



## **CITY OF PRINCE ALBERT**

### **CITY COUNCIL REGULAR MEETING**

# **AGENDA**

**TUESDAY, SEPTEMBER 5, 2023, 5:00 PM  
COUNCIL CHAMBER, CITY HALL**

#### **1. CALL TO ORDER**

#### **2. PRAYER**

#### **3. APPROVAL OF AGENDA**

#### **4. PRESENTATIONS & RECOGNITIONS**

#### **5. DECLARATION OF CONFLICT OF INTEREST**

#### **6. ADOPTION OF MINUTES**

6.1 August 8, 2023 City Council Meeting Minutes for Approval (MIN 23-72)

6.2 August 21, 2023 City Council Special Meeting Minutes for Approval (MIN 23-76)

#### **7. NOTICE OF PROCLAMATIONS**

7.1 International Literacy Day - September 8, 2023 ()

7.2 National Forest Week - September 17 - 23, 2023 ()

7.3 National Legion Week - September 17 - 23, 2023 ()

7.4 Rail Safety Week - September 18 - 24, 2023 ()

7.5 Culture Days - September 22 - October 15, 2023 ()

7.6 Arthritis Awareness Month - September 2023 ()

7.7 Seniors Transportation Month - September 2023 ()

## **8. PUBLIC HEARINGS**

8.1 Bylaw No. 19 of 2023 – Rezoning 250 28th Street West from the R3 Zoning District to the CMU Zoning District (RPT 23-340)

## **9. DELEGATIONS**

9.1 Thank You - Rotary Club of Prince Albert (CORR 23-61)

Verbal Presentation: Austin C. Atchison, Rotary Club of Prince Albert

## **10. COMMUNICATIONS**

## **11. REPORTS OF ADMINISTRATION & COMMITTEES**

11.1 Event Centre Design Budget (RPT 23-347)

11.2 Wendell Whitter Field Naming (RPT 23-328)

11.3 Margo Fournier Facility Naming (RPT 23-329)

11.4 Flag Protocol Policy Updates (RPT 23-269)

11.5 Prince Albert Golf & Curling Centre - Request for Payment of Legal Fees (RPT 23-349)

11.6 Max Clunie Field & Harry Jerome Track Project (RPT 23-350)

11.7 Bank Courier and Coin Rolling Services - Agreement Extension (RPT 23-311)

11.8 Request for Write Off Penalties Charges for Property Taxes at 371 25th Street West (RPT 23-332)

11.9 Bylaw No. 17 of 2023 – District Official Community Plan Amendment (RPT 23-315)

11.10 Permanent Re-Classification of Full Time Casual Bid Parking Inspector (RPT 23-324)

11.11 Digital Billboard – 75 South Industrial Drive (RPT 23-335)

11.12 Digital Billboard – 321 Marquis Road East (RPT 23-336)

- 11.13 Zoning Bylaw Amendment - Projections into Required Setbacks (RPT 23-339)
- 11.14 Tax Title Lands - Disposal of 163 29th Street East (RPT 23-343)
- 11.15 Updated Lapel Pin Distribution Policy (RPT 23-246)
- 11.16 Pumper Fire Engine Tender 24/23 (RPT 23-345)
- 11.17 Legal Fees Consideration - Evert Botha v. Councillor Dawn Kilmer and City of Prince Albert (RPT 23-355)
- 11.18 Destination Marketing Fund Grant Application Form 2023 Northern Lights Casino Thanksgiving Pow Wow (RPT 23-334)

**12. UNFINISHED BUSINESS**

**13. MAYOR & COUNCILLORS FORUM**

**14. INQUIRIES**

**15. INQUIRIES RESPONSES**

- 15.1 August 8, 2023 City Council Meeting Inquiry Responses (INQ 23-8)

**16. NOTICE OF MOTION**

**17. MOTIONS**

- 17.1 Motion - Councillor Edwards - Cost of Installing a Sprinkler System on the Riverbank (MOT 23-8)

**18. PUBLIC FORUM**

**19. ADJOURNMENT**



City of  
**Prince Albert**

*MIN 23-72*

**MOTION:**

That the Minutes for the City Council Regular Meeting held August 8, 2023, be taken as read and adopted.

**ATTACHMENTS:**

1. Minutes



## **CITY OF PRINCE ALBERT**

### **CITY COUNCIL REGULAR MEETING**

# **MINUTES**

**TUESDAY, AUGUST 8, 2023, 2:00 P.M.  
COUNCIL CHAMBER, CITY HALL**

**PRESENT:**

Mayor Greg Dionne  
Councillor Charlene Miller  
Councillor Terra Lennox-Zepp  
Councillor Tony Head (Attended via video conferencing)  
Councillor Don Cody  
Councillor Dennis Ogrodnick  
Councillor Blake Edwards  
Councillor Dawn Kilmer  
Councillor Darren Solomon (Attended via video conferencing)

Terri Mercier, City Clerk  
Sherry Person, City Manager  
Kris Olsen, Fire Chief  
Mitchell J. Holash, K.C., City Solicitor  
Kevin Yates, Acting Director of Corporate Services  
Jody Boulet, Director of Community Services  
Jeff Da Silva, Acting Director of Public Works  
Ramona Fauchoux, Director of Financial Services  
Craig Guidinger, Director of Planning and Development Services

## **1. CALL TO ORDER**

Mayor Dionne called the meeting to order.

## 2. PRAYER

Mayor Dionne asked that all members stand and that the City Clerk offer the prayer.

## 3. APPROVAL OF AGENDA

0247. **Moved by:** Councillor Miller  
**Seconded by:** Councillor Lennox-Zepp

That the Agenda for this meeting be approved, as presented, and, that the presentations, delegations and speakers listed on the Agenda be heard when called forward by the Mayor.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, and Mayor Dionne

Absent: Councillor Solomon

**CARRIED UNANIMOUSLY**

## 4. PRESENTATIONS & RECOGNITIONS

## 5. DECLARATION OF CONFLICT OF INTEREST

## 6. ADOPTION OF MINUTES

0248. **Moved by:** Councillor Kilmer  
**Seconded by:** Councillor Edwards

That the Minutes of the Council Regular Meeting held July 10, 2023, be taken as read and adopted.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

## 7. NOTICE OF PROCLAMATIONS

7.1 Terry Fox Day – August 7, 2023

7.2 Aboriginal Head Start Day – August 31, 2023

## 8. PUBLIC HEARINGS

- 8.1 Bylaw No. 16 of 2023 – Zoning Bylaw Amendment for Digital Sign Fees – 2<sup>nd</sup> & 3<sup>rd</sup> Reading (RPT 23-307)

Mayor Dionne declared the Hearing open.

Craig Guidinger, Director of Planning and Development Services presented the matter of the Zoning Bylaw Amendment on behalf of Administration.

Mayor Dionne declared the Hearing closed.

0249. **Moved by:** Councillor Cody  
**Seconded by:** Councillor Kilmer

That Bylaw No. 16 of 2023 be given second and third readings.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

0250. **Moved by:** Councillor Cody  
**Seconded by:** Councillor Kilmer

That Bylaw No. 16 of 2023 be read a second time.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

0251. **Moved by:** Councillor Cody  
**Seconded by:** Councillor Kilmer

That Bylaw No. 16 of 2023 be read a third time and passed; and, that Bylaw No. 16 of 2023 be now adopted, sealed and signed by the Mayor and City Clerk.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

## 9. DELEGATIONS

## 10. COMMUNICATIONS

## 11. REPORTS OF ADMINISTRATION & COMMITTEES

11.1 Traffic Bylaw No. 35 of 2020 Amendment (RPT 23-290)

0252. **Moved by:** Councillor Head  
**Seconded by:** Councillor Lennox-Zepp

That Bylaw No. 18 of 2023 be introduced and given three (3) readings.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

0253. **Moved by:** Councillor Head  
**Seconded by:** Councillor Edwards

That Bylaw No. 18 of 2023 be introduced and read a first time.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

0254. **Moved by:** Councillor Head  
**Seconded by:** Councillor Edwards

That Bylaw No. 18 of 2023 be read a second time.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

0255. **Moved by:** Councillor Head  
**Seconded by:** Councillor Edwards

That leave be granted to read Bylaw No. 18 of 2023 a third time.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**



