE" Mayor

"M. C. DAY" City Commissioner

1983 08 22

TO: Assistant City Clerk
FROM: City Assessor

RE: Financing of the Westerner Relocation

Our comments to your memo of August 16, 1983, will be restricted to the status of the "old site" as we trust the Economic Director will comment on the commercial land adjacent to the new site.

To date there have been no sales of the multiple family sites proposed for the "Old Exhibition Grounds". This is largely due to the length of time it has taken to finalize a subdivision plan for this area incorporating the configuration of the site required by the Alberta Housing Corporation for the development of a multi purpose facility to be utilized by senior citizens.

This use was approved in principle on July 19, 1982, by City Council and as of June 9, 1983, negotiations as to the size and location of the site were finalized.

In view of this agreement, a legal survey is being proceeded with, encompassing the proposed multiple family sites and the lands to be retained by the Waskasoo Park.

Negotiations with Alberta Housing Corporation are based on them acquiring 1.949 ha (4.82 ac) of the total area of 5.200 ha (12.85 ac±).

The sale of multiple family sites throughout the City has been in a dormant state for the past two years, with the presnet City inventory standing at 10.31 ha (25.48 ac) excluding sites on Old Exhibition Grounds.

A further report on the negotiations with Alberta Housing Corporation will be forthcoming to Council once appraisals have been received on the market value of these sites.

D. J. Wilson, A.M.A.A.

WFL/bt

August 16, 1983

TO: CITY CLERK

FROM: DIRECTOR OF ECONOMIC DEVELOPMENT

RE: COMMERCIAL LAND STRIP AT NEW WESTERNER SITE

The attached report of May 15, 1981, reflects our thoughts on values for the 17 acres of commercial land adjacent to the new Westerner site of somewhat more than two years ago. Given the circumstances of the past two years, it may well be realistic to suggest that the current value is not much different than what was anticipated in May of 1981. At that time, based upon market value and the sale price of adjacent land, we suggested a net value of \$100,000 - \$125,000 per acre for this land. I feel that a selling price of something nearer to \$125,000 is realistic in today's market. Recently, the City acquired some right-of-way for the development of future roads on the property immediately north of this commercial strip. The agreed to selling price was \$3.18 a square foot or \$138,520 per acre.

We have had several requests from potential purchasers interested in locating on this strip. However, in every case the interested party has shied away from acquiring land in the area because of the uncertainty over the future road structure and the intended access. It appears that the final plan is still up in the air and it is difficult therefore for a prospective purchaser to make a decision on locating in the area. I feel that once a final decision is made with respect to the design of the interchange to the west of this property, activity will pick up and interest improve. However, it would certainly help if we could have a hasty decision on the design of the interchange.

Thank you.

ALAN SCOTT, Director
Economic Development

AVS/gr

May 15, 1981

TO: CITY CLERK, BOB STOLLINGS

FROM: DIRECTOR OF ECONOMIC DEVELOPMENT, ALAN SCOTT

RE: CORRESPONDENCE FROM WESTERNER

You asked in your memo of May 6th, 1981, that we provide you with current information as to values of commercial property fronting on Gaetz Avenue.

The City of Red Deer is currently selling Gaetz Avenue frontage property in Northland Industrial Park for \$177,132.00 per acre. Light industrial land located one block off Gaetz Avenue in the same park, is priced at \$79,520.00 per acre. Industrial and commercial land, in the next quarter south of the Westerner site, located in the County of Red Deer, is priced at \$125,000.00 per acre for land approximately one block from Highway 2A, with the remaining land priced at \$75,000.00 per acre.

The City of Red Deer is currently in the process of reviewing industrial and commercial land prices, and we feel that slight increases will be reflected when this review is completed. In addition, it has been Council policy in the past, to discount commercial land 10% because of the building commitments, etc.

The commercial land located on the west side of the Westerner site has a certain uniqueness. Because of the intended re-design of the Gaetz Avenue/ Highway 2 interchange, the commercial land cannot be considered as having true Gaetz Avenue frontage. It would appear from the plans I have seen, that there will be a considerable green area between the main road and the commercial land. In addition, access to this land will be restricted to a point south of the development, and a second point located north of the development. For this reason, we feel that the resulting commercial area will have somewhat less appeal than our existing highway commercial land.

In view of the design of the area, and the related access difficulties, current prices of somewhat similar land, and anticipated increases to City owned land, it is the administration's opinion that the market value of the commercial land on the west side of the Westerner site would be in the range of \$110,000 to \$140,000 per acre. Should Council intend to continue with the standard discount policy of 10%, we would suggest a net value of \$100,000 to \$125,000 per acre.

Respectfully submitted,

ALAN SCOTT, Director
Economic Development

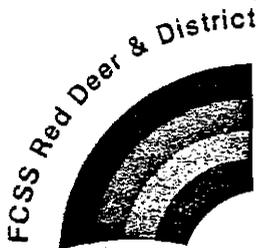
AVS/gr

Commissioners' Comments

The attached reports were requested by Council August 15, 1985. With respect to the Commercial land adjacent to the new site the problem of the interchange is currently being addressed by Alberta Transportation and some information could possibly be available by late this fall. The survey and registration of the old Exhibition site should be complete by approximately the end of this year.

'R.J. MCGHEE'
Mayor

'M.C. DAY'
City Commissioner



Family and Community Support Services
Box 5008
City Hall
RED DEER, Alberta T4N 3T4
342-8100

9.

NO. 2

August 22 1983

Mayor McGhee and Members of Council
City of Red Deer
RED DEER, Alberta

Dear Mayor McGhee and Members of Council:

RE: 1982 FCSS Review

If you will recall, the Review of the Red Deer and District Family and Community Support Services Program was completed in June, 1982 at which time the final report prepared by Strong Hall and Associates was forwarded to all members of your Council for information. Along with that report our Board indicated its intent to study the report over the following months in order to prepare a response to the recommendations contained in the report. We have taken more time than we had initially planned to study the report but we are now ready to outline to you and your Council our intended course of action over the next few years.

For the information of your Council we circulated a short version of the FCSS Review Report to a large number of people in the community and then solicited feedback as to how people felt about the recommendations. This took a few months. The FCSS Department staff then prepared a report for the consideration of the Board. Our Board then held two special meetings to discuss the recommendations and the proposed response to the recommendations and concluded with the attached final report.

We would urge your Council to question any parts of this follow-up report for clarification. We would then request that you adopt this follow-up report as a guideline for future activities in the Red Deer and District FCSS Program as indicated.

We thank you for your past support and hope that you feel as positively as we do about the Review that was conducted.

Sincerely,

Bill Hazlett, Chairman
RED DEER AND DISTRICT
FAMILY AND COMMUNITY SUPPORT SERVICES BOARD

RA/rl

Attachment

Commissioners' Comments

We are submitting the attached for the information of Council only at this time and we recommend that consideration be tabled for two weeks to allow Council opportunity to review the report and receive comments of the Commissioners.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 5

20 July 1983

TO: CITY COUNCIL
FROM: CITY CLERK

RE: PROPOSED REFERENDUM ON GENERAL DISARMAMENT

The attached report and material was presented to Council May 9th, 1983 and at which meeting it was agreed that said matter be tabled to July 31, 1983 pending the outcome of the ruling of the Court of Queens Bench in Edmonton on a similar question.

At the July 18th meeting of Council, it was agreed that the matter be further tabled to the August 29th meeting as the Court Hearing was scheduled for August 16th.

We understand from the news media that a Court decision has now been rendered and Council may proceed with a referendum on this topic.

The question which must now be established without delay is the form of the ballot and accordingly, we seek Council's direction in this regard.

Respectfully submitted,

R. STOLLINGS
City Clerk

April 8, 1983.

TO: Council
FROM: City Clerk

RE: Proposed Referendum on General Disarmament

In November of 1982, Council passed a resolution agreeing that a referendum on General Disarmament be held in conjunction with the next municipal election.

Since the above date we have received correspondence from the A.U.M.A. (copy attached) and an opinion from Mr. Chapman, the City Solicitor (provided to members of Council)

In view of the legal opinions submitted, we felt it advisable to again place this matter before Council for review.

Our main concern would be the risk of having our entire election declared invalid should someone be successful in challenging the action of the City to hold a plebiscite on a matter not within the municipal jurisdiction.

While we have no personal views as to whether or not this question should be placed before the electorate this fall, we would suggest that an alternate method of obtaining the opinions of the electors could be achieved by preparation of a petition for signing by any interested person. Copies of such petition could be placed in various locations throughout the City and may well result in more persons expressing their views than would be the case at a general election where we have generally only received a 25-40% turnout of eligible electors.

The petition could be prepared on the same basis as the proposed ballot thereby enabling residents to express their opinions either for or against the question at hand. Furthermore, the petition could be commenced immediately rather than waiting until October.

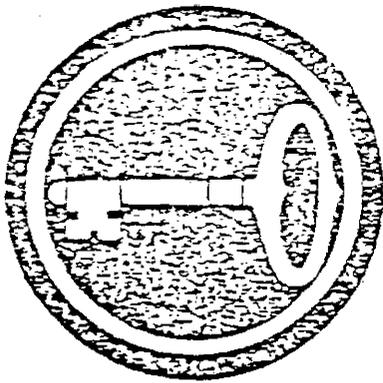
At the expiration of a given period of time, the petition could be analyzed and the results (expressed in terms of percentage of eligible residents if Council so wish) forwarded to the Prime Minister and the Secretary-General of the United Nations.

A further alternative to holding the referendum in conjunction with the civic elections, would be to hold such referendum on another date entirely. This would eliminate the risk of having the general election declared invalid because of the inclusion of the specific question under discussion.

The latter alternative would of course be considerably more costly than holding a vote at the general election or preparation and handling of a petition.

Consideration of Council is respectfully requested.

R. Stollings
City Clerk



OPERATION DISMANTLE

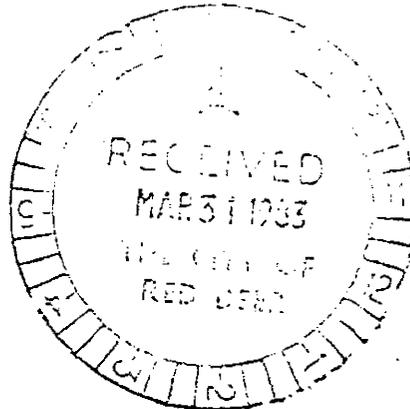
13.

CALGARY CHAPTER
BOX 308, STATION "M", CALGARY, ALTA. T2P 2H9

289-1396

BRENDA WEAVER
CALGARY PRESIDENT
T. JAMES STARK
NATIONAL PRESIDENT

28 March, 1983



Dear Mayor Mc Ghee

We were extremely disturbed to learn that you and all other mayors in Alberta had been sent a letter from the Alberta Urban Municipalities Association which expressed some truly doubtful opinions regarding municipal referendums on disarmament. We are writing this letter to you, and to all other mayors in Alberta, to present what we know to be the facts and to make sure that you are aware of alternative opinions, and of the history of this issue in other provinces.

As you will see from the enclosed memorandum, according to s.112 of Alberta's Municipal Government Act, a council may pass by-laws (a) for the peace, order and good government of the municipality, and (b) for promoting the health, safety, morality and welfare thereof.

In November, 1982, responding to an application for a Court injunction that would block Ottawa's referendum, Ontario Supreme Court Justice O'Brien ruled that there would be "no irreparable harm...caused by permitting the city (of Ottawa) to proceed with the by-law" (that would allow the disarmament referendum). City of Ottawa lawyer Doug Wallace argued further that it was "hard to think of anything else which more directly affects the health, safety, welfare and morality of the inhabitants."

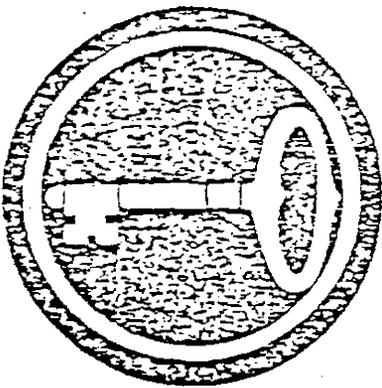
In B.C. also, Supreme Court Justice Patricia Proudfoot ruled that disarmament referendums should be seen as within municipal jurisdiction because the Municipal Act should be interpreted broadly; she said further that the issue of nuclear weapons proliferation affects "not only the municipality, but the entire universe."

It is interesting to note that in Quebec and Saskatchewan municipal referendums have been conducted without question. In total, the number of referendums conducted to date is 123.

We would also like to point out that the question of the cost of holding a referendum has apparently been misrepresented to the City of Calgary. The media in Calgary reported that conducting such a referendum at the time of the civic election would cost \$25 000--a figure approximately four times the real cost! (The referendum in Ottawa cost about 2/3 ¢ per capita; we believe Calgary's referendum would cost about \$4 500.)

OPERATION
DISMANTLE

14.



CALGARY CHAPTER
BOX 308, STATION "M", CALGARY, ALTA. T2P 2H9

BRENDA WEAVER
CALGARY PRESIDENT
T. JAMES STARK
NATIONAL PRESIDENT

It is not logical to state that the issue of nuclear weapons proliferation is outside municipal jurisdiction since cities of 25 000 or more would be prime targets in any future nuclear attack. Cities would have first responsibility for "cleaning up" after any such an attack and, since facilities presently existing for such "clean up" are inadequate, then clearly city councils do have the duty of doing all within their power to prevent nuclear war.

We believe that holding municipal referendums serves two important purposes: people are gradually getting educated about the present precarious situation with regard to the arms escalation; and the municipal referendums bring a global referendum closer to reality. Because we believe that the arms race is by far the most urgent current world problem, we are committed to getting to the truth in these matters, and we will persist in this work until we have achieved referendums throughout Canada.

Yours very truly,

(Mrs.) Brenda Weaver



alberta urban municipalities association

15.

8712 - 105 STREET
EDMONTON, ALBERTA T6E 5V9
TELEPHONE: 433-4431

February 7, 1983

TO: Mayors and Councils,
All Member Municipalities

FROM: T.P. Buchanan,
Executive Director

RE: Plebiscites Respecting Nuclear Disarmament

We are enclosing herewith a copy of a letter from the Association's solicitors regarding the above noted matter.

The Board of Directors of A.U.M.A. received this letter at its meeting held February 3rd and we have been instructed to forward a copy to all members. A news release on Edmonton Radio stations states that the Minister of Municipal Affairs indicates that the matter is not within the jurisdiction of either the Provincial or Municipal Governments.

We trust this information may be of some assistance to you.

Yours very truly,

T.P. (Tom) Buchanan

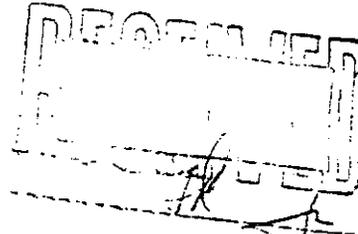
BROWNLEE FRYETT
BARRISTERS AND SOLICITORS

Agenda Item 9 (b) (iii)
Board Meeting
February 3, 1983

16.

JOHN E. BROWNLEE, Q.C., LL.D. (1884 - 1961)
ALAN M. BROWNLEE, Q.C. — RETIRED

*GARTH FRYETT, Q.C.	*ERNEST J. WALTER
*WILLIAM S. SOWA (ALSO MEMBER B.C. N.W.T. YUKON BARS)	*PAUL G. SULLY
*LLOYD E. MALIN	*SIMEN FIALKOW
*HAVELOCK B. MADILL	*PETER T. COSTIGAN
*LEO J. BURGESS	*DAVID R. SYME
LIONEL H. WHITTAKER	DAVID F. REAY
ROBERT C. STEMP	RAYMOND C. PURDY
RAYMOND B. HANSEN	



TELEPHONE 429-4821
AREA CODE 403

803 CHANCERY HALL
33 SIR WINSTON CHURCHILL SQUARE
EDMONTON, ALBERTA, CANADA

T5J 2C9

YOUR FILE

OUR FILE: 11,230/EJW/LJB

January 27th, 1983

Alberta Urban Municipalities
Association
8712 - 105th Street
Edmonton, Alberta
T6E 5V9

ATTENTION: J. C. (JIM) MASSON
DIRECTOR OF ADMINISTRATION

Dear Sir:

RE: PLEBISCITES RESPECTING NUCLEAR DISARMAMENT

You have requested our opinion in respect to the authority of a municipal council to hold a plebiscite on the matter of nuclear disarmament. Also, you have requested our opinion in respect to the potential liability, if any, upon individual councillors who vote in favor of holding such a plebiscite.

The general power of a municipality to put a plebiscite or question to the municipality's electors is set forth in section 119 of the Municipal Government Act. This section provides:

"119(1) A council may provide for the submission to the electors or proprietary electors of any municipal question or plebiscite not specifically authorized by this Act, but over which a council has jurisdiction.

(2) A council may make any expenditure it considers necessary and advisable to provide information to the electors on any bylaw or question that is to be submitted to a vote."

Section 119 makes it clear that the authority con-

ferred therein relates to "municipal questions" over which the council has jurisdiction. A municipal corporation can only exercise jurisdiction over a matter if the municipality has been authorized to do so, either expressly or by implication, by appropriate legislation. Being a statutory corporation, a municipality cannot exercise powers which are not conferred upon the municipality by statute. Therefore unless the proposed plebiscite is authorized under section 119, or other legislation, a municipality does not have the authority to conduct such a plebiscite.

The actual implementation of any scheme for nuclear disarmament is a matter which, in our opinion, is obviously beyond the jurisdiction of a municipal corporation. The authority in respect to such matters unquestionably lies with the Federal Government both in respect to the conduct of Canadian internal affairs and arrangements between Canada and other countries. However, the purpose of the proposed plebiscite, as we understand it, would not be to take direct action on nuclear disarmament, but rather, would be to allow citizens within a community to express an opinion in an attempt influence the Federal Government. It would appear that the Provincial Government would have sufficient jurisdiction to permit a municipality to undertake a plebiscite for this limited purpose. However, in our opinion, the existing legislation is not sufficiently broad enough in scope to permit a municipality to undertake a plebiscite of the type contemplated.

By way of summary of our foregoing comments, it is our opinion that the type of plebiscite being proposed is not within the jurisdiction of an Alberta municipality because such a plebiscite is not authorized by section 119 of the Municipal Government Act nor any other statutory provisions currently in force.

The consequences of an individual councillor voting in favor of the holding of such a plebiscite are perhaps less clear. Undoubtedly, councillors have an obligation to properly manage the financial affairs of the municipality. This obligation would make it improper for a councillor to authorize the expenditure of municipal funds for a purpose beyond the jurisdiction of the municipality. As a general rule, the individual councillor would be personally liable if the councillor authorizes municipal funds to be improperly expended for a purpose beyond the power of the municipality. The text book The Law of Canadian Municipal Corporations by I.M. Rogers, at page 149 states the general rule as follows:

"The council and its members also act in a fiduciary capacity in relation to corporate funds; the council can only disburse monies from the trust fund under its control to persons who have legal claims to it. Payment to one who has no such legal claim is a breach of trust for which the members are responsible. Local representatives are therefore liable to the municipal corporation for all monies illegally paid out."