0256. **Moved by:** Councillor Head  
**Seconded by:** Councillor Edwards

That Bylaw No. 18 of 2023 be read a third time and passed; and, that Bylaw No. 18 of 2023 be now adopted, sealed and signed by the Mayor and City Clerk.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.2 Para Bus Tender 33/23 (RPT 23-293)

0257. **Moved by:** Councillor Kilmer  
**Seconded by:** Councillor Ogrodnick

1. That Tender No. 33 of 2023 for the purchase of a new Para Bus be awarded to Crestline Coach LTD. at a total cost of \$180,402.75, including all applicable taxes, with \$55,000 to be funded from the Transit Assistance for People with Disabilities Grant and the remaining \$125,402.75 to be funded from the Fleet Equipment Reserve; and,
2. That the Mayor and City Clerk be authorized to execute any applicable documents of behalf of The City, if required.
3. That Administration, in partnership with Prince Albert Community Services Executive Director, contact Members of Legislative Assembly Ministers, the Honourable Joe Hargrave and Alanna Ross, to discuss how best to proceed to increase Provincial support to the Transit Assistance for People with Disabilities Grant, in order to restore funding to 75% Provincial and 25% Municipal for purchasing Para Buses.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, and Mayor Dionne

Absent: Councillor Solomon

**CARRIED UNANIMOUSLY**

11.3 2023 Landfill Environmental Services (RPT 23-294)

0258. **Moved by:** Councillor Lennox-Zepp  
**Seconded by:** Councillor Kilmer

- 1. That the Professional Services Agreement between The City and Tetra Tech Canada Inc. for Monitoring, Sampling and Reporting for the Landfill for an estimated cost of \$69,500, plus applicable taxes, be approved; and,
- 2. That the Mayor and City Clerk be authorized to execute the Agreement and any other applicable documents on behalf of The City, once prepared.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.4 Stantec RoadMatrix – Professional Services Agreement Renewal (RPT 23-295)

0259. **Moved by:** Councillor Ogradnick  
**Seconded by:** Councillor Kilmer

- 1. That the Multi-Year Professional Services Agreement between The City and Stantec Consulting Ltd. for the Pavement Condition Assessment and RoadMatrix Update, be approved for the following, including taxes:
  - a. \$30,750.30 in 2023;
  - b. \$34,607.48 in 2024; and,
  - c. \$40,333.65 in 2025;
- 2. That the service be funded by the Roadways Recapping Program; and,
- 3. That the Mayor and City Clerk be authorized to execute the Agreement and any other necessary documents on behalf of The City, once prepared.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, and Mayor Dionne

Absent: Councillor Solomon

**CARRIED UNANIMOUSLY**

11.5 Encapsulation Cell Inspection (RPT 23-302)

0260. **Moved by:** Councillor Cody  
**Seconded by:** Councillor Lennox-Zepp

1. That the Professional Services Agreement between the City and WSP E&I Canada Limited for Site Inspection and Groundwater Monitoring be approved to WSP E&I Canada Limited, for an estimated cost of \$5,830, plus applicable taxes; and,
2. That the Mayor and City Clerk be authorized to execute the Agreement and any other applicable documents on behalf of The City, once prepared.

In Favour: Councillors: Cody, Edwards, Kilmer, Ogradnick, Solomon and Mayor Dionne

Against: Councillors: Head, Lennox-Zepp and Miller

**CARRIED (6 to 3)**

11.6 2<sup>nd</sup> Avenue West Sidewalk Connectivity (RPT 23-313)

0261. **Moved by:** Councillor Miller  
**Seconded by:** Councillor Edwards

That RPT 23-313 be received as information and filed.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

Against: Councillor Lennox-Zepp

**CARRIED (8 to 1)**

11.7 Recreation Coordinator – Aquatics to Attend World Conference on Drowning and Prevention (RPT 23-289)

0262. **Moved by:** Councillor Head  
**Seconded by:** Councillor Kilmer

That Lauren Haubrich, Aquatics Recreation Coordinator be approved to attend the World Conference on Drowning Prevention in Perth, Australia from December 4 to 7, 2023, at a cost of \$3,650, to be funded from the Training for Aquatic Staff Reserve.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.8 Kinsmen Park Diamond Improvements (RPT 23-292)

0263. **Moved by:** Councillor Edwards  
**Seconded by:** Councillor Kilmer

- 1. That a plan to improve Kinsmen Park Softball Diamonds, in partnership with the Prince Albert Minor Softball Association, be approved; and,
- 2. That The City and Prince Albert Minor Softball Association recognize Ernie Marcotte with a Memorial at Kinsmen Park, with a further report provided to an upcoming City Council meeting outlining specifics of the recognition once finalized.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.9 2023 Recreation Facility Grant Program – 1<sup>st</sup> Intake (RPT 23-298)

0264. **Moved by:** Councillor Lennox-Zepp  
**Seconded by:** Councillor Miller

That the following be approved under the 1<sup>st</sup> intake of the 2023 Recreation Facility Grant Program and funded through the Community Services Building Reserve:

- 1. West Hill Community Club receive \$2,758.23 for replacement of Concession Countertops and Taps; and,

2. Nordale Community Club receive \$8,953.60 for Heating, Ventilation, and Air Conditioning (HVAC) Replacement.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

#### 11.10 Bulk Vending Supply & Service Agreement (RPT 23-304)

0265. **Moved by:** Councillor Kilmer

**Seconded by:** Councillor Ogrodnick

1. That the Bulk Vending Supply and Service Agreement between The City and GLH Vending for the Bulk Vending Services at City Facilities, for a two (2) year term from August 24, 2023 to August 23, 2025, be approved;
2. That the Vendor pay The City thirty-seven percent (37%) of net sales from all machines at all locations, plus Goods and Services Tax, with a minimum annual guarantee of \$12,000, plus Goods and Services Tax, in each year for the term of the Agreement; and,
3. That the Mayor and City Clerk be authorized to execute the Agreement on behalf of The City, once prepared.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

#### 11.11 Supply & Service Agreement (RPT 23-305)

0266. **Moved by:** Councillor Ogrodnick

**Seconded by:** Councillor Edwards

1. That the Supply and Service Agreement between the following parties for a two (2) year term from September 1, 2023 to August 31, 2025, be approved;
  - a. The City and Van Houtte Coffee Services Inc. for the Supply and Service of Hot Beverage Product and Equipment at City Concessions;
  - b. The City and Premium Brands Operating GP Inc. for the Supply and Service of Frozen Beverage Product and Equipment at City Concessions;

- c. The City and Premium Brands Operating GP Inc. for the Supply an Service of Nachos and Popcorn Product and Equipment at City Concessions; and;
2. That the Mayor and City Clerk be authorized to execute the Agreements on behalf of the City, once prepared.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

#### 11.12 2022 Public Accounts (RPT 23-306)

0267. **Moved by:** Councillor Head  
**Seconded by:** Councillor Miller

That the 2022 Public Accounts, as attached to RPT 23-306, be approved and posted on The City's website.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

#### 11.13 First Time Home Buyer Program Application – Darien Frantik (RPT 23-303)

0268. **Moved by:** Councillor Ogradnick  
**Seconded by:** Councillor Kilmer

That the First Time Home Buyer Program Application submitted by Darien Frantik be approved for funding up to \$5,000.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.14 Residential Concept Plan – 2101 – 5<sup>th</sup> Avenue West (RPT 23-308)

Councillor Ogrodnick rose on a Point of Order indicating that the question of Councillor Lennox-Zepp relates to planting trees and shrubs and the installation of playground equipment in the proposed Residential Concept Plan instead of the current matter, which is regarding the organization of a public meeting to consider the Plan.

Mayor Dionne ruled the question to be **OUT OF ORDER** as further discussion of the proposed Plan could influence public opinion in advance of the proposed public meeting.