Jim Masson
 January 27th, 1983
 Page 3
 11,230/EJW/LJB

And at page 214:

"On general principles councillors are liable to the municipality for all monies illegally paid out and for the value of all corporate property wrongfully diverted with their concurrence and may be compelled to reimburse the corporation where they have passed a resolution awarding funds for an illegal purpose."

The general rule, as stated above has, however, been tempered as a result of various judicial decisions. The Courts, in certain cases, have relieved councillors of personal liability in a manner similar to the relief which can be granted to trustees in the right circumstances. Where councillors while acting honestly and reasonably, have committed a breach of trust in the course of making an authorized expenditure of municipal funds, the Courts, in the exercise of their equitable jurisdiction, have found councillors not to be personally liable for the wrongful expenditure of municipal funds.

If a municipal council authorizes the holding of a plebiscite of the type being proposed, the municipality undoubtedly will expend funds for the purposes of holding the plebiscite. In our opinion, the authorization of such an expenditure will be personally liable for the funds wrongfully expended. However, in our opinion, the Courts would also have the discretionary right to absolve an individual councillor of any personal liability if it can be shown that the councillor has acted honestly and in a reasonable manner.

We trust that the foregoing has adequately answered your inquiry. If you have any further questions respecting this matter, please do not hesitate to contact our office at your convenience.

Yours truly,
 BROWNLEE FRYETT

LEO J. BURGESS

LJB:nh

Commissioners' Comments

From a legal standpoint we recommend Council rescind their previous motion authorizing the referendum and as an alternate we would suggest that a petition be made available at City Hall for those persons wishing to express their opinion on the topic at hand.

"R.J. MCGHEE"
 Mayor

"M.C. DAY"
 City Commissioner

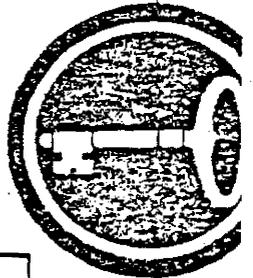
Commissioner's comments

Recommend this item be further tabled to the August 29th meeting of Council.

"J. OLDRING"
Deputy Mayor

"M.C. DAY"
City Commissioner

DO YOU SUPPORT THE GOAL OF "GENERAL DIS-
ARMAMENT" AND MANDATE YOUR GOVERNMENT
TO NEGOTIATE AND IMPLEMENT, WITH OTHER
GOVERNMENTS, THE BALANCED STEPS THAT
WOULD LEAD TO THE EARLIEST POSSIBLE
ACHIEVEMENT OF THIS GOAL?



YES

NO

Commissioners' Comments

The draft form of question shown above was taken from information received from Operation Dismantle. Is this form of ballot acceptable to Council.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 4

August 24, 1983.

TO: City Council

FROM: City Clerk

RE: Land Use Bylaw Amendment No. 2672/F-83
Public or Quasi Public Buildings/Remand Centre

Council will recall that a public hearing was held in regard to the above noted Bylaw on June 20, 1983, and at which meeting second reading was also given to the aforesaid Bylaw.

Third reading of the Bylaw was withheld pending receipt of further information from the Solicitor General's Department including a public meeting to answer all of the concerns of the citizens.

The matter is now being brought back to City Council as the public meeting has been held and enclosed herewith for Council's information is a copy of the following:

1. Report from the City Commissioners to Council dated August 24, 1983
2. Correspondence from the Asst. City Clerk dated June 21, 1983 to the Solicitor General
3. A brief summary extracted from Mr. Harle's letter of May 5, 1983
4. Correspondence dated May 5, 1983, from the Solicitor General to Mayor McGhee

Council may wish to give this Bylaw 3rd reading at this time.

R. Stollings
City Clerk

August 24, 1983

TO: CITY COUNCIL
FROM: COMMISSIONERS

INTRODUCTION

Since our Police Station was built in 1972, which incorporates capacity for:

14 male detention inmates
4 female detention inmates
2 juvenile detention inmates
inebriates cell

the need for increased capacity for the holding of those who have broken the law, has increased substantially. At present, our facilities are only used for detention, for the holding of inebriates, and occasionally remanded prisoners on an overnight basis during the course of a trial. All remanded prisoners are held in either Calgary or Edmonton.

The present facilities are inadequate, even for this load, and some provision must be made to increase this capacity.

The proposal by the Provincial Government for a Correctional Centre in Red Deer is designed to meet this need.

NEED AND SIZE

In the study undertaken by the Government, an analysis of the number of inmates in the correctional system from Red Deer and the Central Alberta area has indicated that there is an urgent need to provide additional capacity.

In the study, two methods have been used to ascertain the present requirement and estimate the future growth so that capacity can be built into the facility so that it may adequately serve for a number of years into the future.

The first method is essentially based on an overall Provincial Average of inmates per capita applied to population projections, and the second method is based on an actual count of inmates per capita for the Red Deer area also applied to the population projections. In each case, the inmates per capita figure has been further analyzed into sentenced inmates, remand and detention.

Page 2

The population projections used in the study are as follows:

	<u>1981</u>	<u>1986</u>	<u>1991</u>	<u>1996</u>
Projected Population	179,870	211,347	246,220	280,198
Growth Rate	(1.000)	(1.175)	(1.165)	(1.137)

These figures lie between the high growth projections and the low growth projections prepared by the Red Deer Regional Planning Commission, and thus represent an average or more realistic projection.

In the first method of projection, an overall Provincial average of 89.8 inmates per 100,000 population was used as a starting point, and the second method of projection using actual counts for the Red Deer area yield an average of approximately 108.3 inmates per 100,000 population. It can be seen that the number of inmates per capita for the Red Deer area is somewhat higher than the Provincial average. There are a number of reasons for this, one of which is the extremely rapid growth rate over the last few years. In the long run, however, Red Deer should move closer to the Provincial average, and the study has been based on a figure more closely approximating the Provincial Average.

Further analysis has been done to separate out the sentenced population from these figures and deal only with remand and detention figures. Two graphs are attached which display remand and detention populations over the last two year period.

Resulting from this analysis, the Government is proposing to provide capacity for:

- 32 male remand inmates
- 24 male detention inmates
- 8 female remand and detention inmates

In addition, capacity is provided for:

- 8 male remand and detention young offenders
- 4 female remand and detention young offenders

There is little documentation in the study which justifies the figures for young offenders, but when looked at in relation to the adult population, they do not appear to be unreasonable, and certainly segregation is to be desired.

Beyond the Remand and Detention facilities, it is proposed that capacity also be provided for the following:

- 16 male minimum security sentenced inmates
- 4 female minimum security sentenced inmates

It is proposed that only these inmates who are serving intermittent sentences (weekend servers and day release prisoners), are arrested for nonpayment of fines or who are on the last part of their sentence would be included in this category. These inmates are classified as minimum security and are not a risk to the community. Most of these inmates are those who would be housed in a facility such as a half way house if one were to exist in the area. Further, it is anticipated that as the demand for remand and detention capacity increases in the future as a result of growth, alternative arrangements can be made for this category of inmate and the 20 spaces be reallocated for remand and detention.

LOCATION

In the study, an extensive evaluation was carried out of nine different potential sites. Each site was initially examined in terms of six different factors as listed below:

1. Proximity to the Court House
2. Adequate Site Size
3. Ease of Acquisition
4. Compatibility with the area
5. Proximity to other agencies
6. Unimpeded site

While the significance of these factors is readily apparent, it might be worth elaborating on two of them.

First, proximity to the Court House is a very significant benefit in that if a direct link can be provided, such a location would eliminate the need to escort offenders to Court by vehicle. This would substantially reduce the risk of escape and effect a significant cost saving.

Second, proximity to other agencies such as the R.C.M.P., legal aid, lawyers, other Provincial agencies and visitors is highly desirable for both the agencies involved and those unfortunate enough to be remanded or detained.

Each of the above six factors was weighted according to its significance and applied to each potential site. The result of this analysis indicate that, notwithstanding the fact that the ALCB store will have to be relocated, this site is far superior to any of the others evaluated.

Page 4

Conclusion

In trying to summarize for Council the volume of background work which has been done by the Province to arrive at its decision, we have tried to avoid reiterating information which has been presented at various Public Information meetings and made available in the literature which the Province has presented at these meetings. Rather, we have tried to summarize the information pertaining to these areas of greatest public concern; need, size and location.

That there is a need for a remand/detention facility can hardly be disputed as all remand inmates from the Red Deer area are currently housed in either Calgary or Edmonton and experience with our present detention facility indicates that it is overloaded.

The size proposed by the Government has been based on factual evidence of current rates of incarceration and projected forward using a reasonable average growth rate, thus providing adequate capacity for the facility to serve for some time into the future.

Of the potential locations reviewed, the proposed site is by far the best, and if for security reasons alone, best serves the interests of the community.

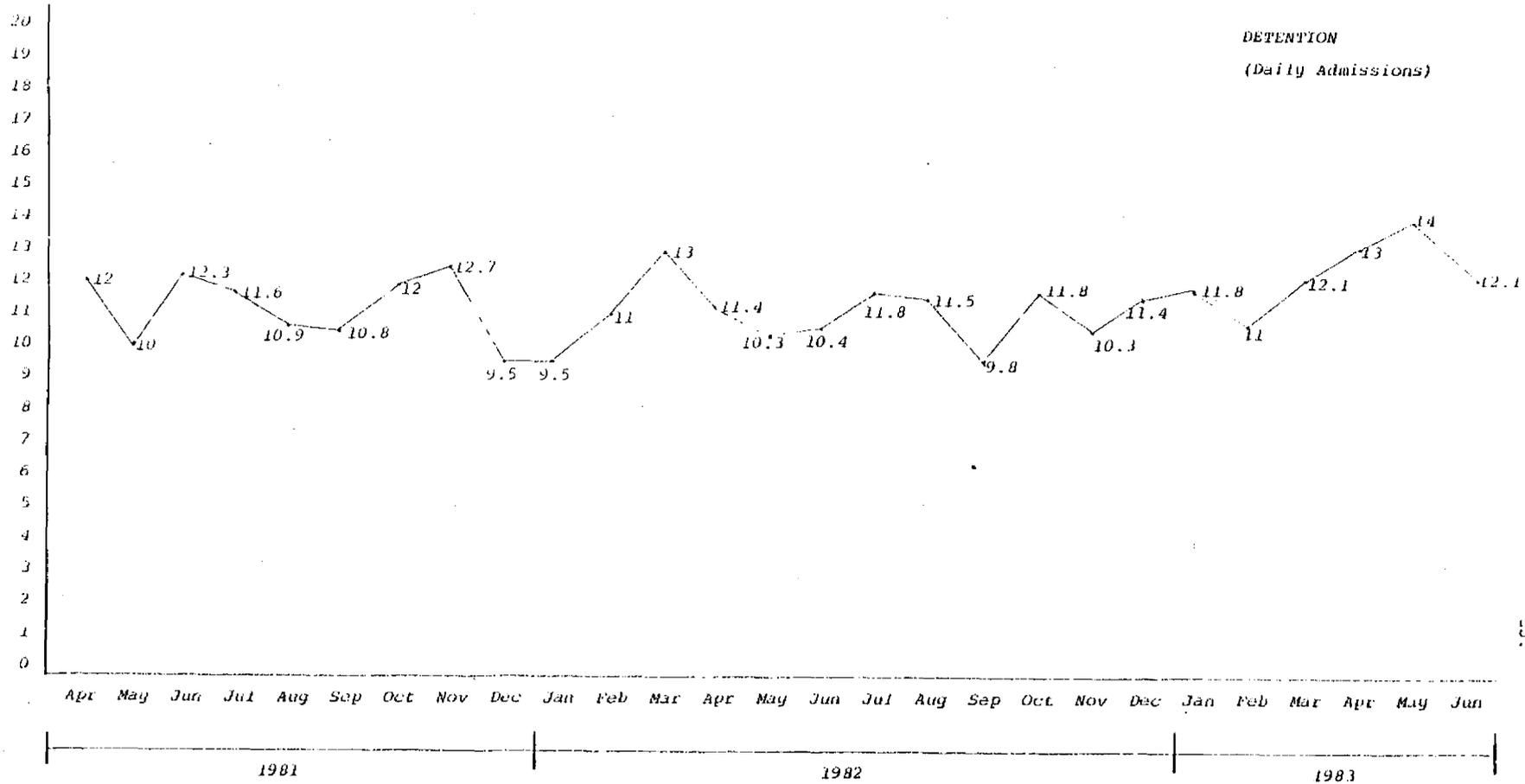
With respect to the one other public concern, the potential for future conversion of the facility to a goal, we are absolutely satisfied that this could not happen. For long term incarceration, adequate exercise and work facilities are essential. These are not being provided to the level necessary and the site is inadequate to meet these needs. To quote from the letter of 4th July, 1983, from the Solicitor General, "There is virtually no possibility that the facility could be converted for use by sentenced inmates which I take from the expression "jail" used in the letter as sentenced inmates need far more space for exercise and activities (usually 30 acres or more of land)."

Following the public hearing on 20th June, 1983, Council by resolution directed that further information be obtained from the Province and in the letter sent by the City Clerk four points were raised. We believe that the foregoing answers these four concerns and we would recommend that Council proceed with third reading of the bylaw.

R.J. MCGHEE
Mayor

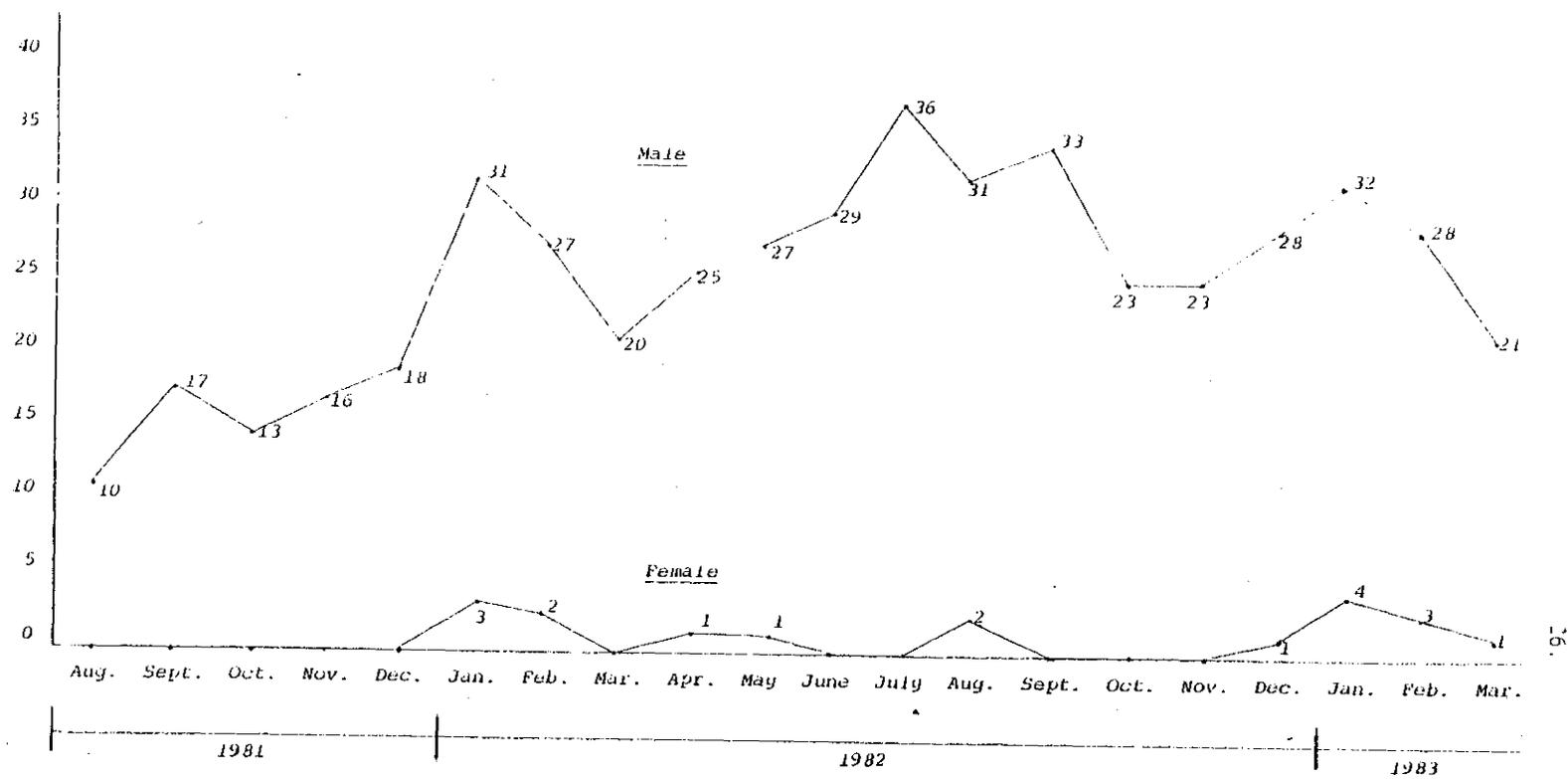
H. MICHAEL C. DAY
City Commissioner

HMCD/dk



REMANDS

(End of Month Population)



THE CITY OF RED DEER



27.

Office of:
CITY CLERK
342-8132

P. O. BOX 5008
RED DEER, ALBERTA
T4N 3T4

June 21, 1983

Honourable G.L. Harle
Solicitor General
Rm. 425, Legislature Building
Edmonton, Alberta
T5K 2B6

Dear Mr. Harle:

As you may be aware, Council of the City of Red Deer is in the process of passing a Land Use Bylaw amendment (Bylaw 2672/F-83) which if passed, would add the following use as a discretionary use in the C.1 Commercial (City Centre) District:

"public or quasi public buildings which without limiting the generalities of the forgoing will include:

- a) government buildings
- b) religious organizations".

This Bylaw, if passed, would allow the "Remand Centre" being proposed by the Province as a discretionary use in the Commercial (City Centre) District, subject to approval by the Municipal Planning Commission.

During the Public Hearing for the aforementioned Land Use Bylaw amendment, which was held June 20, 1983, several citizens expressed their concerns and objections to the proposed remand facility and at which time there was also a petition presented signed by approximately 6,000 persons, the wording of which is enclosed herewith.

Following the Public Hearing, Council gave second reading to Bylaw 2672/F-83 however, third reading was withheld and instead a resolution was passed as noted hereunder.

"That Council formally request the Province to release the studies commissioned on a remand centre for Red Deer and that the Solicitor General Department meet with the public to answer all the concerns of the citizens prior to third reading of Bylaw 2672/F-83."

It is our understanding that there were two studies commissioned, one to determine need, the other, location. In view of the above I would inquire, as to whether it is possible to receive a copy of these two studies as requested by Council. If for some reason it is not possible to obtain copies of these studies, some of the concerns and questions asked at the Public Hearing pertain the following:

1. What are the facts which support the need for a 104 bed remand centre?
2. What are the components of the 104 bed remand centre, i.e. 16 beds for youth offenders, 20 beds for minimum security, 24 bed detention centre, etc. What is the justification for these components?
3. What are the reasons for selection of the downtown liquor store site?
4. What are the future plans for the remand centre? Are there plans for an extension? Will it remain a remand centre or is there a possibility of conversion to a jail?