0269. **Moved by:** Councillor Edwards  
**Seconded by:** Councillor Cody

- 1. That Administration be authorized to organize a public meeting for the Residential Concept Plan submitted by Miller Contracting Ltd. for 2101 – 5<sup>th</sup> Avenue West, legally described as Lot 21, Block 2, Plan No. 99PA10819, Extension 1; and,
- 2. That the feedback from the public meeting be forwarded to an upcoming Executive Committee for consideration.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Miller, Ogrodnick, and Mayor Dionne

Against: Councillors: Lennox-Zepp and Solomon

**CARRIED (7 to 2)**

11.15 Tax Title Lands – Disposal of 1610 – 15<sup>th</sup> Street West (RPT 23-309)

0270. **Moved by:** Councillor Miller  
**Seconded by:** Councillor Head

- 1. That the Tax Title Property located at 1610 – 15<sup>th</sup> Street West, legally described as Lots 45 and 46, Block J, Plan F, Extension 0, be offered for public tender; and,
- 2. That upon completion of the public notice and tender process, Administration forward a report to City Council for consideration with a recommendation regarding the results of the tender process and next steps.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.16 Board & Committee Appointments – Current Vacancies (RPT 23-288)

0271. **Moved by:** Councillor Ogrodnick  
**Seconded by:** Councillor Miller

That the appointments for members at large to City Council’s Boards and Committees for the term ending December 31, 2024, be approved as follows:

- 1. Ellen Grewcock and Naresh Saroye to the Community Services Advisory Committee; and,
- 2. Sharon Grywacheski to the Planning Advisory Committee.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

11.17 Action Items from City Council and Executive Committee (RPT 23-291)

0272. **Moved by:** Councillor Ogrodnick  
**Seconded by:** Councillor Cody

That the Action Items be updated as indicated in the Open Items document, as attached to RPT 23-251, with the following amendment:

- 1. That the Public Abuse Policy and Procedure Report be brought forward to the August 14, 2023 Executive Committee meeting for consideration.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

**12. UNFINISHED BUSINESS**

**13. MAYOR & COUNCILLORS FORUM**

**14. INQUIRIES**

14.1 Mayor Dionne – Entrance way to McDonalds on Marquis Road

When is the entrance way to McDonalds going to be open.

The Acting Director of Public Works, in responding to the inquiry, advised that development is being completed but would follow up with a response.



14.2 Councillor Miller – Trees Growing out of Curbs

Could Community Services review the trees growing out of the curbs on 17<sup>th</sup> Street West, 16<sup>th</sup> Avenue West and 91 MacArthur Drive.

14.3 Councillor Miller – Repair of Concrete Sidewalk

Could Public Works repair the concrete sidewalk at 404 – 10<sup>th</sup> Street East.

14.4 Councillor Miller – Covid-19 Memorial Park

Is there a plan for a Covid-19 Memorial Park.

14.5 Councillor Kilmer – Completion of 5<sup>th</sup> Avenue East

When is the anticipated completion date of 5<sup>th</sup> Avenue East.

The Acting Director of Public Works, in responding to the inquiry, advised the Department is waiting for parts for storm sewer projects and the contractor is on-site for a water main relining project, and would provide the anticipated timeline once reviewed.

**15. INQUIRY RESPONSES**

15.1 July 10, 2023 City Council Meeting Inquiry Responses (INQ 23-7)

0273. **Moved by:** Councillor Edwards  
**Seconded by:** Councillor Kilmer

That INQ 23-7 be received as information and filed.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

**16. NOTICE OF MOTION**

16.1 Councillor Edwards – Cost of Installing a Sprinkler System on the Riverbank

That Administration prepare a report on the cost of installing a sprinkler system for irrigation along sections of the river bank that encompass our downtown area for consideration in the 2024 Budget.

**17. MOTIONS**

**18. PUBLIC FORUM**

**19. ADJOURNMENT – 3:40 P.M.**

0274. **Moved by:** Councillor Kilmer  
**Seconded by:** Councillor Miller

That this Council do now adjourn.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogradnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

MAYOR GREG DIONNE      CITY CLERK

MINUTES ADOPTED THIS 5<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2023.



City of  
**Prince Albert**

*MIN 23-76*

**MOTION:**

That the Minutes for the City Council Special Meeting held August 21, 2023, be taken as read and adopted.

**ATTACHMENTS:**

1. Special Minutes



## **CITY OF PRINCE ALBERT**

### **CITY COUNCIL SPECIAL MEETING**

# **MINUTES**

**MONDAY, AUGUST 21, 2023, 4:30 P.M.  
COUNCIL CHAMBER, CITY HALL**

**PRESENT:** Mayor Greg Dionne  
Councillor Charlene Miller  
Councillor Terra Lennox-Zepp (Attended via video conferencing)  
Councillor Tony Head  
Councillor Don Cody  
Councillor Dennis Ogradnick  
Councillor Blake Edwards  
Councillor Dawn Kilmer  
Councillor Darren Solomon

Terri Mercier, City Clerk  
Sherry Person, City Manager  
Kris Olsen, Fire Chief  
Mitchell J. Holash, K.C., City Solicitor  
Kiley Bear, Director of Corporate Services  
Nykol Miller, Acting Director of Public Works  
Jody Boulet, Director of Community Services  
Wilna Furstenberg, Communications Coordinator  
Ramona Fauchoux, Director of Financial Services  
Craig Guidinger, Director of Planning and Development Services

## **1. CALL TO ORDER**

Mayor Dionne called the meeting to order.

## 2. PRAYER

Mayor Dionne asked that all members stand and that the City Clerk offer the prayer.

## 3. APPROVAL OF AGENDA

0275. **Moved by:** Councillor Miller  
**Seconded by:** Councillor Kilmer

That the Agenda for this meeting be approved, as presented.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller, Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

## 4. DECLARATION OF CONFLICT OF INTEREST

## 5. REPORTS OF ADMINISTRATION & COMMITTEES

5.1 General Wage Adjustments – Out of Scope Employees (RPT 23-326)

0276. **Moved by:** Councillor Kilmer  
**Seconded by:** Councillor Edwards

That City of Prince Albert Out of Scope Staff, excluding Out of Scope Staff at the Prince Albert Police Service and Prince Albert Fire Department, be provided with a general wage increase in the following amounts:

1. Zero Percent (0%) effective January 1, 2022;
2. Three Percent (3%) effective January 1, 2023;
3. Two Percent (2%) effective August 21, 2023;
4. Three Percent (3%) effective January 1, 2024; and,
5. Three Percent (3%) effective January 1, 2025.

In Favour: Councillors: Cody, Edwards, Kilmer, Miller, Ogrodnick, Solomon and Mayor Dionne

Against: Councillors: Head and Lennox-Zepp

**CARRIED (7 to 2)**

**6. UNFINISHED BUSINESS**

**7. ADJOURNMENT – 4:50 P.M.**

0277. **Moved by:** Councillor Kilmer  
**Seconded by:** Councillor Cody

That this Council do now adjourn.

In Favour: Councillors: Cody, Edwards, Head, Kilmer, Lennox-Zepp, Miller,  
Ogrodnick, Solomon and Mayor Dionne

**CARRIED UNANIMOUSLY**

MAYOR GREG DIONNE      CITY CLERK

MINUTES ADOPTED THIS 5<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2023.

**RPT 23-340**

**TITLE:** Bylaw No. 19 of 2023 – Rezoning 250 28th Street West from the R3 Zoning District to the CMU Zoning District

**DATE:** August 23, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That Bylaw No. 19 of 2023 to rezone 250 28<sup>th</sup> Street West, legally described as Lot 41, Block 33, Plan 99PA01237, Ext 0, receive 3 readings.

**TOPIC & PURPOSE:**

The purpose of this report is to request all three readings of Bylaw No. 19 of 2023 to rezone 250 28<sup>th</sup> Street West from R3 – Medium Density Residential to CMU – Commercial Mixed Use.

**BACKGROUND:**

The Planning and Development Services Department is in receipt of a Zoning Bylaw Amendment Application to rezone the property located at 250 28<sup>th</sup> Street West. The property is currently zoned R3 – Medium Density Residential and has been developed and used as a Place of Worship for many years. The applicant is requesting that the property be rezoned to CMU – Commercial Mixed Use so a Health Clinic, specifically an orthodontics office, can be established. The applicant has made an offer to purchase the property, with the successful rezoning of the property being a condition of the sale. As such, the applicant has requested that all three bylaw readings occur at the same City Council meeting.