The above are some of the concerns and questions asked at the Public Hearing and are by no means all inclusive. Hence the reason for the request that your department meet with the citizens of the City to answer all of the concerns which might be expressed and to address the questions raised. Council will be deferring third reading of the bylaw until such time as the information is supplied and the public meeting held.

Trusting you will find this satisfactory and that we will receive an early response. Should you require any further information or assistance in this regard, please do not hesitate to contact the undersigned.

Yours sincerely,



C. SEVCIK
Assistant City Clerk

CS/cc

c.c. Mayor
City Commissioner
Jim McPherson, M.L.A.

b.c.c. all Council Members

WORDING OF PETITION

PRESENTED TO COUNCIL JUNE 20, 1983

TO THE SOLICITOR GENERAL:

We, the undersigned, do hereby collectively denounce, reject and register our opposition to the placement of a remand-holding centre or other prison facility within a minimum distance of 15 km from the corporate limits of the City of Red Deer. While the necessity of such facilities can be understood, it is our firm belief that the best interests of the citizens of the City of Red Deer would be better served with the locating of such an institution in an alternate setting.

NAME IN FULL (Please Print)

ADDRESS

SIGNATURE

The following is a brief summary extracted from Mr. Harle's letter of May 5, 1983.

Purpose for a Proposed Red Deer Correctional Centre

1. The existing police lock-up and admitting/discharge area is unsuitable and inadequate.
2. Currently, most remanded prisoners must be held and then transported to an from Calgary and Edmonton for Red Deer Court appearances.
3. Growing population of the Red Deer region.
4. Commitment of Alberta Correctional Services to decentralize.
5. To provide secure containment for detained and remanded men and women prisoners who must be held prior to or during Court appearances at the Court House.
6. To allow minimum security men on education or work release, fine option, and intermittent sentencing programs from the Red Deer region to serve their time closer to their local community.
7. To provide a self-contained, secure unit for detained and remanded young offenders (18 and under).
8. Does not provide for the accommodation of persons sentenced to any extended period of confinement.

Size of Centre Criteria

1. Count of inmates per capita.
2. Monthly counts with projections based on population growth.
3. The overall bed requirements considered on a Province wide basis.

Centre Units

1.	Administration		
2.	Admission/Discharge		
3.	Minimum Security		20 men
4.	Remand and Detention	Remand	32 men
		Detention	24 men
			12 women
5.	Support Services		
6.	Young Offenders		12 boys
			<u>4 girls</u>
	Total		104

Type of Inmates

1. Short term detention or "fresh arrests" who remain less than 24 hours.
2. Awaiting trial or outstanding charges.
3. Inebriated persons under the Liquor Control Act held in the detoxification unit, usually less than eight hours.
4. Minimum security persons nearing completion of sentences and those assigned to a community residential centre and also those serving intermittent sentences.

Site Location - Downtown

1. Should be housed within the City.
2. Concept of a "justice complex" being located adjacent to the Court House.
3. The ease of escorting prisoners to and from Court.
4. Accessibility to community services and other elements of the criminal justice system.
5. A.L.C.B. is willing to relocate elsewhere downtown, as its building has structural problems and is too small.
6. Meets function and space requirements.
7. Close to new Court House and City Police building.
8. Does not unreasonably intrude on a residential area.
9. The Province already owns the site.



SOLICITOR GENERAL

403/427-2468

Office of the Solicitor General

425 Legislative Building
Edmonton, Alberta, Canada

T5K 2B6

May 5, 1983

His Worship R.J. McGhee
Mayor
City of Red Deer
Box 5008
RED DEER, Alberta
T4N 3T4

Dear Mayor McGhee:

RE: PROPOSED RED DEER CORRECTIONAL CENTRE

I am writing to advise you of our current thinking about the proposed Red Deer Correctional Centre, and also to seek any comments that you, members of the City Council, or your administration officials, may wish to make about these plans.

Because there has been considerable public discussion about the proposal to build a correctional centre in Red Deer, I will also be making copies of this letter available to others who may be interested, so that there may be a full and free exchange of information on this topic.

For some months, officials in this Department have been working with APRA, planning consultants, and what follows is based upon the work of APRA. The following plans are not final, and are subject to change, but a fairly concrete proposal is now emerging.

SUMMARY

In brief, we are seriously considering a relatively small, downtown facility, located reasonably close to the Police Station and the Court House, with accommodation for about 104 persons. As indicated below, these are persons who, for practical purposes, should be housed with the city, and preferably in the city centre. The facility, as described, does not provide for the accommodation of persons sentenced to any extended period of confinement.

PURPOSE

A new provincial correctional facility of 104 beds will form the final component of the justice complex in downtown Red Deer. The growing population of the region together with the commitment of Alberta Correctional Services to a decentralized, regional approach have led to the decision to plan a new centre. The Red Deer Correction Centre (RDCC) will:

- provide secure containment for detained and remanded men and women prisoners who must be held prior to or during court appearance at the adjoining Court House,
- allow minimum security men on education or work release, fine option, and intermittent sentencing programs from the Red Deer region to serve their time closer to their local community, and
- provide a self-contained, secure unit for detained and remanded young offenders (18 and under).

BACKGROUND

The Red Deer area is growing. Currently, most remanded prisoners must be held and then transported to and from Calgary or Edmonton for Red Deer court appearances. The existing, substandard police lock-up in Red Deer is unsuitable for remanded prisoners. The Admitting/Discharge area is also inadequate.

In order to arrive at a realistic size and number of inmates for RDCC, APRA compared two projection methods. (One is based on an "in-house" count of inmates per capita; the other uses data from the ASG monthly counts and projects them into the future based on overall population growth.)

In addition, the overall bed requirements of Alberta Correctional Services were considered on a province-wide basis, including the additional capacity that will be provided by the new facilities now under construction in Calgary (the second remand centre), and at Grande Cache.

There are a number of advantages to having the RDCC facility located in downtown Red Deer. Perhaps most noteworthy is the contribution it could make to the concept of a "justice complex" by being located adjacent to the Court House. An obvious logistical advantage is the ease of escorting prisoners to and from court as pedestrians rather than by vehicle. Accessibility to community services and other elements of the criminal justice system is greater at a central, downtown location.

WHO WILL BE THERE

The types of prisoners who will be held are: short-term detention or "fresh arrests," who remain less than 24 hours; persons remanded into custody while awaiting trial or having outstanding charges; inebriated persons picked up under the Liquor Control Act and held in the detoxication unit, usually for less than 8 hours; and minimum security

person nearing completion of their sentence and assigned to a community residential centre or those serving intermittent sentences over weekends.

With the exception of the minimum security group, projected at 20 men, the Red Deer Correctional Centre will be providing secure housing and pre-trial services for the various types of prisoners mentioned above. Movement to and from the facility will be frequent as prisoners go under escort to the courts. Both the high level of movement and the type of prisoners require careful planning to maintain security.

During the early stages of a person's involvement with the criminal justice system, anxiety runs higher than after being sentenced. The possibility of unpredictable or disruptive behaviour must be carefully monitored by staff. It will be facilitated by having single rooms in small clusters or "living units." Along with serious regard for security issues, adequate weight must also be given to the fact that persons on a remanded or detained status are accused and not sentenced. Their rights must be protected and their freedom curtailed only to the extent required to prevent escape or harm to themselves or others.

For the minimum security group the only "security consideration" is that the individuals return to the Centre each night and abide by the established rules and regulations. They will attend work or school in the community. Although sharing the same roof with the pre-trial prisoners, this area will have its own entrance and identity.

PRINCIPLES OF CORRECTIONS

The following principles of the corrections system in Alberta provide the framework into which various types of correctional facilities fit. While the Red Deer facility primarily provides secure incarceration, the minimum security unit falls in the community corrections category.

1. Use of incarceration only as a last resort for offenders:

- who have a history of violence or have committed a recent act of violence;
- who would present a threat to the safety of the community if permitted to return to or remain in the community under supervision; or
- who would likely interfere with the administration of justice - e.g., threatening of witnesses or potential witnesses.

2. Use of community-based corrections programs, including probation, fine option, temporary absence (for employment, training and treatment purposes), community service orders and restitution, for the maximum possible number of offenders--especially for first offenders convicted of non-violent and/or minor crimes.

3. Equitable application of criminal sanctions to all offenders, irrespective of ethnic origin or social-economic position, at all levels of the criminal justice process.

4. For those offenders who must be incarcerated, providing normalized institutional environments, to the extent possible, and an adequate variety of program, work, training, and treatment opportunities.
5. Continuing innovation and evaluation of a range of corrections intervention strategies coupled with comprehensive planning for the corrections system.

WHAT FUNCTIONAL UNITS WILL COMPRISE RDCC

There will be six functional units comprising the Red Deer Correctional Centre. A functional unit indicates an architectural grouping of related spaces. Brief descriptions of each unit are presented to illustrate generally the variety of spaces and activities which are required in the facility.

1. Administration

The Administration Unit contains the staff and supportive office functions for the management, planning and operational activities of RDCC. This unit is outside the secure perimeter. Visitors may be directed to meetings in this area by central reception without having to go through a security clearance.

2. Admission/Discharge

Admission/Discharge involves the processing of arriving and departing prisoners, including fresh arrests, transfers to or from other facilities and those going to or from the courts. This area is within the secure zone.

3. Minimum Security

Minimum Security provides housing for 20 sentenced men assigned to a community residential centre on the temporary absence program. These men are not security risks and are preparing to return to the community upon release. Typically, they are involved in work, education or treatment programs in the community and return each night. Persons with intermittent sentences are also housed here on weekends.

4. Remand and Detention

Remand and Detention is a secure, self-contained residential unit with housing for 32 remanded men, 24 detention men and 12 women who are either remanded or detained prisoners. Detention consists of short-term holding of fresh arrests. Remanded prisoners may be held for weeks awaiting trial or for outstanding charges. Movement to and from the detention and remand areas must be closely supervised. An exercise room is included in this area. This unit is a maximum security zone. Included in this area are a six-bed segregation unit and separate detox holding rooms for men (up to 12) and women (up to 4).

5. Support Services

Support Services is an umbrella unit for a number of essential, supportive functions. Access to and from all the other units is therefore required.

- Central Control monitors and/or controls all entrances to the Centre; and monitors by closed-circuit television the remand/detention and segregation areas.
- Health Care provides nursing services, dispenses medication and provides limited treatment during the day and afternoon. No overnight medical beds are provided.
- Programs/Recreation areas mainly serve the Minimum Security unit, and include offices for staff involved in counselling, community placement and recreational planning for the Centre. Minimal recreation space is included since minimum security residents can use community facilities.
- Stores/Alberta Government Services orders and receives all supplies for the Centre. Storage, offices and a work base for government staff concerned with ongoing maintenance are included.
- Staff Services space provides locker areas and a lounge for staff.
- Food Services includes a common dining facility for minimum security men. The dining room will also be used for minimum security visiting by family or friends. Meals for the Remand and Detention and Young Offenders areas will be prepared here and transported in food carts to their living units.
- Young Offenders

A self-contained, secure unit for youth, age 18 and under, provides housing for 12 boys and 4 girls. Each group will have its own lounge/dining area and their rooms will be separated. They will have access to a multipurpose recreation room. All activities including admitting and discharge will occur in this area to achieve the required separation from the adult population of the Centre.

CAPACITY OF THE CENTRE

The capacity of Red Deer Correctional Centre will be 104 persons in individual rooms:

	<u>Capacity</u>
- Minimum Security Unit	20
- Remand Unit	32
- Detention Unit	24
- Remand/Detention Unit, women	12
- Young Offenders Unit	<u>16</u>
Total	104

PROJECTED SIZE OF FACILITY

The estimated total gross area to accommodate all the functions described above is 8 048 square meters.

Functional Unit	Gross Area (square metres)
1. Administration	357.0
2. Admission/Discharge	732.0
3. Minimum Security	538.0
4. Remand and Detention	2 634.0
5. Support Services	2 182.0
6. Young Offender	555.0
Subtotal	6 998.0
Plus 15% for circulation, mechanical, etc.	1 050.0
Total Gross	8 048.0

LOCATION

Although a final decision on location has not yet been made, the most likely site is east of the new Red Deer Court House, on 49 Street, between 47 and 48 Avenue. An Alberta Liquor Store occupies part of this site at present. (The A.L.C.B. is willing to relocate elsewhere downtown, as this building has structural problems and is somewhat too small.)

A large number of downtown sites were surveyed from which a "short list" of five sites received further study. The site east of the new Court House was selected as best meeting the function and space requirements. It is close to both the new Court House and the Police Station, but at the same time does not unreasonably intrude on a residential area. The Government already owns the site.

ECONOMIC CONSIDERATIONS

The centre will employ about 96 persons, and the annual payroll--in 1983 dollars--will be about \$3 million.

There will be a grant in lieu of municipal property taxes, payable to the City, of about \$100,000.00 annually.

The R.C.M.P. personnel now employed to operate the present jail will be available for other police work.

As indicated above, I would welcome your comments on any of this.

Yours sincerely,

Graham L. Harle
Solicitor General

cc: Hon. T. Chambers
J. McPherson, M.L.A.
R. J. LeBlanc

NO. 1

TO: CITY COUNCIL

FROM: CITY CLERK

RE: DISPOSAL OF PUBLIC RESERVE

(a) Lot 4R, Plan 386NY, NW¼ 17-38-27-W4M

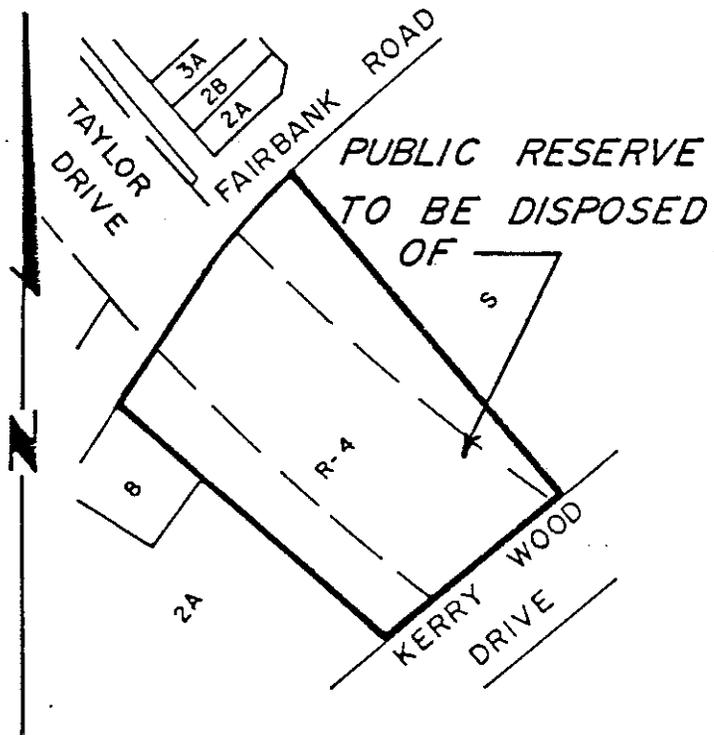
(b) The remainder of Lot 3MR, Block 1, Plan 802-2704
containing 0.005 hectares more or less, SW¼ 20-38-27-W4M

Council are hereby advised that the above mentioned public reserves have been properly advertised in accordance with Section 115(1) of the Planning Act, Chapter P-9, R.S.A. 1980.

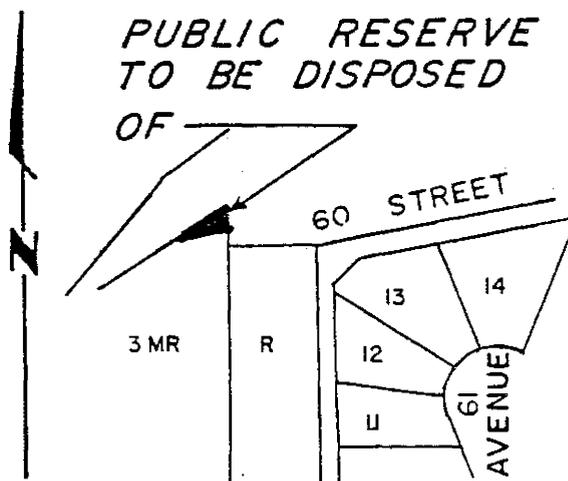
Since no objections have been received in the office of the City Clerk as of August 23, 1983, a public hearing is not required.

Therefore, Council of the City of Red Deer may now proceed without further notice with the disposal of both of the public reserves described above.

"R. STOLLINGS"
CITY CLERK



*PUBLIC RESERVE
TO BE DISPOSED
OF*



THE CITY OF RED DEER

41.



'83 AUG 19 P3:48

NO. 2

LANDLORD/TENANT ADVISORY BOARD,
 LOWER MALL, EMPIRE BUILDING,
 4909 - 48 STREET,
 RED DEER, ALBERTA T4N 1S8
 TELEPHONE: 343-0410

CITY OF RED DEER
 RECEIVED

August 18, 1983

Mayor McGhee,

Red Deer City Council;

Annual Report;

Red Deer Landlord / Tenant Advisory Board

The Red Deer Landlord / Tenant Advisory Board, from August 1 1982 to July 31 1983 has handled 7277 complaints. These inquiries dealt with problems of ; security Deposit
 Lack of maintenance, General information, relating to Landlord / Tenant Act 1979 and
 very few inquiries to The Mobile Home Sites Tenancies Act 1983. and many other related
 inquiries.

75 % written claims of complaints, mostly non return Security Deposit where settled.
 25 % advised to go to small claims court. Enclosed is a breakdown for the past year
 Six Board Members attended the Annual Conference AMSALTAB. Association of Members and
 Staff of the Alberta Landlord Tenant Advisory Boards. in April in Calgary.

The Boards consensus was as in the past to close the office in July for holidays and no
 meetings during July and August, unless a special meeting called. We have good relations
 with the City of Red Deer, Alberta Consumers / Corporate Affairs, hope to continue to do
 so in the future.

This Annual Report is for His Worship, and City Councils information

Respectfully Submitted;

Jane Wilson

Jane Wilson chairman / exec Dir.