The purpose of the CMU – Commercial Mixed Use Zoning District is to:

*“provide small scale, commercial nodes throughout the city. Located on high volume, arterial junctions and adjacent to residential neighbourhoods, the CMU – Commercial Mixed Use Zoning District is supported by multiple modes of transportation and is*

*intended to provide small service centers that cater to the day-to-day needs of the surrounding neighbourhood”.*

### **PROPOSED APPROACH AND RATIONALE:**

The Place of Worship located at 250 28<sup>th</sup> Street West was the location of the Grace Mennonite Church up until 2022. As the property is currently zoned R3, options for redevelopment are very limited despite being directly adjacent to properties zoned C4 – Highway Commercial to the east.

The proposed rezoning to CMU will allow the property to be used as a Health Clinic. The property meets all of the required minimum development standards apart from being minimally deficient in the side yard setback. As this property is directly adjacent to commercially zoned properties and will allow for small scale commercial development, Administration supports the amendment to the Zoning Bylaw.

If the rezoning is approved, the applicant will be required to apply for a development permit. As Health Clinic is a permitted use in the CMU zoning district, it is not anticipated that there will be any difficulties issuing the permit provided the applicant can meet the development standards.

### **CONSULTATIONS:**

The Department of Planning and Development Services has been in contact with the applicant throughout the Zoning Bylaw Amendment process.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

The applicant will be notified in writing of City Council’s decision and the Zoning Bylaw and City website will be updated.

### **OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no other options to the recommendation or any policy, financial or privacy implications to consider with this report.

### **STRATEGIC PLAN:**

The future development proposed in the rezoning application supports the City’s area of focus for Economic Diversity and Stability by accommodating the needs of new and existing organizations in Prince Albert.

### **OFFICIAL COMMUNITY PLAN:**

As per the City of Prince Albert Official Community Plan Land Use Map, the subject property is considered Neighbourhood Mixed Use and is compatible with the proposed rezoning. In



addition, this proposal is aligned with Section 6.5 of the OCP which indicates that mixed uses should be encouraged and located in ways that are compatible with the community's social fabric, high quality of life and environment.

**PUBLIC NOTICE:**

Public Notice is required for consideration of this matter, pursuant the Public Notice Bylaw No. 24 of 2015. The following notice was given:

1. Posted on the bulletin board at City Hall on August 25<sup>th</sup>, 2023;
2. Posted on the City's website on August 25<sup>th</sup>, 2023; and
3. Published on August 25<sup>th</sup>, 2023 in the Prince Albert Daily Herald.

**ATTACHMENTS:**

1. Location Plan
2. Location Plan with Current Zoning
3. Bylaw No. 19 of 2023
4. Public Notice – August 25, 2023

Written by: Ellen Pearson, Planner

Approved by: Director of Planning and Development Services & City Manager

27 Street W.

R3 - Medium Density Residential  
To  
CMU - Commercial Mixed Use

250

Diamond North  
Credit Union

2 Avenue W.

28 Street W.

Prince Albert  
Shopping Plaza

THE CITY OF PRINCE ALBERT

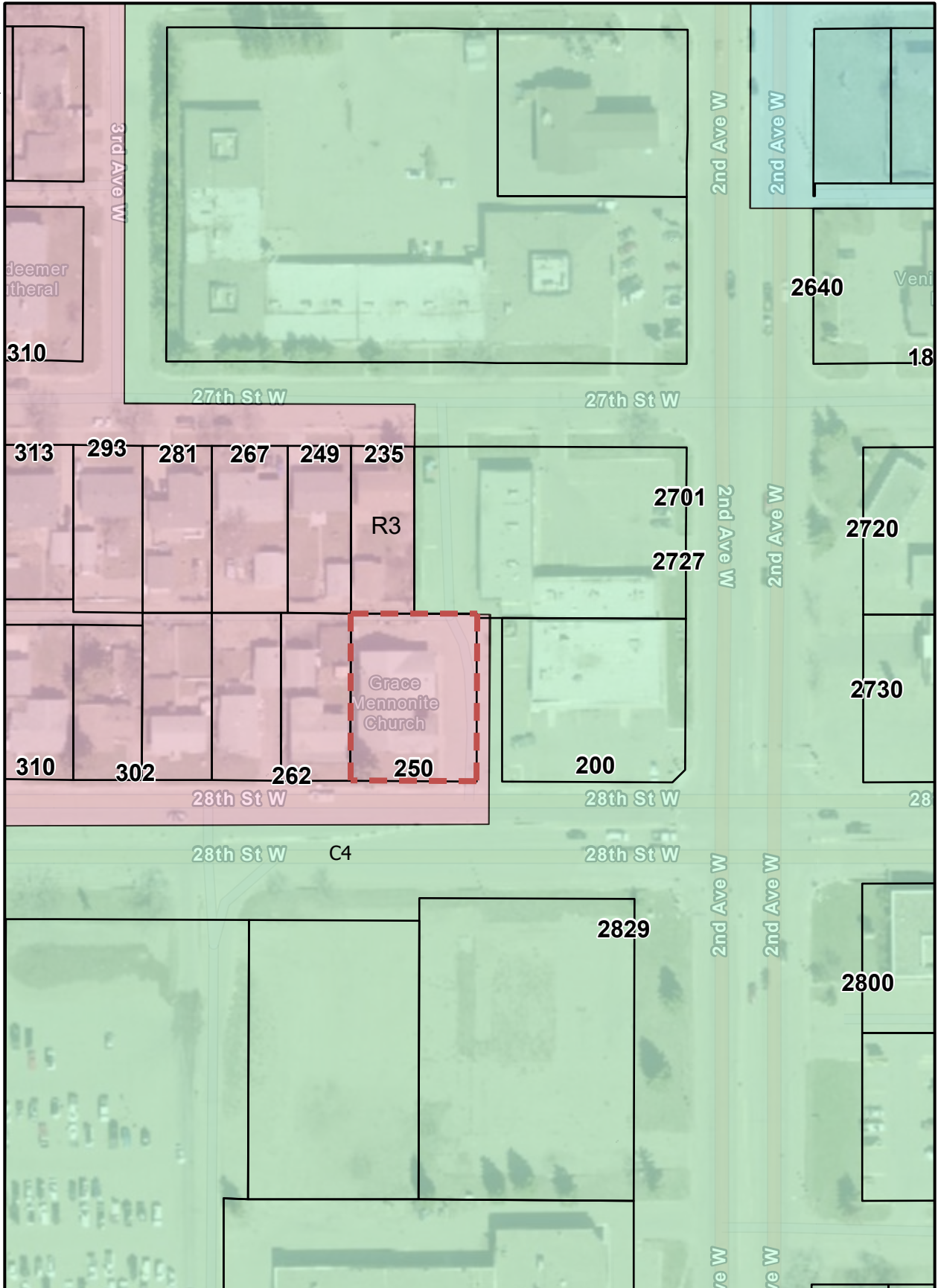
Location Plan



S-N

S-N

PLANNING & DEVELOPMENT



Subject Property Identified With A Bold Dashed Line

August 23, 2023

# CITY OF PRINCE ALBERT BYLAW NO. 19 OF 2023

*A Bylaw of The City of Prince Albert to amend  
the Zoning Bylaw, being Bylaw No. 1 of 2019*

**WHEREAS** it is desirable to amend the City of Prince Albert Zoning Bylaw No. 1 of 2019;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. The City of Prince Albert Zoning District Map, being "Appendix B" Zoning Map and Amendments is hereby amended as follows:

Lot 41, Block 33, Plan No. 99PA01237, Ext. 0  
Prince Albert, Saskatchewan

Shall be rezoned from R3 – Medium Density Residential to CMU – Commercial Mixed Use.

2. This Bylaw shall come into force and take effect on, from and after the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2023.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2023.

READ A THIRD TIME AND PASSED \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2023.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

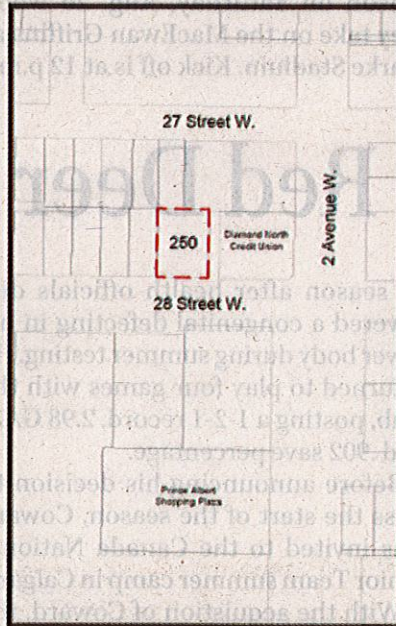


# CITY OF PRINCE ALBERT PUBLIC NOTICE

## ZONING BYLAW AMENDMENT – BYLAW NO. 19 OF 2023

Public Notice is hereby given that the Council of the City of Prince Albert intends to consider Bylaw No. 19 of 2023 to amend Bylaw No. 1 of 2019, known as the City of Prince Albert Zoning Bylaw.

**Reason for the Amendment:** At the City Council meeting to be held on September 5th, 2023, City Council intends to give all three readings of Bylaw No. 19 of 2023. Bylaw No. 19 of 2023 proposes to rezone the land legally described as Lot 41, Block 33, Plan 99PA01237 from Residential to Commercial in order to accommodate the development of a Health Clinic. The subject property is shown in the red dashed line below.



Therefore, City Council, at its meeting to be held on Tuesday, September 5th, 2023 at 5:00 p.m., will consider all submissions both written and verbal respecting the Public Hearing for the above bylaw. If you would like your written submission reviewed by City Council PRIOR to the meeting, it would be preferable if it were provided by 4:45 p.m. on Tuesday, August 29th, 2023. In accordance with City Council's Procedure Bylaw No. 23 of 2021, any written submissions must be provided to the City Clerk. Verbal submissions shall be heard during the Public Hearing portion of the meeting.

**INFORMATION** – Information regarding the proposed amendment may be directed to the following without charge:

**Planning and Development Services**  
City Hall, 1084 Central Avenue  
Prince Albert SK, S6V 7P3  
8:00 am to 4:45 pm – Monday to Friday (except holidays)  
Phone 306-953-4370

Issued at the City of Prince Albert, this 25th day of August, 2023  
Terri Mercier, City Clerk

PA Daily Herald  
Friday, August 25, 2023



City of  
**Prince Albert**

***CORR 23-61***

**TITLE:** Thank You - Rotary Club of Prince Albert

**DATE:** **August 31, 2023**

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**SUGGESTED DISPOSITION:**

That the Correspondence be received as information and filed.

**PRESENTATION:** Verbal by Austin C. Atchison, Rotary Club of Prince Albert

**ATTACHMENTS:**

1. Email dated August 10, 2023

Written by: Austin C. Atchison, Rotary Club of Prince Albert

**Terri Mercier**

RECEIVED  
AUG 10 2023  
CITY CLERK  
CITY COUNCIL

**From:** Austin C. Atchison <AAtchison@arbormemorial.com>  
**Sent:** Thursday, August 10, 2023 4:21 PM  
**To:** City Clerk  
**Subject:** Rotary club Joining Council

You don't often get email from aatchison@arbormemorial.com. [Learn why this is important](#)

Dear Terri, Mayor Dion, and City Councilors,

I hope this email finds you in good health and high spirits. On behalf of the Rotary Club of Prince Albert, I am writing to express our deep gratitude for the remarkable efforts that have brought the Rotary Adventure Park to life.

The collaborative spirit of our community, under the guidance of individuals like Mr. Don Cody has truly made a lasting impact. We are excited to attend the council meeting on September 5th to extend our heartfelt thanks to the city, Mayor Dion, and all involved parties, including the dedicated efforts of Malcolm Jenkins and others. The Rotary Adventure Park is a testament to the positive change that can be achieved through unity and determination.

Looking forward to sharing this appreciation in person and continuing our partnership for the betterment of Prince Albert.

Yours sincerely,

Austin C. Atchison  
Rotary Club of Prince Albert

**Recommended  
Disposition:**  
Receive as  
Info & File

Austin C. Atchison | Branch Manager  
Prince Albert Memorial Gardens | Arbor Memorial Inc.  
R. R.#2 Site 4, P.O. Box 94, Prince Albert SK CA, S6V 5P9  
E: AAtchison@arbormemorial.com | C:

To book an appointment with Austin C.: [Click here](#)



**\*\*\*Caution:** This email originated from outside the City of Prince Albert email system.

Do not click links or open attachments unless you recognize the sender and know the content is safe. If in doubt contact IT Support ([support@citypa.com](mailto:support@citypa.com)). \*\*\*



**TITLE:** Event Centre Design Budget

**DATE:** August 28, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

1. That the Design budget for the new Event Centre with BBB Architects and KSA Architects be increased by \$700,000 including Provincial Sales Tax to complete the Design to Tender ready.
2. That the Development Levies generated from The Yard District be credited to the Civic Facilities Reserve.
3. That the increased architectural fees for the Event Centre Design be funded from the Civic Facilities Reserve.
4. That the Mayor and City Clerk be authorized to execute the necessary documents, on behalf of the City, if required.
5. That the City proceed with the construction of the Event Centre in The Yard District, pending approval of a Funding Model.

**TOPIC & PURPOSE:**

To adjust the architecture fees for the Event Centre, bringing the design to tender ready, reflecting the Class A cost estimate including applicable taxes.

**BACKGROUND:**

On July 14, 2020 City Administration posted on SaskTenders the Terms of Reference to hire an architectural firm for the detailed design of the Large Arena. The terms of reference included; preliminary and conceptual design, detailed design, tender process, construction administration and resident inspection, post construction record drawings, operation and maintenance manuals, commissioning and warranty period.



The Terms of Reference requested quotes for the detailed design of the following:

4,500 seat Arena Entertainment Centre. (\$55M Not Funded)  
Conceptual, preliminary, detailed design, tender, and construction.

Administration evaluated the 15 submissions and interviewed the three highest ranking proposals. The recommendation was to award the Event Centre design to BBB Architects and KSA Architects of Toronto and Saskatoon, herein referred to the Architect team.

City Council, on May 10, 2021, approved the following recommendation:

- 1. That the Professional Agreement for the Detailed Design of the Large Arena be awarded to BBB Architects & KSA Architects of Toronto and Saskatoon for an estimated cost of \$3,216,464, plus applicable taxes; and,*
- 2. That the Architectural Design Fees be funded from the Civic Facilities Reserve.*

**The estimated cost of \$3,216,464 plus applicable taxes equates to \$3,274,360.35**

On May 12, 2021, the City entered into an Architecture Services Contract with BBB Architects Toronto Inc. for the Event Centre in which the fees were detailed with both upset fees and percentages including conceptual design, detailed design, bidding & tendering, general engineering, through to post construction.

## **PROPOSED APPROACH AND RATIONALE:**

The Event Centre design is currently at Preliminary and Conceptual Design 100%, Detail Design 96%, Bidding & Tendering 75%, General Engineering 0% and Post Construction 0%.

In July of 2020 when the City issued the RFP for the Architects firms to bid on the Event Centre, the pricing that the fees were based on was for a \$55 million facility. Throughout the design phase of the facility it became apparent that the cost for the facility would be significantly higher, which was recognized by both Administration and the Architect team.

The increased pricing was due to a combination of contributing factors including, adding 50% of the NW parking lot to the design scope, COVID-19, the high inflation rates that have been seen across all industries and a base number that was not accurate. Construction inflation in Canada averaged 4.1% in 2020, 20.5% in 2021 and 18.7% in 2022. This all contributed to an increased project cost. The City, received the Class A Estimate in December of 2022 indicating the total project cost at \$99,501,700. This number spurred a long detailed dialogue between the City and the Architect team on how the Architect fees should be applied to reflect the Class A Estimate that would be defensible and fair to both parties.

It was agreed through negotiations that the percentage fees would not include the Provincial Sales Tax, the fees would be applied to 50% of the cost for the expanded parking lot located in the NW site and the upset fee would be based on the Class D estimate of \$76M.

Through the negotiations, Administration is recommending that the design budget be increased by \$700,000 to complete the Event Centre project design bringing it to a 100% completed tender package (shovel ready). The increase does not include the fees for bidding & tendering (25% remaining), general engineering, site inspections, and post construction which are duties performed during construction.

### **CONSULTATIONS:**

The Mayor, City Manager, Director of Public Works and Capital Projects Manager reviewed and negotiated with the Architecture team at great length. There were many alternative proposals discussed and the recommendation to increase the budget by \$700,000 reflects what administration believes is an amicable, defensible number based on the agreed negotiated points. Financial Services was consulted relating to Financial Implications.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once approved by City Council, the City will adjust the Agreement accordingly to complete the Detailed Design for the new Event Centre.