MONTH	MONTHLY COUNT	OFFICE CALLS	TENANT CALLS	LANDLORD CALLS	
August 1-31/82	695	164	354	177	CLOSED AUG 1/82 HERETIC DAY
September 1-30/82	657	159	313	185	CLOSED SEPT. 6/82 LABOR DAY 1 DAY SICK
October 1-31/82	627	144	336	147	CLOSED OCT 11 - THANKS GIVING
November 1-30/82	703	174	394	135	CLOSED NOV. 11 REMEMBRANCE
December 1-31/82	503	100	301	102	CLOSED DEC 23 - JAN 3/83 XMAS HOLIDAYS
January 1-31/83	585	113	306	166	CLOSED JAN 3/83 - NEW YEAR
February 1-28/83	648	137	341	170	
March 1-31/83	777	158	448	171	
April 1-30/83	564	105	309	150	CLOSED APR. 1-4 EASTER APR 22 ANNUAL ONE CALL
May 1-31/83	743	174	410	159	CLOSED MAY 23 VICTORIA DAY
June 1-30/83	643	136	337	170	CLOSED 16, 17, 20 GRAD. LANG. GRANDPARENTS
July 1-31/83	132	23	74	35	CLOSED JULY 1-22 BOARD HOLIDAYS.
TOTAL	7277	1581	3923	1767	63 CALLS CAME IN DURING HOLIDAYS: CONSULT. AFFAIRS KEPT TA 3 WK - 5 DAY DEDUCT
YEAR 1982-1983	6451	1190	3468	1793	
DIFFERENCE	826	397	455	-26	



NO. 3

CITY OF RED DEER
4914 - 48 AVENUE
RED DEER, ALTA.

AUGUST 8, 1983

43.

ATTENTION: AL SCOTT

RE: Foothills Motorcycle Ltd.
OFFER TO PURCHASE
PART OF LOT 21-C BLOCK 9 PLAN 812-2206

Further to our recently rejected Offer to Purchase an I-1 lot on 49 Avenue, our client has now asked us to submit a second offer, this time on a one-half acre property located East of 50 Avenue and directly South of 81 Street.

Particulars of the offer are as follows:

1. PRICE: \$75,000.00

Your asking price for the subject property is \$177,132.00 per acre plus 10% for corner site = \$194,845.20 or \$97,422.60 for one-half acre. His offer reflects a recent Offer to Purchase of a site at 76 Street and 50 Avenue (North of Mother's Pizza) at a price of some \$177,000.00. Foothills Motorcycle suggests that this subject property is five blocks North in a relatively undeveloped area and that at least 1½'-2' of fill material are required; that these factors should cause a 25% reduction in the price of the subject land.

2. USE:

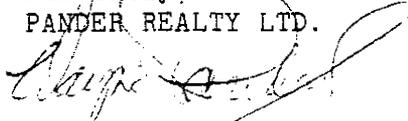
For use by H.D. SUPPLY LTD. and FOOTHILLS MOTORCYCLE LTD. for retail sales of motorcycles and accessory parts and Canada wide distribution of motorcycle parts and accessories.

3. DEVELOPMENT PLANNED :

- To consist of a two storey building of 9000 - 10,000 sq.ft. on each level, wood frame construction, with exterior materials including metal siding with glass and stucco frontage.
- Front yard will be paved prior to 1985, rear yard to be compacted crushed rock and/or gravel.
- Landscaped front yard to consist of grass and trees acceptable to Municipal Planning Commission.
- Construction start planned for October or November, 1983.
- Parking for 20 stalls (requirement is 36 so relaxation of 18 is needed) recognizing high percentage of motorcycle traffic.

We trust that you will find the foregoing and attached to your satisfaction and that the City of Red Deer will accept this offer as written.

Sincerely, for
PANDER REALTY LTD.



Per: WAYNE PANDER

NOTE: Original hand written letter initialed and
signed by Mr. Bob Foster for Foothills
Motorcycle Ltd.

Encl : Offer to Purchase
Map of Northland

August 18, 1983

TO: MAYOR & MEMBERS OF COUNCIL

FROM: DIRECTOR OF ECONOMIC DEVELOPMENT

RE: NORTHLAND INDUSTRIAL PARK
LAND PURCHASE
FOOTHILLS MOTORCYCLE LTD.

(A) Proposed Development Details

Location desired	Shown on attached map
Size of site desired202 hectares (0.5 acres)
Building proposed.	836.1 sq. meters (9,000 sq.ft.) (41.5% site coverage)
Estimated cost	\$270,000
Construction material.	Frame construction with metal siding and stucco frontage
Use of site.	Retail and wholesale of motorcycles and parts.

(B) Bylaw and Sales Policy

Parcel of land is zoned C-4, with motorcycle sales a discretionary use. Minimum site coverage, according to Council Sales Policy, is 33%, while maximum site coverage permitted under the C-4 zoning is 33%.

(C) Recommendations

As is pointed out in the Application to Purchase, the price being offered is \$75,000 for this parcel of land, which, under our current pricing policy, is some \$22,422 less than our asking price. The asking price of \$177,132 per acre was established in November, 1979 by Council resolution. Since that time, the selling price has been reviewed annually and was found to be accurate based upon market values at the time.

I believe the offer of \$75,000 per one-half acre, is based upon the selling price which was established on the site recently sold to Andy Buruma Enterprises, located west of Mother's Restaurant. This one acre parcel of land was sold for \$150,000. As this site is approximately five blocks north of the Mother's Restaurant site, it might tend to be reduced in value for that reason. On the other hand, it is located on Gaetz Avenue, where the site recently sold west of Mother's is one building site removed from Gaetz Avenue. Perhaps these two factors would tend to indicate a similar price for both parcels.

Should Council wish to obtain more detailed information with respect to the current market value of this site, a current appraisal could be obtained.

I would recommend that Council approve the sale to Foothills Motorcycles Ltd., subject to the results of a current appraisal of the land.

Thank you.

Respectfully submitted,

ALAN SCOTT, Director
Economic Development

AVS/gr

Attach:

LOT 23 A
4.56 Ac

LOT 16 A

5.00 Ac.

47.

81 STREET

75'

2190
2.51 Ac.

CIVIC
TIRE
22 A
1.57 Ac

21
0.95 Ac.

RIVERSIDE
20A
MOTORS

121479
19 A
HOLDING
LTD

JT
SETTERS
CANADIAN
PROPANE

B
A

121479
HOLDINGS
H. VEENSTRA

AEDES
DEVELOPMENT

32.65 Ac.

1A

JIMRAY
HOLDINGS
(RED DEER LTD)

SPACE PLACE
3.44 Ac.

CERTIFIED
RENTALS
80 Ac
HIVO
ENT.
MAC'S CYCLE

FIVE - O
DEVELOP-
MENT

CALDEER
121479
HOLDINGS LTD

WILLIAM
WELIKOKAD

BOUCHARD
COBIJAR

O'SULLIVAN

MAC COSHAM
VAN LINES
1.5 AC.

PPG
INDUSTRIES
CANADA
LTD.
1.3 AC

21C
1.5 Ac.

78 A
STREET
BAB CAR
COBIJAR
SCHUMACHER
6
HOLDINGS
5
CALDEER
4
TIMCON
3
CONWOOD

AIR-
VAC.
9
H. VEENSBRA
8
J.A. JEFFERY
7
CALG VALVE
FITTINGS

SIMGY
TRUCK REP
SCOTT
SHERIDAN
4
OLD DUTCH
3
TORS
POCKAR
1
BROS.

CUNNINGHAM
NORTHLAND
ANT.
CAMBELL
MANCUSO

SORENSON
12
VERN'S
ENTER-
PRISE

21B
2.85 Ac

MITTEN
KENNETT

WESTERN
SUPPLIES
3.0 Ac.

BURUMA

A.
BURUMA
6

J.T.
SETTERS
7

RED
DEER
EXPRESS
LINES
8

RED
DEER
INDUST-
RIAL
METALS
9

BRUINS
PLMBG
10

CONST
11

Commissioners' Comments

Concur with the recommendations of the Economic Development Director.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

83 577 411 11

DIRECTOR:
Robert R. Cundy M.C.I.P.

TELEPHONE: (403) 343-3394

Your File No.

Our File No.

NO. 4

August 11, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Proposed Land Use Amendments
Bylaw 2672/M-83 - Deer Park

Please be advised that we received an application for subdivision on behalf of Engineered Homes. The subdivision proposes to create 23 single family lots south of Duncan Crescent in Deer Park subdivision. The Planning Act requires the designation be in place before the final approval is given. It is recommended that the City Council give the first reading to the above noted bylaw.

The required Land Use amendment is attached for Council's consideration.

Yours truly,

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DISSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF OLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE
VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLÉNWOOD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINT EARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLER No. 6 —IMPROVEMENT DISTRICT No. 10

NO. 5

August 17, 1983

TO: City Clerk
FROM: City Engineer
RE: Proposed Sidewalk Replacements

Recently Council passed a resolution to expend surplus debenture funds in the amount of \$33,578.05 on the replacement of existing sidewalks.

In reviewing our 1983 sidewalk replacement program, we would propose to replace the separate sidewalk and curb and gutter on the north side of Ross Street from 40 Avenue west to 41 Avenue. The condition of the concrete has deteriorated over the years to the point that portions of the curb are virtually non existant. The estimated cost of the above replacement is \$28,000 and well within the \$33,578.05 figure.

Should funds still remain upon completion of the Ross Street project, we would propose to replace the worst portions of sidewalk within the City's original 1983 program.

Submitted for your information.

B. C. Jeffers, P. Eng.
City Engineer

FLL/emg

Commissioners' Comments

The above is submitted for the information of Council at their request.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 6

July 28, 1983

TO: City Clerk

FROM: Fire Chief

RE: Proposed Bylaw to Establish a Fire Department

At a meeting of the Alberta Fire Chiefs Association a few years ago, the Provincial Fire Commissioner recommended all Municipalities enact a by-law for the establishment and operation of their fire department.

This was to establish a legal entity for the Fire Department in carrying out the duties of fire suppression and fire prevention matters.

The Fire Chief's Association struck a committee to formulate a standardized by-law which would be used as a guide for various municipalities.

The Committee polled a large number of municipalities with a view to addressing specific legal issues that had been encountered where a by-law was not in existence or out-of-date.

The proposed by-law was submitted to the Fire Commissioners Office and the Department of Municipal Affairs for comment and was returned to the Committee with suggested changes.

The Committee then addressed the membership at the 1983 convention in Rocky Mountain House where further changes were suggested.

The attached by-law is the result of the committees deliberations.

The reasoning for adopting such a by-law is;

- (a) A number of functions performed by the Fire Department are implied functions, e.g. non-fire rescues, pre-fire planning etc. The by-law designates the functions Council wishes the Fire Department to perform in. (Section 6)
- (b) Sections 11 - 16 grant authorities to fire officials that again are generally implied authorities. However, where these authorities have not been granted by law, they have been challenged on occasion.
- (c) Most codes, by-laws etc. deal with the prevention of fire and do not address the requirements for the extinguishment of fire. The adoption of this by-law will address these requirements.

In view of the fact that Red Deer has not adopted a by-law for the establishment and operation of a fire department, it is my recommendation that Council adopt this by-law.

R. Oscroft
R. Oscroft, FIRE CHIEF

RO/cb

Commissioners' Comments

The attached Bylaw is presented for Council's consideration. As outlined by the Fire Chief without the passage of such bylaw much of his authority is implied and in other jurisdictions some of this authority has been challenged in court.

The bylaw has been amended in light of the City Solicitor's comments submitted separately to Council and we would recommend passage of this bylaw.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner

CHAPMAN & COMPANY

Barristers, Solicitors, Notaries

53.

208 PROFESSIONAL BUILDING
4808 ROSS STREET
RED DEER, ALBERTA T4N 1X5

TELEPHONE (403) 348-8803
TWX 610-841-5684

THOMAS H. CHAPMAN, B.A., LL.B.
DONALD J. SIMPSON, B.A., LL.B.
T. KENT CHAPMAN, B.A., LL.B.

YOUR FILE.....
OUR FILE..... 11,451

NO. 7

July 25, 1983

City of Red Deer
City Hall
Red Deer, Alberta

Attention: Mr. Stollings

Dear Sir:

Re: City of Red Deer and Sculpture for Red Deer Society

I enclose herewith original and three copies of Agreement between City of Red Deer and Sculpture for Red Deer Society. Kindly arrange to have the same executed by the City and return two executed copies to this office.

Yours truly,


THOMAS H. CHAPMAN

THC/rc
Encls.

Commissioners' Comments

I would recommend Council authorize the execution of these agreements. Council should take particular note of Clause 3 of the agreement.

"R.J. MCGHEE"
Mayor

NO. 8

August 22, 1983

TO: CITY CLERK

FROM: CITY TREASURER

RE: ELECTRICAL CONNECTION CHARGES - \$668.75
RED DEER & DISTRICT FAMILY EDUCATION SOCIETY

The Red Deer & District Family Education Society requires an electrical connection for their property at 4612 - 44 Street. They had not expected to have to pay for such a charge. To assist them they have requested payment be delayed for up to six months after the connection is made.

As you are aware, normally electrical connection charges are payable at the time of connection. The only variance that I am aware of is approval given to the Windsor Hotel to spread payments over a number of years because they were just upgrading their existing power.

The Society is willing to agree to pay the \$668.75 charge within six months of connection. To protect the City the Society is willing to have the charge levied as property taxes rather than as a general accounts receivable invoice. Interest would be charged on the outstanding balance.

Does Council want to assist the Society by amending the current policy for payment of electrical charges? The justification for considering such an amendment would be that:

1. The Society is a non-profit organization
2. The payment period requested is less than one year.



A. Wilcock, B. Comm., C.A.
City Treasurer

AW/jm

cc: E.L. & P. Supt.
City Assessor
Malcolm Road, 4611 - 45 Street

Commissioners' Comments

I would support the request as outlined by the City Treasurer.

"R.J. MCGHEE"
Mayor

I cannot recommend any change to the existing policy, which is to pay for all services at the time of redevelopment. Normally these charges are considered to be part of the Capital cost and as such are included in the mortgage. In this particular case construction is estimated at approximately \$48,500 which together with the land would value the project at approximately \$80,000. I do not believe that to include the sum of \$670 in this financing would make a significant difference. If the project is not being financed but is constructed on a cash basis then even more so should the developer be able to pay the \$670. Over the years, Council has received numerous requests to finance service charges, but has always denied such requests. I believe it would be detrimental for the City to start financing private developments when adequate facilities exist in the private sector for such purposes. I therefore recommend that Council not approve this application.

"M.C. DAY"
City Commissioner

NO. 9

1983 08 22

TO: City Clerk

FROM: City Assessor

RE: Property Tax Penalty
48 Hermary Street
Roll #20-4-0585

With reference to Betty Loewen's letter of August 19, 1983, may I submit the following for City Council's guidance.

Section 114(2) of the Municipal Taxation Act states:

"No taxation notice shall be considered irregular, incomplete or otherwise invalid and no exemption from taxation is conferred by reason of any error, omission or misdescription in any taxation notice or by reason of the non-receipt of the notice by any person."

The 1983 taxes for the above described property were in the amount of \$966.36 which was outstanding as of July 1, 1983, and therefore a 9% penalty of \$86.97 was levied in accordance with City of Red Deer bylaw #2247.

The property tax notices were deposited in the mail on May 18, 1983. The Tax Department's records indicate B. Loewen's tax notice was mailed to the correct address of 48 Hermary Street.

The City is not responsible for non-receipt of tax notices as indicated, however, to help insure that property owners are aware that tax notices have been mailed, advertisements are placed in the local newspaper.

Recommend no cancellation of the penalty levied.


for D. J. Wilson, A.M.A.A.

NF/bt

48 Hermary Street
Red Deer, Alberta
T4N 6E7

August 19, 1983

Mr. D. J. Wilson
City Assessor
City Hall
Red Deer, Alberta
T4N 3T4

Dear Mr. Wilson:

I wish to appeal the penalty on my 1983 taxes in the amount of \$86.97. The basis for my appeal is that I have not received my tax notice this year. The only notification I have received was the tax reminder (copy attached), at which time I went to city hall to check the balance, \$1,053.33, which I felt was much too high since my taxes in 1982 were only \$904.79. I was informed that a penalty had already been levied on my taxes.

I feel this is extremely unfair and unjust as I have always paid my taxes promptly in the past and I honestly did not know they were due the end of June. I thought they were due the end of July or sometime in August.

I am a single parent supporting a 16 year old child, and making mortgage payments, etc. on a rather low income (secretarial wages). I find the situation very difficult to handle but have an obligation to my responsibilities and I am doing my best to meet them.

Now I have an additional financial burden to cope with through no fault of my own. I feel the penalty is unfair because I did not actually receive notification that my taxes were due.

Please forward this letter directly to City Council.

Thank you.

Sincerely,

Betty Loewen

/bl

Commissioners' Comments

Concur with the recommendations of the City Assessor.

'R.J. MCGHEE'
Mayor

'M.C. DAY'
City Commissioner

NO. 10

August 16, 1983

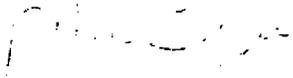
TO: MEMBERS OF COUNCIL

FROM: MAYOR R.J. MCGHEE

Re: M.L.A. Representation for The City of Red Deer

I would request Council's support in asking the Provincial Government to increase our representation from one to two.

Attached please find background information in support of this request. This information was compiled and summarized by the Planning Commission as requested by this office.


R.J. MCGHEE
Mayor

RJM/dk

Attachment

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR:

Robert R. Cundy M.C.I.P.

TELEPHONE: (403) 343-3394

Your File No.

Our File No.

MEMORANDUM

TO: Mayor R. McGhee
 FROM: Bill Shaw, M.C.I.P.
 DATE: August 15th, 1983
 RE: Provincial Electoral Divisions

Pursuant to your request for information on Provincial Electoral Divisions, the following has been prepared utilizing:

- (a) Electoral Boundaries Commission Act (1980),
- (b) Report of the Chief Electoral Officer on the 1982 General Enumeration,
- (c) Report of the Chief Electoral Officer on the General Election Held Tuesday, November 2, 1982,
- (d) Census of Canada, and
- (e) RDRPC population tables: historical and projected.

Electoral Boundary Commission

The Electoral Boundaries Commission Act (hereinafter the Act) in Section 5 requires a new Electoral Boundary Commission (hereinafter the Commission) to be appointed every second general election following the appointment of the last Commission. Two provincial elections - March 1979 and November 1982 - have been held since the appointment of the previous Commission.

Therefore, another Commission is due to be established soon.

A report of the Commission shall delineate the boundaries of proposed electoral divisions. The report must be submitted to the Speaker of the Legislative Assembly within 12 months of the appointment of the Committee. Consequently, the report should be available for Legislative action prior to the next provincial general election.

Public hearings shall be held by the Commission regarding the report. Considering representations made at the hearings, the Commission may submit report amendments to the Speaker within 6 months of the date it submitted its report.

Voter Population Statistics

Under the Act, the voter population of an electoral division is the focus of attention (note: not population).

...../2

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DODSBURY—TOWN OF ECKVILLE
 TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
 VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOWEN—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURN
 VILLAGE OF DONALDA—VILLAGE OF ELMORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE
 SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLÉNWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—COUNTY OF LACOMBE No. 14
 COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINT EARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLER No. 6 —IMPROVEMENT DISTRICT No. 10

Mayor R. McGhee
 August 15th, 1983
 Page two

Pertinent information regarding electoral districts of interest to your enquiry and since the last Commission are as follows:

	DIVISION	AVERAGE VOTER 1978	POPULATION 1981	PER DIVISION 1982
1. PROVINCE	79	14,655	16,727	17,547
2. EDMONTON	17	16,808	18,772	19,788
3. CALGARY	16	18,821	22,543	23,575
4. LETHBRIDGE	2	15,918	17,827	18,138
5. MEDICINE HAT	1	22,672	26,497	26,479
6. RED DEER	1	21,503	28,277	29,597
7. ALL CITY DIVISIONS (2 - 6)	37	17,915	20,818	21,783
8. CITY DIVISIONS PLUS 25 PERCENT		22,393	26,022	27,228

Of interest here is that the Act states: "When the voter population of an urban municipality is more than 25% above the average voter population of the existing urban electoral divisions, the Commission shall divide the area of the urban municipality into 2 or more proposed urban electoral divisions" (Section 16(1)(a)).

Comparing lines 6 and 8 above, in 1981 and 1982 the voter population of the Red Deer electoral division exceeded the average for city divisions plus 25% pursuant to Section 16(1)(a). Red Deer's exceeded the city division average by 35.8% in both 1981 and 1982. In 1978, the figure was only 20.0% and therefore did not meet the criteria of Section 16(1)(a) at that time.

Other Pertinent Facts

The 1982 Red Deer electoral division voter population (29,597) was the fourth largest of the 79 provincial electoral divisions, following only Calgary McCall (41,757), St. Albert (34,085) which includes 5 urban centres and Namao as well as rural areas, and Calgary Fish Creek (32,610).

The 1978-82 voter population increase for the Red Deer electoral division was 37.6%, almost twice the provincial average of 19.4%. During 1978-81 Red Deer's voter population increase was 31.5%, more than twice the provincial average of 14.1%. The 1981-82 increase for Red Deer was 4.7%, only marginally below the provincial average of 4.9%.

The 1978-82 voter population increase for Red Deer was 37.6%, which was substantially higher than the 21.6% increase for all city divisions in the province.

Mayor R. McGhee
 August 15th, 1983
 Page three

Projected Voter Population

Section 14 of the Act allows the Commission for the purposes of establishing boundaries to take into account projected voter population growth. Because elections are held on the average every 3.5 years, the following projections are for potential election years - 1986 and 1989.

RED DEER ELECTORAL DIVISION	1978	ACTUAL		PROJECTED	
		1981	1982	1986	1989
POPULATION	36,314	46,393	48,562		
VOTER POPULATION	21,503	28,277	29,597		
VOTER POP'N/POP'N %	59.21	60.95	60.94	60.00	60.00
PROJECTED POPULATION:					
LOW				58,000	65,200
HIGH				64,000	71,400
PROJECTED VOTER					
POPULATION				34,800	39,120
LOW					
HIGH				38,400	42,840

Two Electoral Divisions for Red Deer

Using the above statistics, if two electoral divisions were to be created for Red Deer, the average voter population per division would be:

	LOW	HIGH
1986	17,400	19,560
1989	19,200	21,420

In comparison, the 1982 average voter population per provincial electoral district was 17,547 and for city electoral districts was 21,783.

In 1982, two Calgary electoral divisions and five Edmonton divisions had voter populations smaller than 17,400. There were 40 electoral divisions in the province in 1982 in which the voter population was smaller than 17,400.

It must be noted that, in accordance with Section 16(1)(a) of the Act where it appears Red Deer is deserving of a second electoral division, that in creating the division the Commission may extend the boundary of the proposed urban division beyond the boundaries of the urban municipality to bring the voter population up to a figure no greater than the average voter population of the existing urban electoral divisions (Section 16(1)(b)).

Note: Lethbridge

The City of Lethbridge received its second electoral division prior to the August 1971 election. At that time Lethbridge's population was 41,217. Red Deer's 1983 population of 50,257 is 20% greater than 41,217.

Mayor R. McGhee
 August 15th, 1983
 Page four

Summary

1. A new Electoral Boundary Commission is due,
2. Red Deer is deserving of a second electoral division, pursuant to Section 16(1)(a) of the Electoral Boundaries Commission Act,
3. Red Deer's voter population has grown substantially faster than provincial and city electoral divisions averages,
4. anticipated population growth for the City of Red Deer (low of 4% per year) is above expected provincial rates (approx. 3% per year),
5. by 1986 the projected voter population in each of two Red Deer electoral divisions (17,400 - low) would be near the 1982 provincial electoral division average (17,547) and approximately 80% of the average for all city electoral divisions (21,783),
6. in 1982 there were 40 electoral divisions in the province, including 7 in Edmonton and Calgary, which had voter populations smaller than 17,400,
7. in creating new divisions, some rural areas may be added.

Changes to Electoral Boundaries Commission Act

For Red Deer to receive a second electoral division, two sections of the Act would require amendments, likely also in concert with redistribution of divisions elsewhere in Alberta. These Sections currently read:

11 The Commission shall divide Alberta into 79 proposed electoral divisions consisting of

- (a) 43 proposed urban electoral divisions, and
- (b) 36 proposed rural electoral divisions.

RSA 1970 c118 s12;1975(2) c19 s7

12(1) The Commission shall establish

- (a) the cities of Camrose, Drumheller, Grande Prairie, Medicine Hat, Red Deer and Wetaskiwin and the town of St. Albert, each as a proposed urban electoral division;
- (b) 16 proposed urban electoral divisions in the City of Calgary;
- (c) 18 proposed urban electoral divisions in the City of Edmonton;
- (d) 2 proposed urban electoral divisions in the City of Lethbridge.

(2) The areas of Alberta that are not included in proposed urban electoral divisions shall be included in proposed rural electoral divisions.

In amending the Act, which may occur during the next sitting of the Legislative, they may amend 16(1)(a) in such a way that a second division for Red Deer may not be "automatic".

The Election Act, which has some parallel considerations, was not immediately available for consideration for the purposes of this report.

WGAS/lt

Results

Number of Registered Electors by Electoral Division

63.

Electoral Division	Names on List			Increase or Decrease and Percentage			
	1982	1981	1978	1982		1981	
01 Athabasca	11,850	11,738	11,002	112	0.95	736	6.7
02 Banff - Cochrane	17,448	16,400	13,865	1,048	6.39	2,535	18.3
03 Barrhead	11,818	11,349	10,348	469	4.13	1,001	9.4
04 Bonnyville	11,989	11,414	10,964	575	5.03	450	4.1
05 Bow Valley	10,553	10,465	9,448	88	0.84	1,017	10.8
06 Calgary Bow	21,448	20,923	19,456	525	2.51	1,467	7.5
07 Calgary Buffalo	23,999	23,259	22,537	740	3.18	722	3.2
08 Calgary Currie	19,269	19,197	18,818	72	0.37	379	2.0
09 Calgary Egmont	20,220	19,773	19,514	447	2.26	259	1.3
10 Calgary Elbow	16,944	16,456	16,370	488	2.97	86	0.5
11 Calgary Fish Creek	32,610	28,968	18,672	3,642	12.57	10,296	55.1
12 Calgary Foothills	20,896	20,025	18,208	871	4.35	1,817	10.0
13 Calgary Forest Lawn	25,722	25,104	21,289	618	2.46	3,815	17.9
14 Calgary Glenmore	26,198	25,585	23,407	613	2.39	2,178	9.3
15 Calgary McCall	41,757	37,820	19,991	3,937	10.41	17,829	89.2
16 Calgary McKnight	28,943	27,717	21,032	1,226	4.42	6,685	31.0
17 Calgary Millican	15,000	14,640	12,820	360	2.46	1,820	14.0
18 Calgary Mountain View	19,909	19,966	18,965	57	0.28	1,001	5.3
19 Calgary North Hill	19,615	19,346	18,840	269	1.39	506	2.7
20 Calgary North West	22,470	20,332	14,327	2,138	10.51	6,005	41.0
21 Calgary West	22,202	21,579	16,883	623	2.89	4,696	27.0
22 Camrose	21,503	20,645	19,060	858	4.15	1,585	8.3
23 Cardston	9,435	8,617	8,468	818	9.50	149	1.8
24 Chinook	8,585	8,473	8,374	112	1.32	99	11.8
25 Clover Bar	19,894	19,369	15,573	525	2.71	3,796	24.4
26 Cypress	9,010	8,525	8,489	485	5.69	36	0.5
27 Drayton Valley	10,021	9,475	8,892	546	5.76	583	6.6
28 Drumheller	16,327	15,147	14,932	1,180	7.79	215	1.4
29 Edmonton Avonmore	17,905	17,562	17,737	343	1.95	175	0.98
30 Edmonton Beirmont	19,860	19,058	18,181	802	4.02	877	4.8
31 Edmonton Beverly	20,741	18,949	12,931	1,792	9.46	6,018	46.5
32 Edmonton Calder	25,128	23,327	18,289	1,801	7.72	5,038	27.0
33 Edmonton Centre	16,226	15,413	16,063	813	5.27	650	4.0
34 Edmonton Glengarry	16,056	15,488	15,009	568	3.68	479	3.2
35 Edmonton Glenora	17,409	17,442	17,103	33	0.19	339	2.0
36 Edmonton Gold Bar	17,458	16,991	17,503	467	2.75	512	2.9
37 Edmonton Highlands	15,081	15,158	14,604	77	0.51	554	3.8
38 Edmonton Jasper Place	18,100	16,713	16,202	1,387	8.30	511	3.2
39 Edmonton Kingsway	15,536	15,067	16,769	469	3.11	1,702	10.1
40 Edmonton Meadowlark	28,059	26,816	21,833	1,243	4.63	4,983	22.8
41 Edmonton Mill Woods	28,227	25,027	12,381	3,200	12.78	12,646	102.1

Electoral Division	Names on List			Increase Decrease and Percentage			
	1982	1981	1978	1982		1981	
42 Edmonton Norwood	16,316	15,101	16,004	1,215	8.04	903	5.6
43 Edmonton Parkallen	19,300	19,171	19,807	129	0.67	636	3.2
44 Edmonton Sherwood Park	19,858	18,710	16,708	1,148	6.13	2,002	12.0
45 Edmonton Strathcona	18,132	17,255	17,173	877	5.08	82	0.5
46 Edmonton Whitemud	26,866	24,592	18,142	2,274	9.25	6,450	35.6
47 Edson	15,393	14,395	12,642	998	6.93	1,753	13.9
48 Grande Prairie	23,343	22,790	19,129	553	2.42	3,661	19.1
49 Highwood	13,693	12,584	11,132	1,109	8.81	1,452	13.0
50 Innisfail	12,500	11,474	10,533	1,026	8.94	941	8.9
51 Lac La Biche - McMurray	22,495	20,623	15,147	1,872	9.07	5,476	36.2
52 Lacombe	10,914	10,524	10,085	390	3.70	439	4.4
53 Lesser Slave Lake	9,280	8,626	7,881	654	7.58	745	9.1
54 Lethbridge East	17,549	17,397	15,864	152	8.75	1,533	9.7
55 Lethbridge West	18,726	18,257	15,972	469	2.57	2,285	14.3
56 Little Bow	7,903	7,725	8,010	178	2.30	285	3.6
57 Lloydminster	11,245	10,547	9,529	698	6.62	1,018	10.7
58 MacLeod	11,556	10,958	10,695	598	5.46	263	2.5
59 Medicine Hat	26,479	26,497	22,672	18	0.07	3,825	16.9
60 Olds - Didsbury	13,929	13,097	11,880	832	6.35	1,217	10.2
61 Peace River	14,335	13,861	12,324	474	3.42	1,537	12.5
62 Pincher Creek - Crowsnest	8,661	8,376	8,436	285	3.40	60	0.7
63 Ponoka	10,342	10,060	9,763	282	2.80	297	3.0
64 Red Deer	29,597	28,277	21,503	1,320	4.67	6,774	31.5
65 Redwater - Andrew	11,368	10,849	10,377	519	4.78	472	4.5
66 Rocky Mountain House	12,327	12,351	11,288	24	0.19	1,063	9.4
67 Smoky River	8,819	8,551	8,399	268	3.13	152	1.8
68 Spirit River - Fairview	8,832	8,380	8,387	452	5.40	7	0.08
69 St. Albert	34,085	31,529	26,184	2,556	8.10	5,345	20.4
70 Stettler	9,141	8,918	8,495	223	2.50	423	2.4
71 Stony Plain	24,733	23,127	17,926	1,606	6.94	5,201	29.0
72 St. Paul	9,655	9,060	8,921	595	6.57	139	1.6
73 Taber - Warner	12,910	12,394	11,509	516	4.16	885	7.6
74 Three Hills	15,360	13,805	10,377	1,555	11.26	3,428	33.0
75 Vegreville	10,417	10,097	9,785	320	3.17	312	3.2
76 Vermilion - Viking	9,265	9,074	8,728	191	2.10	346	2.8
77 Wainwright	9,575	9,302	8,554	273	2.93	748	8.7
78 Wetaskiwin - Leduc	27,996	26,716	22,498	1,280	4.79	4,218	18.7
79 Whitecourt	11,906	11,089	10,105	817	7.37	984	9.7
TOTAL	1,386,222	1,321,457	1,157,713	64,765	4.90%	163,744	14.1%

ELECTORAL BOUNDARIES COMMISSION ACT

CHAPTER E-4

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 In this Act,

- (a) "Commission" means an Electoral Boundary Commission appointed pursuant to section 2;
- (b) "existing electoral division" means an electoral division described in the Schedule to the *Legislative Assembly Act*;
- (c) "existing urban electoral division" means an electoral division described in the Schedule to the *Legislative Assembly Act* that comprises the whole or part of a city or town named in section 12;
- (d) "urban electoral division" means an electoral division that comprises the whole or part of an urban municipality;
- (e) "urban municipality" means a city or town named in section 12;
- (f) "voter population" means the number of electors as determined from the lists of electors used in the preceding general election.

RSA 1970 c11B s2;1975(2) c19 s2

PART 1

ELECTORAL BOUNDARY COMMISSIONS

2 The Lieutenant Governor in Council shall, from time to time as required by this Act, appoint an Electoral Boundary Commission consisting of

- (a) a judge or retired judge of the Court of Queen's Bench, the Supreme Court or the District Court, to be chosen by the Lieutenant Governor in Council,
- (b) one person (not a member of the Legislative Assembly or

the Legislative Assembly after consultation with the President of the Executive Council and the Leader of Her Majesty's loyal opposition,

(c) 2 members of the Legislative Assembly nominated by the Leader of Her Majesty's loyal opposition, to be chosen one from the Leader of the opposition's party and, where possible, one from the next largest opposition party in the Legislative Assembly,

(d) 2 members of the Legislative Assembly chosen from the Government party by the Lieutenant Governor in Council, and

(e) the Chief Electoral Officer,

one of whom shall be appointed chairman.

RSA 1970 c118 s3;1972 c107 s3;1977 c17 s20;1978 c51 s38(19)

Function

3 The function of a Commission is to make proposals to the Legislative Assembly as to the area, boundaries and names of the electoral divisions of Alberta in accordance with the rules set out in Part 2.

RSA 1970 c118 s4

Remuneration

4(1) A member of a Commission who is not a member of the Legislative Assembly or an employee of the Government may be paid the remuneration for his services on the Commission prescribed by the Lieutenant Governor in Council.

(2) The members of a Commission shall be paid their reasonable travelling and living expenses while absent from their ordinary place of residence and in the course of their duties as members at the rates the Lieutenant Governor in Council prescribes.

(3) A person is not disqualified as a member of the Legislative Assembly by reason only of accepting payment pursuant to subsection (2).

RSA 1970 c118 s5

Time of appointment

5 A new Commission shall be appointed during the first session of the Legislature following every 2nd general election following the appointment of the last Commission.

RSA 1970 c118 s6;1975(2) c19 s3

Report to Speaker

6(1) The Commission shall, after considering any representations to it and within 12 months of the date on which the Commission is appointed, submit to the Speaker of the Legislative Assembly a report which shall delineate the boundaries of the proposed electoral divisions.

(2) On receipt of the report the Speaker shall forthwith cause it to be made public and the Commission's proposals to be published in The Alberta Gazette.

(3) If the office of Speaker is vacant the report shall be submitted

to the Clerk of the Legislative Assembly who shall comply with subsection (2).

RSA 1970 c118 s7;1975(2) c19 s4

Hearings
7(1) The Commission

(a) may before its report is submitted to the Speaker, and

(b) shall after its report has been made public,

hold hearings at the places and times it considers appropriate to enable representations to be made by any person as to the area and boundaries of any proposed electoral division.

(2) The Commission shall give reasonable public notice of the time and place and purpose of any public hearings held by it.

RSA 1970 c118 s8

Amendment of report
8(1) The Commission may, after considering any further representations made to it and within 6 months of the date it submits its report, submit to the Speaker any amendments to its report it considers advisable.

(2) The amendments shall be made public and published in the same manner as the report.

(3) If the office of Speaker is vacant the report shall be submitted to the Clerk of the Legislative Assembly who shall comply with subsection (2).

RSA 1970 c118 s9;1975(2) c19 s5

Report to Assembly
9 The report of the Commission, together with any amendments to it, shall,

(a) if the Legislative Assembly is in session when the report is submitted, be forthwith laid before the Assembly, or

(b) if the Legislative Assembly is not then in session, be laid before the Assembly within 7 days after the commencement of the next ensuing session.

RSA 1970 c118 s10;1975(2) c19 s6

New electoral divisions
10(1) If the Assembly, by resolution, approves or approves with alterations the proposals of the Commission, the Government shall, at the same session, introduce a Bill to establish new electoral divisions for Alberta in accordance with the resolution.

(2) The Bill shall be stated to come into force on Proclamation and, if enacted, shall be proclaimed in force before the holding of the next general election.

RSA 1970 c118 s11

PART 2

REDISTRIBUTION RULES

Electoral divisions

11 The Commission shall divide Alberta into 79 proposed electoral divisions consisting of

- (a) 43 proposed urban electoral divisions, and
- (b) 36 proposed rural electoral divisions.

RSA 1970 c118 s12;1975(2) c19 s7

Urban electoral divisions

12(1) The Commission shall establish

- (a) the cities of Camrose, Drumheller, Grande Prairie, Medicine Hat, Red Deer and Wetaskiwin and the town of St. Albert, each as a proposed urban electoral division;
- (b) 16 proposed urban electoral divisions in the City of Calgary;
- (c) 18 proposed urban electoral divisions in the City of Edmonton;
- (d) 2 proposed urban electoral divisions in the City of Lethbridge.

(2) The areas of Alberta that are not included in proposed urban electoral divisions shall be included in proposed rural electoral divisions.

RSA 1970 c118 s13;1975(2) c19 s8

Boundaries

13 Except as hereinafter provided,

- (a) the boundaries of a proposed urban electoral division shall not extend beyond the municipal boundaries of the urban municipality which it comprises, and
- (b) the boundaries of each proposed urban electoral division shall be established so that all proposed urban electoral divisions are as nearly as possible equal in voter population.

RSA 1970 c118 s14

Increase in population

14 When an increase in population appears likely in any area, the Commission may, for the purposes of establishing boundaries, take into account the projected voter population growth.