### **FINANCIAL IMPLICATIONS:**

City Council on May 10, 2021 approved that the Professional Agreement for the Detailed Design of the Large Arena be awarded to BBB Architects & KSA Architects of Toronto and Saskatoon for an estimated cost of \$3,216,464, plus applicable taxes.

Awarded Tender by Council	\$3,216,464.00
Add PST 1.8%	\$57,896.35
<b>Total Awarded Tender</b>	<b>\$3,274,360.35</b>

The increase required for Tender Ready Design is \$700,000 including PST.

City Council, at its meeting of May 10, 2021 approved that the Development Levies for the purchased twenty-five (25) acres of land from Signature Development for the construction of the new Aquatic and Arenas Recreation Centre be credited to the Civic Facilities Reserve for funding the Architectural Fees for the Event Centre.

The Development Levies for Phase 1 in the total amount of \$1,465,426.05 was credited to the Civic Facilities Reserve in 2022. That assisted in providing funding for the Architectural Fees paid in Year 2022 for the Event Centre.

The report is recommending that the proposed Development Levies from the Yard District relating to Phase Two and Phase Three Sites be credited to the Civic Facilities Reserve to fund the cost of the Architectural Fees for the Event Centre.

The recommendation of the report is to fund the architecture fee increase of \$700,000 from the Civic Facilities Reserve, where the Development Levies will be credited to.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no policy, privacy, official community plan implications, or options to recommendation at this time.

**STRATEGIC PLAN:**

The Event Centre aligns with the strategic priority of Economic Diversity and Stability by developing new amenities and infrastructure and the strategic priority of Promoting a Progressive Community by investing in infrastructure improvements with the goal of increasing Prince Albert's event hosting capacity.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

Written by: Nykol Miller, Capital Projects Manager

Approved by: Director of Public Works, Director of Finance, & City Manager



City of  
**Prince Albert**

**RPT 23-328**

**TITLE:** Wendell Whitter Field Naming

**DATE:** **August 16, 2023**

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

1. That the Crescent Heights Football Field located within Thomas Settee Park be renamed the Wendell Whitter Field for a term of ten (10) years from September 1, 2023 to August 31, 2032; and,
2. That the Mayor and City Clerk be authorized to execute the Naming Rights Agreement with the Prince Albert Minor Football Association on behalf of The City, once prepared.

**ATTACHMENTS:**

1. Wendell Whitter Field Naming (RPT 23-287)

Written by: Executive Committee



# City of Prince Albert

**RPT 23-287**

**TITLE:** Wendell Whitter Field Naming

**DATE:** July 17, 2023

**TO:** Executive Committee

**PUBLIC:** X

**INCAMERA:**

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## **RECOMMENDATION:**

That the Crescent Heights Football Field located within Thomas Settee Park be renamed the Wendell Whitter Field for a term of 10 years commencing September 1, 2023 & ending August 31, 2032.

That the Mayor & City Clerk be authorized to execute the Naming Rights Agreement with the Prince Albert Minor Football Association on behalf of the City of Prince Albert once prepared.

## **TOPIC & PURPOSE:**

The purpose of the report is to recommend the naming of Wendell Whitter Field and to outline the specifics required to formally implement the name change in partnership with the Prince Albert Minor Football Association.

## **BACKGROUND:**

Representatives on behalf of the Prince Albert Minor Football Association attended the May 2<sup>nd</sup>, 2022 Executive Committee meeting to submit the Facility Naming Proposal in support of Wendell Whitter. A copy of their request is attached for reference purposes. The request outlines the countless hours Wendell Whitter committed in support of the Prince Albert Minor Football Association. The report is submitted for consideration at the August 14<sup>th</sup>, 2023 Executive Committee meeting.

## **PROPOSED APPROACH AND RATIONALE:**

The Crescent Heights Football Field is owned by the City and located exclusively on City property. The Parks Division staff provides the turf maintenance and the Prince Albert Minor

Football Association assists with the general upkeep through their internal resources such as support by volunteers like Wendell Whitter. The Football Field serves as the home for the Prince Albert Minor Football Association and River Riders Football Program.

In considering the Facility Naming Proposal, the Community Services Department reviewed the attached request and related profile in support of naming recognition for Wendell Whitter. In addition to the notable contributions to local Football, his contributions assisted the Association with being recognized as the 2018 Sport Organization of the Year by the Prince Albert Sports Hall of Fame and his own personal induction into the Prince Albert Sports Hall of Fame in 2022. Further information is available at the following link <https://pashof.ca/inductee/wendell-whitter-builder/>.

#### Naming Rights & Sponsorship Policy:

It is the opinion of the Community Services Department that the Facility Naming Proposal for Wendell Whitter meets the criteria of the Naming Rights & Sponsorship Policy. The proposal aligns with the need to commemorate an individual important to the City and it is demonstrated that Wendell Whitter has made an exceptional contribution to parks and recreation in Prince Albert.

As outlined in the recommendation, the Community Services Department is recommending that a 10 year Naming Rights Agreement be approved in partnership with the Prince Albert Minor Football Association which is consistent with Section 8.01(iv) of the Naming Rights & Sponsorship Policy.

The Prince Albert Minor Football Association has committed to funding the signage required for Wendell Whitter Field. The Marketing & Sponsorship Coordinator will work directly with the Association representatives through the design process in advance of authorization being given to proceed with the sign production and installation.

#### **CONSULTATIONS:**

Consultations have included the following:

- Prince Albert Minor Football Association
- Prince Albert Sports Hall of Fame
- Marketing & Sponsorship Coordinator.

#### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Upon approval of the recommendation, the Community Services Department will work in partnership with the Prince Albert Minor Football Association to coordinate the facility signage recognizing Wendell Whitter and to organize a formal unveiling ceremony including the Association, members of Council and related dignitaries.

**POLICY IMPLICATIONS:**

Naming Rights & Sponsorship Policy

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no privacy or financial implications related to this request.

**STRATEGIC PLAN:**

The Facility Naming Proposal in support of Wendell Whitter and recommendation to proceed aligns with the Strategic Priority of Promoting a Progressive Community. Specifically, the Culture Action Plan Area of Focus identifies opportunities to remember, honour and celebrate Prince Albert's heritage and history. The sporting community forms an important part of Prince Albert's history and volunteers such as Wendell Whitter are integral to its success.

**OFFICIAL COMMUNITY PLAN:**

Section 9.2 of the Official Community Plan outlines the importance of Prince Albert's Parks & Recreation Facilities. Many of the improvements and contributions to the quality of life provided through our parks & recreation amenities are due to the volunteer support from individuals such as Wendell Whitter. The Facility Naming Proposal in support of Wendell Whitter aligns with this section of the Official Community Plan.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:** Verbal – Jody Boulet, Director of Community Services

**ATTACHMENTS:**

1. Prince Albert Minor Football Association Request to name Wendell Whitter Field
2. Naming Rights & Sponsorship Policy

Written by: Jody Boulet, Director of Community Services

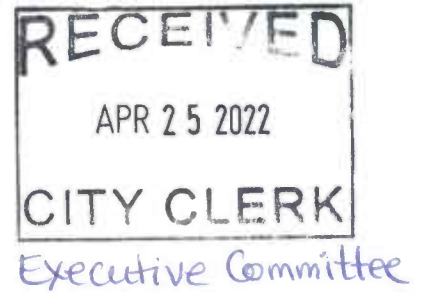
Approved by: City Manager

Date: March 14, 2022-03-11

To: Mr. Jody Boulet  
Mayor and Council

From: Bob Coffin

Re: Application letter for naming field after Wendell Whitter



Hi Jody: I started working on this application and gathering letters of support in 2018. Life happened and I did not get everything together until I moved to Saskatoon in February, 2021. I received emails and a number of phone calls in support of the idea of naming the field when I put out the idea to the PAMFA family. There are others like Anna Rybka and Mike St. Amand plus the present day executive who have provided verbal support for the idea and if you require more letters of support I'll contact all of them. The conversations I have had with River Rider alumni were very touching and I have included emails I received from a couple of them.

Please let me know if there is any more information you need or if a member of the PAMFA needs to come to a meeting to make a presentation. I will drive up from Saskatoon or Anna or Taras would gladly come to do this.

I hope this note finds you and yours safe and healthy. Take care Jody.

Thanks.

Bob Coffin

*Bob Coffin*

**Recommended  
Disposition:**

Refer to  
Community Services  
For review & report



**Date:** March 14, 2022

**To:** Mr. Jody Boulet  
Director  
Community Services Department  
City of Prince Albert

**From:** Bob Coffin  
President  
Prince Albert Minor Football Association (PAMFA)

**Re:** Application for naming of field between John Diefenbaker School and Crescent Heights Arena in memory of Wendell Whitter.

Mr. Boulet, on behalf of the Prince Albert Minor Football Association, I am applying to the Community Services Department for permission to name the Football/Soccer field located between John Diefenbaker School and Crescent Heights Arena "Wendell Whitter Field" in memory of a man who spent countless hours on that field as a football coach working with the youth of Prince Albert and area.

Wendell Whitter passed away suddenly on July 13, 2018, and naming the field in his memory would provide a lasting reminder, present for generations to come, honouring his many contributions to local youth.

Wendell was born and raised in Prince Albert. Personally, he was active in as many sports as possible while he was growing up but football became his passion. When his son, Kristian, started playing football at Carlton High School Wendell began acting upon his interest in the sport as the Carlton equipment manager. Then he started to attend coaching clinics and gained certification in order to enter the coaching ranks. The Prince Albert Minor Football Association (PAMFA) started a Peewee Kinsmen League football team in 2008 and Wendell volunteered to be the head coach. Over the next ten years Wendell was a PAMFA Executive member acting as Vice - President of the PAMFA at the time of his passing. He also filled the roles of coach, team manager and as a mentor for a number of assistant coaches. Wendell coached Spring and Fall Peewee football and he initiated and coached the PAMFA Indoor Football Program.

Wendell was a key contributor to the PAMFA programs which were recognized in 2018 as an inductee into the Prince Albert Sports Hall of Fame as Sports Organization of the Year. As well, the 2018 "BOB" award was presented to the PAMFA as a community sports organization of significance. Wendell was to be

inducted into the Prince Albert Sports Hall of Fame in 2019 but due to a number of circumstances the Sports Hall of Fame was unable to hold their awards ceremony until this year. Wendell will be inducted posthumously this spring on April 29, 2022.

Wendell spent countless hours as a volunteer in this community working as a contributor towards the betterment of opportunities and experiences for the citizens and youth of Prince Albert. He worked closely with families and youth to make these experiences as positive and rewarding as possible. Recognizing his selfless commitment of time and energy towards the goals of the PAMFA and citizens of Prince Albert by naming the field in his memory would be a fitting tribute to him.

Letters of support from various Prince Albert citizens for this application are also being submitted with this application.

Upon receiving approval from the City of Prince Albert for naming the field in Wendell Whitter's name, the Prince Albert Minor Football Association would take responsibility for the purchase and placement of a sign at the field. This action would meet the requirements of the bylaws for signage placed on City property. The sign would have the words "Wendell Whitter Field" printed on it.

If you require any more information please do not hesitate to contact me.

My email address is: [boblcoffin@hotmail.com](mailto:boblcoffin@hotmail.com)

My home address is: Apt. 303 -2305 Adelaide Street East, Saskatoon, SK. S7J 5H6

Thank you for your consideration of this proposal.

*Bob Coffin*

Bob Coffin

Past President

Prince Albert Minor Football Association

January 10, 2018

To Whom It May Concern

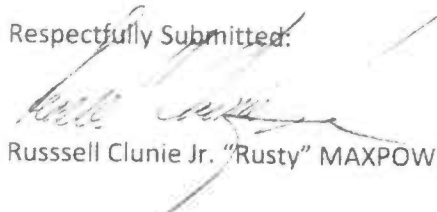
City of Prince Albert

I have been made aware of an initiative to rename a field near John Diefenbaker in honor of Mr. Wendell Whitter. The proposed ask and letter prepared by Mr. Bob Coffin has been circulated past me and I want to provide my own full support and push behind making this happen

I Rusty Clunie was one of the four founding members that pushed and worked to bring back minor football to the City of Prince Albert. As in anything it takes more then four individuals to actually make something happen and it requires a village to see it succeed and see it through. Wendell was one of these go to number one guys from the out set. Giving his time heart and passion to the football association and more importantly each and every child that came and participated. He committed hours and hours of his time to benefit all those around him he was truly a passionate man for this cause and worked tirelessly to insure it's success. Personelly my family has supported many initiatives in this community as well as the many business's I am involved in. Through it all I have learnt what a soul this City has and what a great community we live in. I really hope the City sees favour in the request presented by Mr. Coffin and we recognize the man and his commitment to this community by naming this field in his honor.

I applaud you Bob and the Association for bringing this forward and will do all I can do to see it thurough to completion.

Respectfully Submitted:



Russell Clunie Jr. "Rusty" MAXPOWER

March 4 2019

Jody Boulet  
City of Prince Albert

Re: Application for naming of football field in memory of Wendell Whitter

Dear Jody,

I would like to provide a letter of support in favor of naming the football field located between John Diefenbaker School and Crescent Heights Arena after Wendell Whitter.

I have known Wendell personally for 35 years and he has always been a kind and giving man, but it was only through my involvement with River Riders football club that I was able to learn how much Wendell has contributed to PA Minor Football as well as the junior and senior football programs of Carlton, and hundreds of young men and women have benefited from Wendell's work.

During the first year of River Rider minor football we operated with only a bantam team, and despite the enthusiasm demonstrated by all players and parents we discovered a pee wee team would be needed in order to provide the required preparation and training for the bantam players. But, the task of starting another team was daunting, so when Wendell stepped forward we were thrilled; and 10 years later not only was he still the key figure in the Pee Wee program but he was one of the key people with the entire PA Minor Football organization.

The importance of building a pee wee team to compliment the bantam team cannot be understated, and Wendell was the person to lead all parts of the pee wee program from coaching, recruiting, equipment, and administration. Not only did he lead us during the main fall season, but he led the teams during spring football and during the offseason camps for the Little Tykes program and indoor football.

Without the accomplishments and commitment of Wendell we would not have the program that we have today, and through the years his presence has provided the atmosphere where other coaches and volunteers have the confidence to step up and become part of the program as well. He had the skills to deal with players, other coaches, and parents.

The field which we are requesting be named after Wendell is where he spent the most time as a coach and volunteer, and I can think of no more appropriate tribute than to name this field "Wendell Whitter Field". Even though I am no longer active with PA Minor Football, I would be pleased to contribute in any way I can to this cause.

Yours Truly



David Thorpe  
Former PA Minor Football Board Member and Coach.  
[davidt@thorpeindustries.ca](mailto:davidt@thorpeindustries.ca)

I think naming our PAMF practice field after Wendel Whitter is an excellent idea. I will be the first to admit that Wendel and I rarely saw eye to eye; however, that being said, he was a good man with a big heart and full of passion for the sport. Wendel wanted to see the best in each child on the football field. He tried with the tools he had to encourage each child to play to their potential. As a coach, I can sometimes see the potential in a player, but they suffer from low self esteem or lack of confidence. Trying to show the player that they are a valuable asset to the team can sometimes get the player to believe in themselves a little more, resulting in positive outcomes on the field. Wendel was able to do this, I believe he was teaching the kids lessons they might not have learned. He, and his voice will be missed on the field and naming it after him will be a little piece of him that is missing.

Heather Henderson

January 11, 2019

Mr. Jody Boulet, Director  
Community Services Department  
City of Prince Albert

Re: Application for field dedication in memory of Wendell Whitter

Dear Mr. Boulet,

My name is Lori Nelson. I am a registered nurse in our city and I had the pleasure of working with Wendell and Prince Albert Minor Football for 5 years. I assisted with first aid and training for our players and during this span of time, I got to know Wendell very well.

Wendell was a man not only passionate about football, but who also had a genuine love and desire for working with children. He took great pleasure in watching our young players progress through the years of River Riders, and had pride in the fact that several of them went on to play at college levels. As a parent, we put in our time with different organizations over the years, and we do so because of our children. Most of us move on when our child grows and moves on to other activities. Wendell's passion and dedication to the game kept him looking after all our children for many years.