RSA 1970 c118 s15

Extension of boundaries

15 When the voter population of an urban municipality is more than 25% below the average voter population of the existing urban electoral divisions, the Commission may extend the boundaries of the proposed electoral division beyond the boundaries of the urban municipality in order to bring the voter population of the proposed urban electoral division up to a figure no greater than the average voter population of the existing urban electoral divisions.

RSA 1970 c118 s16

60

than 25% above the average voter population of the existing urban electoral divisions, the Commission

(a) shall divide the area of the urban municipality into 2 or more proposed urban electoral divisions each having a voter population approximately equal and not more than 25% above the average voter population of the existing urban electoral divisions, and

(b) may extend the boundaries of any such proposed urban electoral division beyond the boundaries of the urban municipality in order to bring the voter population of the proposed urban electoral division up to a figure no greater than the average voter population of the existing urban electoral divisions.

(2) Subsection (1)(b) does not apply to the cities of Calgary and Edmonton, except that the community of Sherwood Park and any necessary intervening land shall be included in a proposed urban electoral division in the City of Edmonton.

RSA 1970 c118 s17

Restrictions

17 In proceeding under section 15 or 16, the Commission shall not extend the boundaries of a proposed urban electoral division beyond the boundaries of the urban municipality in a manner that results in the voter population in the area beyond the urban boundary exceeding the voter population within the urban boundary, but, for the purpose of applying this section, if the area beyond the urban boundary includes any town or village, the voter population of the town or village shall be calculated as part of the voter population within the urban boundary and not as part of the voter population beyond the urban boundary.

RSA 1970 c118 s18; 1972 c89 s7

Sparsely populated areas

18(1) As far as is practicable, the Commission shall establish the boundaries of the proposed rural electoral divisions so that all proposed rural electoral divisions are as nearly as possible equal in voter population, but in dealing with the more sparsely populated areas of Alberta the Commission shall endeavour to avoid establishing proposed rural electoral divisions that are larger than the existing electoral divisions in those areas.

(2) No part of an urban municipality shall be included within the boundaries of a proposed rural electoral division.

RSA 1970 c118 s20

Determining boundaries

19 The Commission, in determining the area to be included in and in fixing the boundaries of all proposed electoral divisions, shall take into consideration

(a) the community or diversity of interests of the population,

(b) the means of communication between the various parts of the community,

- (d) the sparsity or density of population, and
- (e) all other similar or relevant factors.

RSA 1970 c118 s21

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR:
Robert R. Cundy M.C.I.P.

TELEPHONE: (403) 343-3394

Your File No.

MEMORANDUM

Our File No.

TO: Mayor R. McGhee
FROM: Bill Shaw, M.C.I.P.
DATE: August 17th, 1983
RE: Provincial Electoral Divisions

Since my previous memo to you dated August 15th, 1983 on this matter, I have received the Election Act and an opportunity to study the Legislative Assembly Act.

Of direct relevance to your enquiry is the first two sections of the Legislative Assembly Act:

1. The Legislative Assembly shall be composed of 79 Members to represent the electoral divisions described in the Schedule to this Act. (*Red Deer's attached*)
2. Each of the electoral divisions mentioned and defined in the Schedule is entitled to return one Member.

Therefore, should Red Deer be desirous of receiving a second electoral division the aforementioned Schedule would have to be amended. Of course, the consideration of the creation of a second electoral division for Red Deer has parallel considerations throughout the Province (eg. more seats for Calgary and Edmonton; a seat for St. Albert or Fort McMurray, another seat for Medicine Hat). Also, the distribution of city and rural electoral divisions (37 City, 42 Rural at this time) is a highly political matter and of direct relationship to a second seat for Red Deer.

The Election Act (Section 1c) defines "city electoral divisions". As reported in the previous memo, there are 37 in total including 16 for Calgary, 17 for Edmonton, 2 for Lethbridge and one each for Medicine Hat and Red Deer. This section would also have to be amended if Red Deer is to receive a second electoral division.

.... / 2

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDOEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE
VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLIEWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLER No. 6 —IMPROVEMENT DISTRICT No. 10

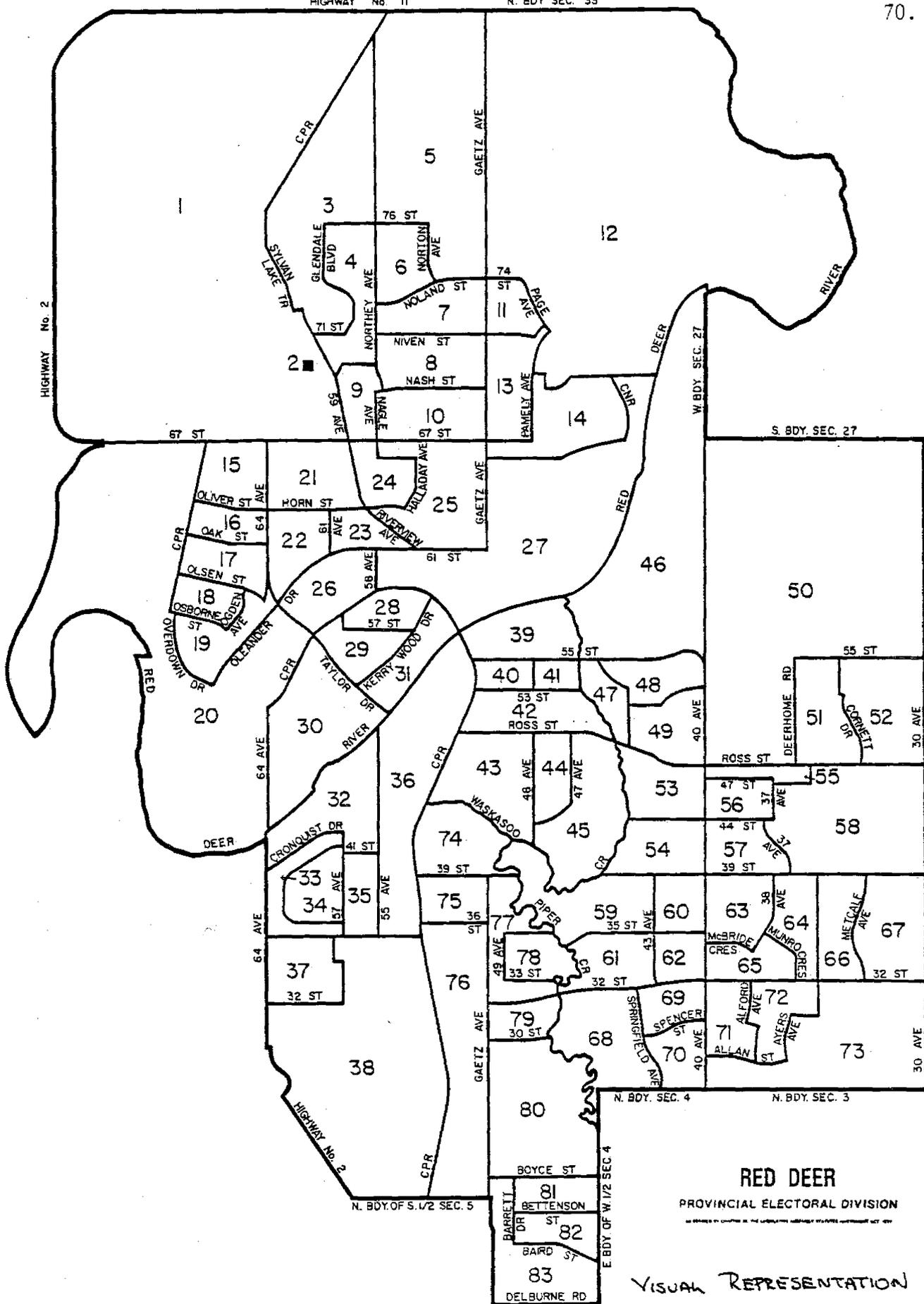
Mayor R. McGhee
August 17th, 1983
Page two

The City electoral divisions in the Election Act obviously are not the same as the "43 proposed urban electoral divisions" in the Electoral Boundaries Commission Act. While this latter Act guides the Electoral Boundary Commission to use the "average voter population of existing urban electoral divisions", the previous memo utilized the averages for city divisions since this usage is more applicable to the Red Deer situation. This approach is supportable since the Chief Electoral Officer in his Report on the 1982 General Enumeration utilized city and rural electoral divisions, not urban and rural.

Further Note:

For the November 2nd, 1982 general provincial election there were 30,560 names of the voter list for the Red Deer electoral division. This represents a 3.25 per cent increase over the 1982 enumeration list figure of 29,597.

WGAS/lr



NO. 11

August 10. 1983.

TO: CITY CLERK

FROM: FIRE CHIEF

RE: AMBULANCE RESPONSES OUTSIDE CITY LIMITS

At their regular meeting of November 22/82, City Council passed the following resolution:

"Resolved that Council of the City of Red Deer having considered report dated November 7, 1982, from the Fire Chief re: Ambulance Responses Outside City Limits hereby authorize the administration to negotiate an agreement with the various municipal jurisdictions to whom the City of Red Deer is providing ambulance service".

Subsequently we contacted the following jurisdictions with a view to having them enter an agreement whereby they would pay for uncollectable ambulance accounts occurring in their municipalities.

County of Red Deer
Blackfalds
Penhold
Sylvan Lake
Delburne
Elnora

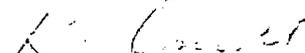
The County of Red Deer, Village of Delburne and Village of Elnora have indicated they would be willing to enter into an ambulance agreement with the City.

The Town of Blackfalds indicated that they have an agreement with the Town of Lacombe and therefore do not wish to enter into another agreement.

Penhold and Sylvan Lake indicated that they do not wish to enter an agreement with the City.

Agreements with those municipalities wishing to participate are being prepared and will be forwarded for signature shortly.

Council's direction is requested regarding the municipalities not participating in this agreement.


R. Oscroft

Commissioners' Comments

As can be seen from the attached report a number of municipalities have agreed to enter an agreement with regards to uncollectible accounts for ambulance and such agreements are in the course of preparation. With respect to the Town of Blackfalds as they already have an agreement with the Town of Lacombe, it would appear that it is no longer necessary for us to provide ambulance service to that community and future calls if any will be referred to Lacombe.

With respect to Penhold and Sylvan Lake, as they do not wish to enter into an agreement, we assume they no longer require the services of our ambulance and accordingly suggest this be confirmed to those municipalities by the Fire Chief.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

NO. 12

TO: COUNCIL

FROM: CITY CLERK

RE: PUBLIC HEARINGS

Council are advised that a public hearing scheduled for Monday, August 29, 1983 has been properly advertised in respect to the following Land Use Bylaw Amendment, described as noted hereunder:

(1) Bylaw #2672/L-83 - to amend Section 4.13.1 by adding the following use:

"(16) on those sites or portion thereof, herein listed
'a basement dwelling suite', is a permitted use
(a) Lot 1, Block 4, Plan 4194 M.C."
(Craig MacKenzie re: 414 Terrace Park)

As of this date, no objections have been received concerning this particular Bylaw amendment.

"R. STOLLINGS"
City Clerk

NO. 13

August 4, 1983.

TO: Council
FROM: City Clerk

RE: Checkmate Court/Storm Sewer Outfall

At the August 2, 1983, meeting of Council, it was agreed that the following notice be sent by registered mail to the owner of Lot 2, Block 5, Plan 792-2189.

"TO: Checkmate Court
RMD 133, R.R. 8
Edmonton, Alberta

Attention: Mr. E. Chrustawka

Dear Sir:

Take notice that Council of the City of Red Deer will, at its meeting to be held in the Council Chambers, City Hall, Red Deer, Alberta, the 29th day of August 1983, commencing at 7:00 p.m., consider making the Order hereunto annexed and forming part hereof.

And further take notice that you will be given the opportunity of appearing and being heard by Council at the meeting before the making of the Order.

R. Stollings
City Clerk

RESOLUTION TO BE ANNEXED

Council of the City of Red Deer being of the opinion that the storm sewer outfall located on the N.E. corner of Lot 2, Block 5, Plan 792-2189 (Checkmate Court) is by reason of its incompleated state of construction and in addition the pipe having been installed backwards (bell ends at downstream side) causing exfiltration, which if left unchecked the erosion could pose a threat to the existing water main and eventually could endanger the structure itself thereby being dangerous to the public safety and is detrimental to the surrounding area, hereby resolves and orders that the owner of the said property, within 30 days of the date hereof, complete construction of the storm sewer outfall to the bottom of the slope as requested by the City and as stated in the Soils Consultants Report and in default of which, the City Engineer shall cause the same to be done and all costs of so doing shall be charged against the said lands as taxes due and owing and shall be recovered as such."

Respectfully submitted,
R. Stollings City Clerk

August 23, 1983.

TO: Council
FROM: City Clerk

RE: Checkmate Court

Further to the above, I wish to advise that we have not as yet received confirmation from the Post Office that our letter of August 4th was delivered to Checkmate Court and accordingly it is suggested by the City Solicitor that we again commence a new notification with a hearing scheduled for September 26.

Rather than try to serve notice on Checkmate Developments Ltd. we will serve notice to the registered office of the Company which is 10205 - 101 St., 1900 Royal Trust Tower, Edmonton, Alberta, T5N 2Z2.

In this way we can proceed without further possible delays.

Respectfully submitted,

R. Stollings, City Clerk

RS/ds

NO. 1

CITY COUNCIL

Dear Sirs:

I would like to build a one or two bedroom suite in my basement. Would appreciate your consideration in this matter. Location 3241 - 55 Ave. West Park.

Your early consideration is requested.

Mayme Arthur 346-7241
3241 - 55 Ave.
T4N 5L3

August 22, 1983

TO: CITY CLERK

FROM: P. HOLLOWAY
ASSISTANT DEVELOPMENT OFFICER/
BUILDING INSPECTOR

RE: 3241 - 55 Avenue - proposed basement suite

In response to your memo on the above subject, we have the following information for Councils consideration:

The site in question is presently zoned R1, Residential Low Density District, and under the provision of the Land Use Bylaw, basement suites are neither a permitted nor a discretionary use.

The building on the subject site is a bungalow type residence constructed in 1973, and considerable renovations may be required to ensure compliance with the requirements of the Alberta Building Code.

We recommend the application be denied, as in our opinion the use would affect the amenities of the neighbourhood. The concerns of this Department being that approving requests of this nature may result in similar requests from this and other R1 Districts, and consideration must be given to the property owners who purchased their property on the assumption that it would remain designated R1 single family.

P. Holloway
Assistant Development Officer/
Building Inspector

PH/ls

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR:
Robert R. Cundy M.C.I.P.

TELEPHONE: (403) 343-3394

August 19, 1983

Your File No.

Our File No.

Mr. R. Stollings,
City Clerk
City of Red Deer,
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Basement Suite request - 3241 - 55th Avenue

The applicant is requesting City Council's permission to construct a one or two-bedroom suite in her basement located at 3241 - 55th Avenue. The site is located at the south-east corner of 55th Avenue and Wallace Close, opposite Westpark Junior High School. The area is zoned as R1 or single family area, and a basement suite is not permitted in the R1 zone.

We can not support this request, for the following reasons:

- 1 - When the people bought their houses, it was with the understanding that the area was zoned R1 or single family district and that two family dwellings are not permitted.
- 2 - To permit a basement suite in a fairly new single family area will set a precedent and will be difficult to deny other applications requesting the same privilege in other single family zones.
- 3 - The building is a bungalow type with small windows in the basement. This type of building is least suitable for any conversion to basement suite, even if the bylaw permits same.
- 4 - To allow a basement suite would require rezoning this particular house from R1 to R2 or spot zoning.

We recommend that the request be denied.

Yours truly,

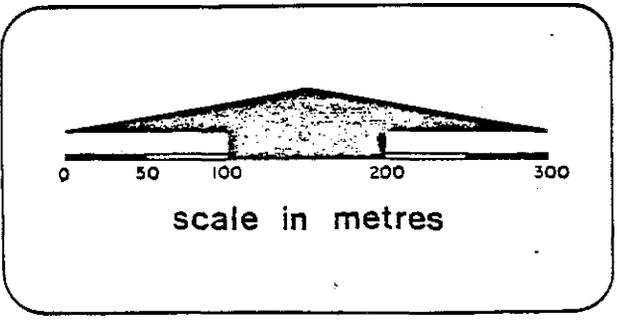
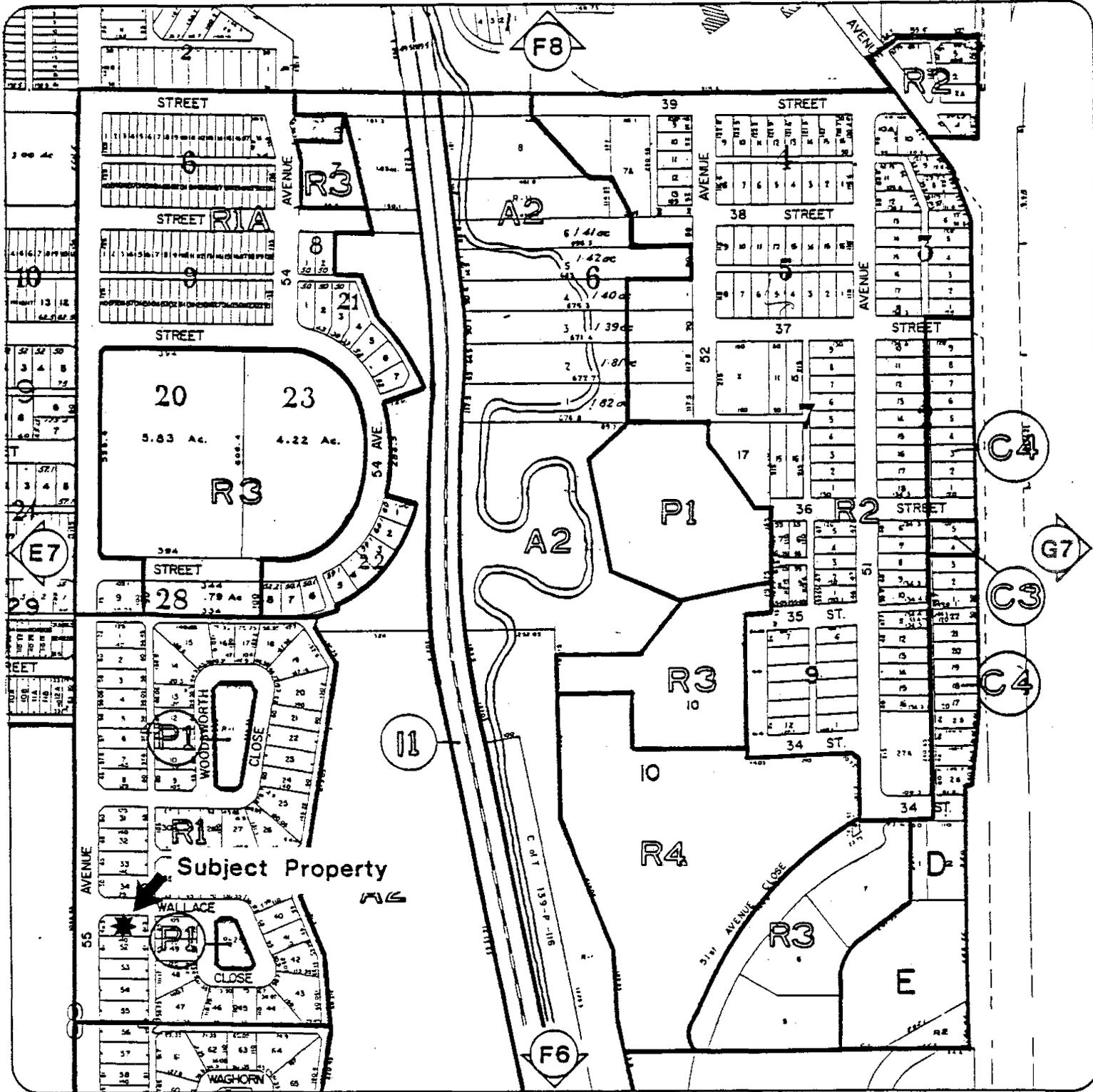
D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. R. Strader, Development Officer

B. Jeffers, City Engineer
MUNICIPALITIES WITHIN COMMISSION AREA

Land Use Districts



Revisions :

- 2672/D-80 (15/9/80)
- 2672/D-83 (24/5/83)

Commissioners' Comments

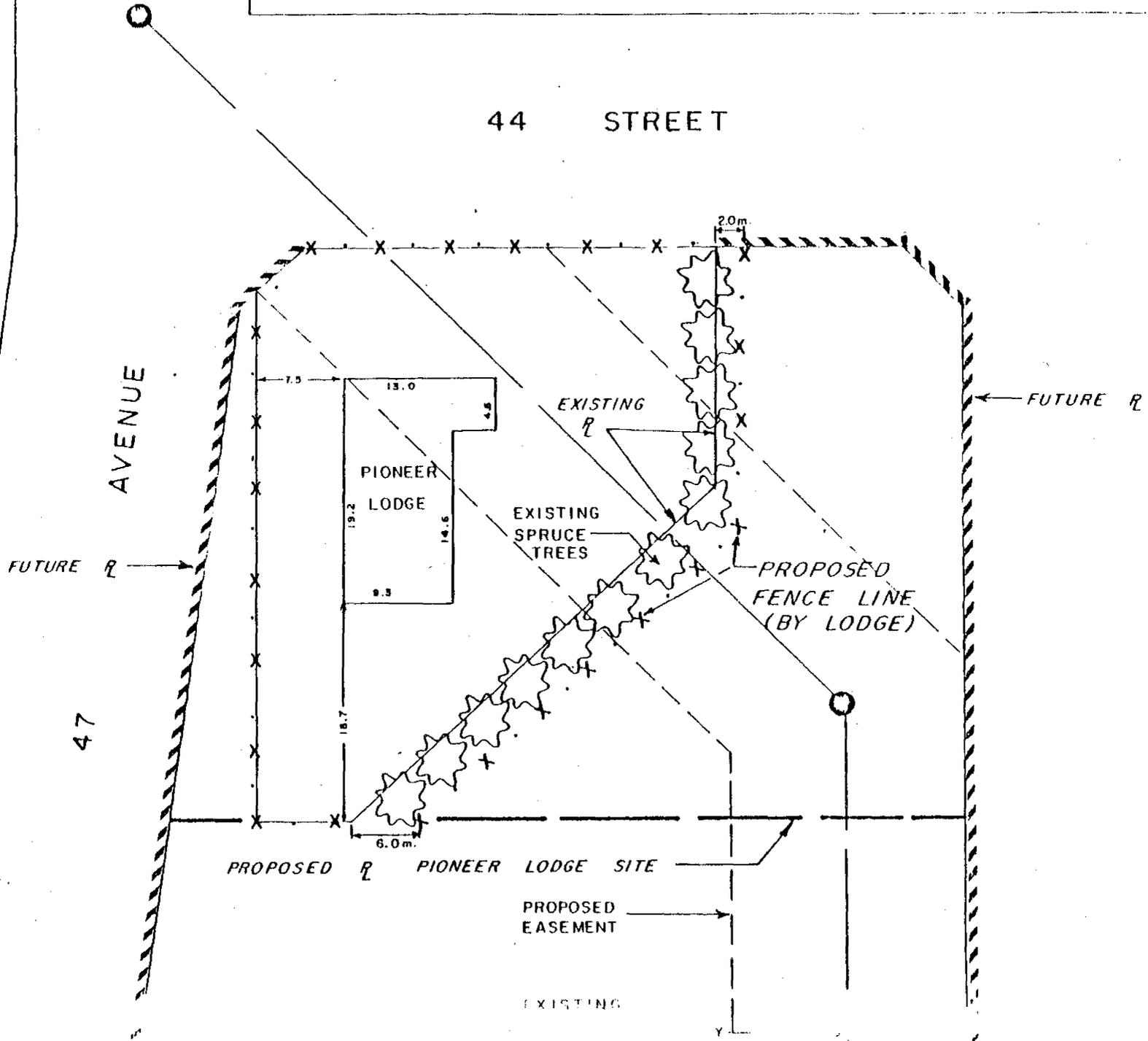
We recommend this application be not supported.

'R.J. MCGHEE'
Mayor

'M.C. DAY'
City Commissioner



82.



RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9

83.

DIRECTOR:

Robert R. Cuncy M.C.I.P.

TELEPHONE: (403) 343-3394

Your File No.

Our File No.

August 16, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Pioneer Lodge Boundaries

The Pioneer Lodge is requesting permission to extend the north boundary of their site further north along the old fence line, in order to preserve the mature trees.

The north boundary faces onto 44th Street and the existing right-of-way is 18.28 metres. There is a plan to increase the right-of-way to 20 metres and in that case some trees would be affected.

To protect the trees, it is recommended that permission be granted (encroachment agreement), to locate the fence north of the tree line without changing the north boundary line.

For Council's information, the trees are located about 1.6 m north of the proposed property line.

Yours truly,


D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

DR/cc

c.c. B. Jeffers, City Engineer

Don Wilson, City Assessor

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIOSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIL—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLE—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURNE
VILLAGE OF DONALDA—VILLAGE OF ELNORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE
SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLÉNWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINT EARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLE No. 6 —IMPROVEMENT DISTRICT No. 10

August 15, 1983

TO: CITY CLERK
FROM: CITY ASSESSOR

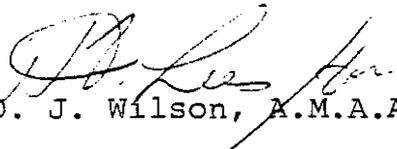
RE: Pioneer Lodge Boundaries

With reference to the Central Alberta Pioneer's and Oldtimers Association correspondence dated August 4, 1983.

1. We would concur with comments from the City Engineer with reference to an adjustment to north boundary if required to preserve the mature trees.

2. The present lease expires on the 31 of June 1988, is for 30 years at 1.00/year.

We would have no objections to renew the lease for similar terms and conditions which pertain to the existing lease.


D. J. Wilson, A.M.A.A.

August 19, 1983

TO: City Clerk
FROM: City Engineer
RE: Pioneer Lodge Boundaries

The Engineering Department has been in contact with Mr. R. L. Dale who is involved with the Lodge. We have explained that the street right-of-way along the north boundary is to be widened to accommodate necessary road widening with the development in the area. This will result in the Lodge's present boundary being shifted south. The Engineering Department has no objections, however, to the north fence being replaced in its original location (inside street right-of-way) as it will not affect street operation. The line of spruce trees will not be effected.

The matter of the lease will be addressed by the City Assessor. Any new lease should naturally reflect the new boundaries.

We will be working with Mr. Dale and other members of the Lodge to assist in laying out a lot design for parking, etc.. Should, during the course of construction, there be excess fill it will be used to raise their site.

B. C. Jeffers, P. Eng.
City Engineer

BCJ/emg
cc - City Assessor

Commissioners' Comments

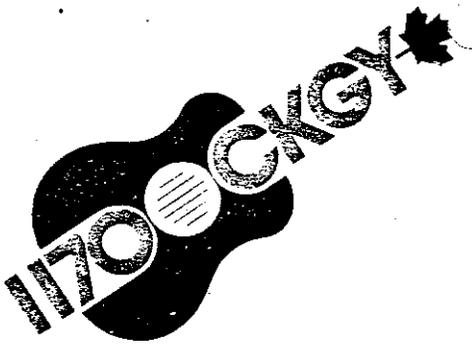
We could not agree to readjust the roadway boundaries along the north side of the property as this should remain as right-of-way. We would agree with the comments of the City Engineer wherein the trees and the fence will remain in their present location.

"R.J. MCGHEE"

Mayor

"M.C. DAY"

City Commissioner



Super Country Radio

87.

P.O. Box 339, Red Deer, Alberta T4N 5E9 (403) 343-1170

NO. 3

August 12, 1983

City Clerk
City Hall
Red Deer, Alta.

RE: Sunday & Holiday Closing Bylaw

Dear Sir:

CKGY 1170 Radio has conformed to the provisions of the new Red Deer Sunday and Holiday Closing Bylaw since it came into effect earlier this year.

As we have informed members of Council before, CKGY does not agree with certain aspects of this new bylaw, particularly with regard to Statutory closings and the provision for fines for the media. We have chosen to obey the bylaw in the hope that a more moderate position may be negotiated with City Council.

We understand that charges have been laid against the merchants and the media that broke the bylaw during the first statutory holiday, and pending the decision of the courts, further charges may develop out of the second statutory holiday weekend.

CKGY is concerned that this issue may not be resolved for some months. This issue has caused us a loss of revenue in the past and will directly affect our ability to conduct our advertising commitments in this market in the future.

... 2

10,000 Watts · 24 Hours · Main Studios at 4805 · 48th Avenue, Red Deer, Alberta

Mobile Studios at ROCKY MOUNTAIN HOUSE — OLDS — LACOMBE — RIMBEY — PONOKA — INNISFAH

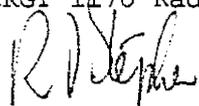
City Clerk
City Hall
Red Deer, Alta.

- 2 -

Aug. 13/83

I would appreciate the opportunity to appear before City Council at the August 29th, 1983 meeting in order to present our concerns, and hopefully to resolve this issue to the satisfaction of all concerned parties.

Yours truly,
CKGY 1170 Radio



R.D. (Rod) Stephen
President/General Manager

RDS/ddw

Received August 15/83

7:00 pm.

PS



PARKLAND MALL

ADMINISTRATION OFFICE
PARKLAND MALL
4747 - 67TH STREET
RED DEER, ALBERTA, CANADA
T4N 6H3
PHONE: (403) 343-8997

89.

August 8th, 1983

Mr. Civic,
Assistant City Clerk,
City of Red Deer,
City Hall,
P.O. Box 5008,
RED DEER, Alberta.
T4N 3T4

Dear Mr. Civic,

RE: HOLIDAY/SUNDAY STORE CLOSING.

The Parkland Mall respectfully requests that serious consideration be given to the removal of the existing By-law recently passed which prohibits selective shopping on holidays and Sundays.

Prior to third reading, the Parkland Mall did submit a letter with a simple over-view of our position regarding that By-law.

The owners of Parkland Mall felt it would have been prudent for the City to contact the Parkland Mall prior to the first reading inasmuch as the Shopping Centre does consist of 95 stores and services which number and size is considerable. However, that was not done.

To re-emphasize our position, we would respectfully request that the existing By-law be amended to allow shopping on holidays.

Parkland Mall's position is not for Sunday shopping, but our contention lies with the restriction placed on all holidays.

We thank you for your consideration to this matter.

Sincerely yours,
PARKLAND MALL ADMINISTRATION.

Gary Seher,
MANAGER, PARKLAND MALL.
GWS/amb
cc: T.R.

R. Strader, Development Officer
Alan Scott, Eco. Dev. Director

FCSS Director

RED DEER REGIONAL PLANNING COMMISSION

2830 BREMNER AVENUE

RED DEER, ALBERTA, CANADA T4R 1M9 90.

DIRECTOR:

Robert R. Cundy M.C.I.P.

'83 AUG 17 1983
TELEPHONE: (403) 343-3394

Your File No.

Our File No.

August 17, 1983

Mr. R. Stollings,
City Clerk
City of Red Deer
Box 5008
Red Deer, Alta.

Dear Sir:

Re: Holiday/Sunday Store Closing

Thank you for requesting our comments to the letter written by Mr. Seher, Manager of Parkland Mall in Red Deer.

The following is my personal observation regarding the Holiday and Sunday store closing. While visiting in the United States, I observed as follows.

All department stores were open "7" days a week, with Sunday hours from 12 noon to 6:00 P.M. The Super Markets (food stores) having the same hours of operation as the department stores. There were a number of Super Markets open 24 hours, seven days a week. The individual stores in the shopping malls normally followed the large department store hours. Other stores outside the malls were generally closed on sundays, except for convenience stores, such as Seven-Eleven.

I am not certain, but I think the situation is the same for Holidays and Sundays. I noticed many people do their shopping on Sunday afternoon, and they make it a family outing. In the larger malls, there are such facilities as ice skating, roller skating, and movie theatres, and these are attractions for the children while the parents do their shopping.

I do not believe that we have to follow the Sunday shopping example mentioned above, but on the whole, we favour less restrictions should be placed by the municipalities on things such as store closing days, media advertising, etc., and more decision making should be left at the discretion of the merchants to regulate their own days of operation and hours of operation, etc.

Yours truly,

DR/cc

D. Rouhi, MCIP
SENIOR PLANNER
CITY PLANNING SECTION

MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE
TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTLE—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE
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SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLINWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—COUNTY OF LACOMBE No. 14
COUNTY OF MOUNTAIN VIEW No. 17 —COUNTY OF PAINTHEARTH No. 18 —COUNTY OF RED DEER No. 23 —COUNTY OF STETTLE No. 6 —IMPROVEMENT DISTRICT No. 10

August 22, 1983

91.

TO: City Clerk
FROM: FCSS Director
RE: Holiday/Sunday Store Closing

With respect to the correspondence from Mr. Seher of Parkland Mall I would like to offer the following observations.

I personally feel that it makes good sense to have a Store Closing By-Law to establish a guideline for times when our community will "slow down" somewhat and allow for a more relaxed, leisurely pace of life. This is good for the "mental health" of the community, generally. The guideline, naturally, will be seen differently by everyone affected.

Without such restrictions on store openings the more aggressive stores will force others to remain open to be competitive. I have talked with some small shop owners and staff who fear this. I fear that the removal of restrictions on store openings will ultimately have the opposite effect of increasing shopping activity and the pace of life in our community. This would be to the detriment of the community's "mental health".

Mr. Seher does not appear to disagree with Council's passing the by-law but he seems to suggest Council has gone too far. Others, no doubt, will feel that Council has not gone far enough. If the by-law is changed I would suggest only minor revisions to include shopping on less-significant holidays such as Boxing Day and Easter Monday.

Rick Assinger
FCSS DIRECTOR

RA/r1

Commissioners' Comments

The above letter from CKGY expresses some concerns with respect to the Sunday & Holiday Closing Bylaw. The applicant is requesting the opportunity to appear before Council in order to present its concerns. In addition is a letter from Parkland Mall containing some specific recommendations for changes to this Bylaw. We would recommend that Council hear the representation from CKGY following which Council may wish to give direction to the administration concerning both submissions.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner



WASKASOO MUSEUM FOUNDATION

92.

NO. 4

Mayor R. McGhee
City Hall
Red Deer, Alberta.

August 12 1983

Your Worship:

re: Red Deer 75th Anniversary Heritage Fund

The Board of Directors of the Waskasoo Museum Foundation met today to consider the Agreement between the City of Red Deer and the Foundation with respect to the above Fund.

I am pleased to advise you that the following motion was passed:

"Moved by A.B. Armstrong and John Hicks that the Agreement as amended be given approval and that Banister and Armstrong be authorized to sign the Agreement with the City on behalf of the Foundation".
CARRIED

It is to be noted that the Board wish it made quite clear, perhaps by further appropriate amendment to the Agreement, that the 60 day termination clause applies only to the life of the Agreement and that the Fund itself will stand for all time.

We look forward to learning of Council's approval of the Agreement and the formal establishment of the Red Deer 75th Anniversary Heritage Fund.

Yours truly,

:ae

c.c. A. Peck
F. Morris Flewelling

Moby Banister

Chairperson
Waskasoo Museum Foundation

TRUST AGREEMENT made this day of, A.D. 1983.

B E T W E E N:

THE CITY OF RED DEER
(herein called "the City")

OF THE FIRST PART

- and -

WASKASOO MUSEUM FOUNDATION
(herein called "the Foundation")

OF THE SECOND PART

WHEREAS the City established the Red Deer 75th Anniversary Committee to administer Anniversary Projects to celebrate the City's 75th Anniversary;

AND WHEREAS all the Anniversary Projects have been completed and the Red Deer 75th Anniversary Committee has excess funds remaining;

AND WHEREAS the City desires to finalize the business of the Red Deer 75th Anniversary Committee to hold the surplus funds in trust and to expend such funds and any interest earned thereon for historic purposes;

NOW THEREFORE IN CONSIDERATION of the covenants herein contained, it is mutually agreed between the parties hereto that:

1. The City shall hold in trust and keep invested the sum of \$ _____ and such interest as may accumulate from time to time, being the excess funds presently held by the Red Deer 75th Anniversary Committee (which funds are hereinafter referred to as the "Heritage Fund").

2. The City shall solicit or may receive the recommendation of the Foundation from time to time and shall not expend the Heritage Fund in any manner other than as may be recommended by the Foundation for the purpose of preservation, interpretation and restoration of historical buildings, structures and sites in the City of Red Deer and immediate area including necessary research and studies relative to the above.

3. This agreement may be terminated by either of the parties hereto upon 60 days notice to the other party.

4. This trust shall be known as the "Red Deer 75th Anniversary Heritage Fund Trust".

IN WITNESS WHEREOF the City and the Trustee have hereunto set their hands and seals.

THE CITY OF RED DEER

Per: _____

Per: _____

WASKASSO MUSEUM FOUNDATION

Per: _____

Per: _____

Commissioners' Comments

The proposed attached agreement is a result of discussions between the 75th Anniversary Committee, the Museum Foundation, Councillor Pimm and the City Administration for the administration of surplus 75th Anniversary funds. We would recommend Council endorse the agreement and authorize execution of same. With reference to the letter from the Museum Foundation and the statement that "the fund stand for all time", while this is clearly the intent we don't believe it should be interpreted as a commitment by the City to replenish the funds in the event that they become exhausted.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner



NO. 5

No. 23
OFFICE OF THE SECRETARY-TREASURER
BOX 920
RED DEER, ALBERTA T4N 5H3

August 9, 1983

Mr. H.M.C. Day
City Commissioner
City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4

Dear Sir:

Re: Water Service South of City

Further to the discussions between the County and the City of Red Deer at the City/County Liaison meeting held May 11, 1983 relative to supplying the commercial businesses south of the City of Red Deer with water services from the City.

I have been instructed by County Council to write to you requesting the consideration of the Council of the City of Red Deer to supplying water services to the area indicated above.

The area to be served would cover the same commercial establishments as the temporary sewerage agreement is covering, as well as the Seventh Day Adventists property.

The approximate volume of water required would be about 50,000 U.S.G. per day at peak periods. Water for fire protection would also be included if available.

As mentioned during previous discussions the water quantity in the area is not a problem, but the quality is poor.

The County has requested the engineering firm of Reid, Crowther & Partners Limited to carry out a water supply study in the Highway Commercial area.

Presentation of this request to City Council would be appreciated.

Yours truly

COUNTY OF RED DEER NO. 23

R.J. Stonehouse
County Commissioner

/gg

August 15, 1983.

TO: PAT SHAW, Executive Assistant

FROM: FIRE CHIEF

RE: WATER SERVICE SOUTH OF CITY

Recent flow tests on hydrants on the south end of the Westerner Commercial strip indicate that if the County provide adequate main size and hydrant distribution, there would be adequate flows available for fire fighting purposes to their commercial properties south of the City.



R. Oscroft
Fire Chief

RO/ml

August 23rd, 1983

TO: City Clerk

FROM: City Engineer

RE: COUNTY REQUEST FOR WATER SUPPLY - SOUTH COMMERCIAL STRIP

The Engineering Department has reviewed the correspondence from the County dated August 9th, 1983. The following information is provided for Council's consideration:-

- the approximate service area is thirty (30) acres.
- the most recent consumption data indicates an average daily flow of approximately 23,000 Imperial gallons/day. Peak consumption could therefore reach a rate of approximately 50,000 Imperial or 60,000 U.S. gallons/day.
- one business establishment is not hooked up yet. This is a motel complex and when in operation could significantly increase the daily consumption.
- existing line north of the area is an eight-inch main. The static pressures are acceptable.
- existing fire pump facility has capacity to service this limited area.
- this County area's consumption will not adversely affect City's ability to supply water to City users.

Should Council consider supplying water to this area, we would suggest the following conditions apply:-

- installation of a single meter at north boundary; this way the City has only one customer to bill and also any use of hydrants will also be metered.
- the standard offsite charge for water trunks is \$971/acre.
- the County should be charged at the prevailing City rates for water consumption and a fifteen (15) percent surcharge for administration.
- charge for the meter would be as per City policy.
- the County be required to contribute to the cost of the fire pump facility. The total acreage being served is approximately 110 acres. It would seem reasonable that the County contribute $\frac{30 \text{ A}}{110 \text{ A}} \times \$115,000 = \$31,300$.

(Continued.....)

City Clerk

- 2 -

August 23rd, 1983

- County to pay for all costs of engineering and construction, including a meter chamber.
- no charge against the capital cost of the Water Treatment Plant on condition that no more than the thirty (30) acres is to be serviced.
- no expansion to service to be considered for any adjacent developments, no water to be sold to adjacent developments by those being considered for servicing.
- City requires right of inspection during construction.
- construction to meet or exceed City specifications. City to be able to review plans.
- all conditions of present City bylaw would apply, e.g. no guarantee of quantity, quality, pressure, etc.
- hydrants to be useable by City in emergency situations, if required.
- all maintenance costs of City to be borne by the County. City should be notified of any work which may affect system.

Submitted for the information of Council.

B.C. Jeffers, P. Eng.
City Engineer

BCJ/jrt

Commissioners' Comments

Attached is a request from the County of Red Deer to provide water supply to that area Council approved for temporary sewer service.

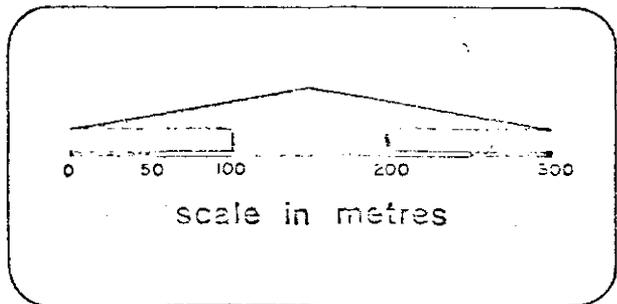
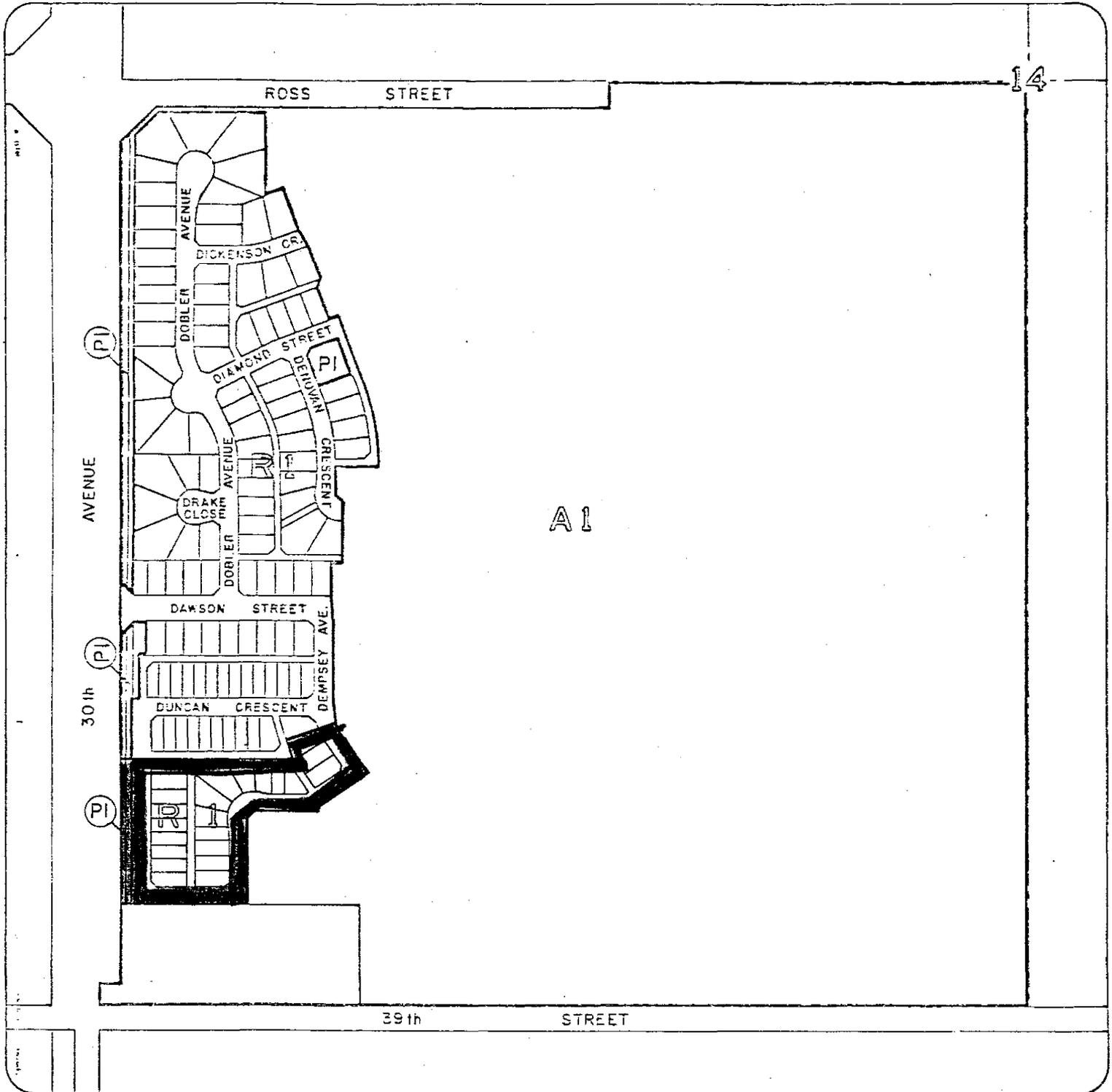
The City and the County of Red Deer both are experiencing some problems in servicing and transportation in the areas immediately adjacent to the City. We would feel that it is in both the City's and County's best interests to cooperate and resolve these problems to the mutual satisfaction of each jurisdiction. We would therefore recommend that Council approve this request subject to an agreement satisfactory to the City administration.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner

City of Red Deer --- Land Use Bylaw
 Land Use Districts -

K8



Revisions :

MAP NO. 6/83
 BY-LAW No. 2672/M-83

Change from **A1** to **R1** ~~_____~~ and **P1** ~~_____~~

Being a Bylaw to provide for the establishment and operation of a Fire Department.

WHEREAS Section 158 of the Municipal Government Act, R.S.A. 1980, provides that the Council of a municipality may pass a bylaw for the prevention or extinguishing of fires, the preservation of life and property and the protection of persons from injury or destruction by fire; and

WHEREAS Section 159 of the Municipal Government Act, R.S.A. 1980, provides that the Council may pass bylaws for any other matter or thing for the protection of life or property as may be considered proper.

NOW THEREFORE, the Council of The City of Red Deer, in the Province of Alberta, duly assembled enacts as follows:

(1) This Bylaw may be called "the Fire Department Bylaw".

(2) In this Bylaw:

"Apparatus" - means any vehicle provided with machinery, devices, equipment or materials for firefighting as well as vehicles used to transport firefighters or firefighting supplies.

"City" means The Municipal Corporation of The City of Red Deer, in the Province of Alberta.

"Commissioners"-means the Mayor of the City and the City Commissioner.

"Council" - means the Council of The City of Red Deer.

"Equipment" - means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

"Fire Chief" - means the member appointed as head of the Fire Department.

"Fire Protection" - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

"Incident" - means a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger to life or property and to which the Fire Department has responded.

"Member" - means any person that is a duly appointed member of the Fire Department.

(3) There is hereby established the Red Deer Fire Department which shall be organized and structured as herein provided.

(4) The personnel of the Fire Department shall be:

- a) The Fire Chief as appointed by Council
- b) Such other officers and members as the Fire Chief deems necessary as may be appointed to the Fire Department by, or with the approval of the Council.
- c) The Fire Chief may appoint other officers of the Fire Department to act as Fire Chief on his behalf, in his absence.

(5) The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of the City and no part of the fire apparatus shall be used beyond the limits of the City without the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the City boundaries.

(6) The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Council and the Commissioners to whom he shall be responsible, and in particular he shall be required to carry out all fire protection activities and such other activities such as Council or the Commissioners direct including but not limited to:

- a) rescue
- b) emergency medical services
- c) other incidents
- d) pre-fire planning
- e) disaster planning

(7) The Fire Chief, subject to the ratification by the Council or the Commissioners, shall establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Department including:

- a) use, care and protection of fire department property
- b) the conduct and discipline of officers and members of the Fire Department, and
- c) efficient operations of the Fire Department.

(8) The Fire Chief, or in his absence, the senior member present, shall have control, direction and management of any Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by an officer designated by the Fire Chief.

(9) The Fire Chief shall take responsibility for all fire protection matters including the enforcement of the Fire Prevention Act and regulations thereunder.

(10) Officers and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by the Council and the Commissioners, and the Fire Chief shall report to the Council on the operations of the Fire Department or on any other matter in the manner designated by Council.

(11) The Fire Chief, or any other member in charge, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.

(12) The Fire Chief, or any other member in charge at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.

(13) The Fire Chief, or member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to do so by him.

(14) No person shall enter the boundaries or limits of an area prescribed in accordance with Section 13 unless he has been authorized to enter by the Fire Chief or the member in charge.

(15) The Fire Chief, or the member in charge, at an incident may at his discretion call upon police officers to enforce restrictions on persons entering within the boundaries or limits outlined in Section 13.

(16) The Fire Chief, or the member in charge, at an incident is empowered to enter, pass through, remain on or pass over buildings or property adjacent to an incident and to cause members of the Fire Department to enter or pass through, remain on, or pass over the building or property, where he deems it necessary to gain access to the incident or to protect any person or property.

(17) The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this bylaw.

(18) No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.

(19) No person shall damage or destroy Fire Department apparatus or equipment.

(20) No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.

(21) No person shall obstruct a member from carrying out duties imposed by this bylaw.

(22) No person shall falsely represent themselves as a Fire Department member or wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

(23) No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes.

(24) The Fire Chief or the member in charge of an incident is empowered to compel adult persons who are not members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.

(25) The Fire Chief or the member in charge of an incident is empowered to comander privately owned equipment which he considers necessary to deal with the incident.

(26) Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this bylaw, shall be deemed to be guilty of an infraction of this bylaw, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine of not more than \$2,500., or to both fine and imprisonment.

(27) Any suit brought against the Fire Chief or a member of the Fire Department, because of an act or omission performed by him in the enforcement of any provision of this bylaw, shall be defended by the City until final determination of the proceedings.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of _____ A.D., 1983.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of _____ A.D., 1983.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this _____ day of _____ A.D., 1983.

MAYOR

CITY CLERK



Central Alberta Pioneers' & Old Timers' Association

81.

P.O. BOX 174
RED DEER, ALBERTA
T4N 3E5

NO. 2

August 4 1983

Mayor and City Council
City Hall
Red Deer.

re: Pioneer Lodge Boundaries

At a special meeting of Central Alberta Pioneers and Old Timers Association Executive, 3rd August 1983, the following resolution was approved:

"That the Association wish to thank City Council for the kind offer to further extend the present boundaries to take in an additional area for future parking. This action is greatly appreciated.

We will work out details with Brian Jeffers, City Engineer, and his staff re site leveling and parking area.

1. We would further request that the North boundary be situated along the old fence line so as to preserve the mature trees.
2. We would further request that City Council consider renewing lease on property on which the Lodge is situated. The present lease expires 1988."

Thank you for past favours.

Yours very truly,

Dorothy Miller
Secretary

Note:
See attached sketch

83 AUG 5 P 7:04

A D D I T I O N A L A G E N D A

For the Meeting of RED DEER CITY COUNCIL to be held in the
Council Chambers, MONDAY, AUGUST 29, 1983, commencing at
4:30 p.m.

ADDITIONAL AGENDA

1.

August 23, 1983

Dear Sir:

I'm writing this letter to indicate that we Associated Cab will be making presentation to City Council. Regarding having our Business License Certificate being revoked.

Thank you

"Paul Michalezki"
Manager, Associate Cab

TO: THE COMMISSIONER

FROM: T.J. ANDERSON,
SUPERVISOR LICENSING & BYLAWS

RE: ASSOCIATED CAB (RED DEER) LTD.,
REVOCATION OF TAXI BUSINESS LICENSE
AUGUST 22, 1983

As a result of a fatal accident that occurred on the evening of August 18th, 1983 in Red Deer, Alberta that involved Taxi Cab No. R94, Alberta Motor Vehicle license 5L 8124 belonging to Associated Cab (Red Deer) Ltd., this office carried out an investigation into this incident.

Our investigation revealed the following violations committed by Associated Cab Co. Red Deer and are submitted for your information:

- 1) The apparent driver of the Taxi involved in the fatal accident was one Louis Steve BALOGH, and at the time of the accident was not in possession of a valid and subsisting City of Red Deer Taxi Driver's License.

BALOGH was hired by Paul MICHALEZKI, manager of Associated Cab (Red Deer) Ltd. on February 2nd, 1983, and worked with this Taxi Company in Red Deer, Alberta until August 18th, 1983 when fatal accident occurred. His duties at Associated Cab was radio dispatching and driving taxi. He was a lease operator and worked whatever hours he wished when driving taxi. He averaged 5 to 6 days per month driving taxi. At no time while BALOGH was working for Associated Cab (Red Deer) Ltd. in Red Deer did BALOGH come to this office to obtain a valid 1983 taxi driver's license.

THIS IS A VIOLATION OF SECTION 2:19:

"A business licensee and a taxi-cab licensee shall not either directly or indirectly permit any person to drive a taxi-cab which is affiliated with the business licensee or in respect of which the taxi-cab licensee is the holder of the taxi-cab license plate, unless such person is the holder of subsisting taxi-cab driver's license issued by the License Inspector and is bona fide employed by or affiliated with the business licensee as a taxi-cab driver."

2) After the fatal accident involving Associated Cab's Taxi R94, a routine check was made of this Taxi and it was found that the meter (Serial No. T0331) which had been sealed by this office on April 21st, 1983 had been replaced by another meter (Serial No. T0475). This meter was not sealed by this office and there is no record that a request to seal this meter was ever received from Associate Cab for this purpose. It is apparent that Associate Cab had cut the seals on the old meter (Serial No. T0331) and after installing the new meter (Serial No. T0475) had placed these same cut seals back on this new meter without advising this office or asking to get this new meter resealed.

THIS IS A VIOLATION OF SECTION 3.6:

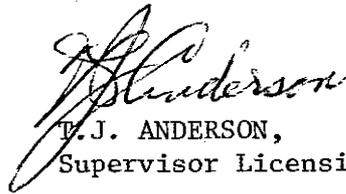
"No taxi-cab shall be equipped with a taxi meter unless the seal placed on such taxi meter by the Bylaw Enforcement Officer is unbroken and intact; provided however, that where a meter ceases to operate or register properly at a time when the office of the License Inspector is not open, the taxi-cab licensee or his taxi-cab driver, upon driving the taxi-cab to the office of the City detachment of the R.C.M.P. may remove the seal from the meter, repair the meter and have the meter resealed by a Peace Officer. The taxi-cab licensee shall present the taxi-cab to the License Inspector for meter testing and resealing on the next day that the office of the License Inspector is open for business. Should the meter be found to be accurate, no charges shall be laid under this section 3.6."

To summarize, the Red Deer City Taxi Bylaw clearly indicates in Section 2.19 and 3.6 that it is the full responsibility of Associated Cab (Red Deer) Ltd. to make sure that all their drivers of taxis are in possession of a current 1983 Taxi Driver's License and that all fare meters installed in taxis are properly sealed by the City of Red Deer Bylaw Department.

It was for these violations of the Red Deer City Taxi Bylaw that the City of Red Deer Taxi Business License for Associated Cab was revoked on August 22nd, 1983 by this office. Section 7.3 of the Red Deer City Taxi Bylaw states:

"A license issued under this Bylaw may be revoked or suspended by the License Inspector for non-compliance with the requirements of this Bylaw notwithstanding that the holder of that license has not been prosecuted for a contravention of the Bylaw"

It will also be noted that Associated Cab (Red Deer) Ltd. have been served summonses to appear in court September 15th, 1983 to answer to charges laid under Sections 2.19 and 3.6 of the Taxi License Bylaw 2742/81 of the City of Red Deer.


T.J. ANDERSON,
Supervisor Licensing & Bylaws

TJA/gr

C.C. Ryan Strader
Development Officer

Commissioners' Comments

From the attached report, Council can see the nature of the infractions and the action that was taken. In accordance with Section 7.4 of the Taxi Business Bylaw, the applicant has the right of appeal of this decision to City Council. Accordingly, under our direction, the revocation of this business license was suspended pending the applicant's appearance before Council.

"R.J. MCGHEE"
Mayor

"M.C. DAY"
City Commissioner