During the few years I was involved with PAMF, I had many parents come to me and say what a great organization it was, making new parents feel welcome and including every child in equal play. I feel that Wendell was an intricate part of this, and his presence will be missed by all.

On behalf of every parent and player that experienced River Riders football, please consider dedicating our practice field in memory of a great mentor, leader, and friend, Wendell Whitter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lori Nelson', followed by the printed text 'RN, CDE'.

Lori Nelson, RN

## Letter to rename football field

T

TheConquer9000 <teichreb14@gmail.com>  
Wed 2019-12-18 4:05 PM

• You

Hello my name is Parker Teichreb. I am a RiverRider member since I was 10 years old, and now I'm 20. I want the crescent height football field to be name Wendell field. I knew Wendell since I was 10 till the days he left to a better place. Wendell was a man that showed care for each and every football player, no matter what it costed. Wendell was a coach that no only helped players on the field but also off the field. Wendell showed me what a man is. He showed me what it is to be a better person, he made me more Of a man than words can say. I loved Wendell as a coach, but also a friend. He's not like other coaches he's the coach who pulls you a side and helps you. Wendell is not one of the best football coaches, but the best coach you'll ever know. I'm glad I was able to meet him. And was glad to talk to him each and every day when I got to high school. Wendell has created a legacy, that no coach could do. He is more then a coach. He is always my hero, my mentor, and my family. I will miss him each day he's gone but I know he is inside each football player but his soul will live in that field for every player that steps on that field. Please take the time to consider to change the name to honor him. That decision will be the best you ever make. Rest in peace Wendell.

Thank you

## Supporting petition

KD

Kyle Deibert <kyledeibert25@gmail.com>  
Wed 2019-12-18 4:39 PM

• You

Hello Mr. Coffin,

I hope you are doing well, I wanted to send a letter in support of the movement for Wendell Whitter. Mr. Whitter was my peewee coach back when I played minor football for the P.A Riverriders. Mr. Whitter was a great person as well as an amazing coach, he brought numerous things to the table with his countless hours of coaching us, never missing a day, great attitude and great work ethic. Mr. Whitter taught me a lot of things in life as well as my football career to better myself on and off the field. I made great progression in my life and my football career and a great majority of it has to do with Wendell Whitter. He was a great man and an astounding coach he will be forever missed, this movement for naming the field after him has my full support I am honoured to hear of this and to call myself a Riverrider alumni. I would send a real letter but I am currently in Kingston Ontario for the Correctional Services of Canada training academy. Thank you for doing this project it is much appreciated.

Take care sir

Kyle Deibert



> On Dec 18, 2019, at 8:37 PM, Taras Kachkowski <[river.riders.coach@gmail.com](mailto:river.riders.coach@gmail.com)> wrote:

>

>

> To whom it may concern,

>

> I am writing this letter in support of Prince Albert Minor Football Association's petition to name the field on which the practises for most of their programs are held, between Crescent Heights Arena and Diefenbaker School, to be named after Wendell Whitter.

>

> Wendell was active in the community in several ways. He was a minister in his church, and he was involved in Prince Albert's sporting community in many ways over the years. He coached softball, was a trainer for the Prince Albert Generals hockey club, was a member of the Timberland Bowbenders archery club, and was first an equipment manager, then later a coach for the Carlton Crusaders football team. In 2008, Wendell became involved with Prince Albert Minor Football, where he served as an executive member, equipment manager, and the first head coach of the Pee Wee level River Riders, for ages 11 & 12.

>

> I also became involved with PA Minor Football at the inception of the Pee Wee program. As an inexperienced coach at the time, Wendell was a mentor to me. We quickly forged a great working relationship, working together as PA Minor Football expanded to include spring six-a-side programs, and his creation, an indoor flag football program for ages 8 to 10. Not only did we become coaching colleagues, but good friends.

>

> Wendell's legacy in PA Minor Football lives on in two ways. The indoor flag program continues to exist, and Wendell's player development philosophy of everyone, regardless of their talent level, getting as equitable an amount of playing time as possible, remains the at the core of PA Minor Football's approach.

>

> Naming the field where Wendell spent countless hours coaching football would be a lasting tribute to Wendell's involvement in Prince Albert's sporting community. I fully support this initiative, and I ask that council approve this petition.

>

> Respectfully,

>

> Taras Kachkowski

December 25, 2019

To Whom It May Concern,

Our sons had the privilege of being coached by Mr. Wendell Whitter during their time with the Pee Wee program with the River Riders football program here in Prince Albert. Wendell worked tirelessly for the program and instilled, not only a love of the game of football, values of great sportsmanship and taking care of those around you. Wendell saw the best in all those that he worked with and strove to help develop as individuals. I feel that naming the field between Crescent Heights Arena and John Diefenbaker School would be a great way to remember a man that dedicated himself to making the world a better place for those that had the privilege of knowing Wendell.

Sincerely,

Sheldon and Shannon Hirschfeld

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## **1 POLICY**

- 1.01** To provide guidelines and procedures for the naming and re-naming of City Parks and Facilities on City owned property.
- 1.02** To provide guidelines which facilitate and support opportunities for entering into sponsorship agreements for City owned and Civic partner controlled assets for the purpose of enhancing financial sustainability.

## **2 PURPOSE**

- 2.01** To name City Parks and Facilities in a manner which ensures a consistent approach to soliciting, managing and reporting on naming rights and sponsorship agreements.
- 2.02** To provide guidance to those that have an interest in the naming and sponsoring of civic properties.
- 2.03** To provide a means of generating new revenues and alternative resources to assist in the construction, support and/or provision of City of Prince Albert Facilities.
- 2.04** To protect the reputation, integrity and aesthetic standards of the City of Prince Albert and its assets.

## **3 SCOPE**

- 3.01** This Statement of Policy and Procedure applies to the City of Prince Albert.
- 3.02** Only corporate and individual naming rights and sponsorship agreements are covered by this Policy. The process for naming of streets is covered in the Street Naming Policy dated June 24, 2013.
- 3.03** Naming rights arrangements that pre-date this Policy are not subject to its terms.

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#### **4 RESPONSIBILITY**

##### **4.01 City Council:**

- (a) Approval of the policy and all amendments.
- (b) Approval of all Naming Rights Agreements.
- (c) Approval of all sponsorship agreements. Mayor and City Clerk to execute all sponsorship agreements on behalf of the City of Prince Albert.
- (d) Approval of an Inventory Valuation of Assets to be developed by Administration before sponsors are approached or Agreements made.

##### **4.02 Director of Community Services or Designate:**

- (a) Assess all proposals to confirm date and duration, sponsor contribution, market value assessment of the contribution and appropriate recognition.
- (b) Compare proposals to ensure consistency between sponsor agreements.
- (c) Ensure the process for tracking and reporting all sponsorship agreements is developed.
- (d) Direct resources to develop and manage an Inventory Valuation of Assets available for sponsorship consideration.
- (e) Seek concept approval from City Council prior to initiating negotiations with a potential sponsor for those projects that may be sensitive in nature or that include naming rights.
- (f) Director of Community Services will work with the City Solicitor in developing consistent conditions for the naming rights & sponsor agreements.
- (g) Prepare recommendations to City Council in accordance with the policy.

#### **5 DEFINITIONS**

##### **5.01 In this Policy:**

- (a) THE CITY – means the City of Prince Albert, its departments and staff.

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- (b) CITY PARKS – are owned and managed by the City, used for public recreation purposes and shall include developed and undeveloped park areas and open spaces, trails, greenways and plazas.
- (c) CITY FACILITIES – are City owned facilities used to conduct City business and where the general public gathers for social, recreation, cultural and other related purposes. It shall include individual rooms, spaces and features within buildings such as ice pads, soccer fields, gymnasiums; and amenities within parks and open spaces such as picnic shelters, sport fields, bandstands, playgrounds, garden areas, etc.
- (d) CORPORATE NAMING RIGHTS – means a mutually beneficial business arrangement wherein an organization provides goods, services or financial support to the City in return for access to the commercial and/or marketing potential associated with the public display of the organization’s name on a City property for a fixed period.
- (e) DONATIONS – are cash or in-kind contributions which provide assistance to the City. Donations do not constitute a business relationship since no reciprocal consideration is sought. Donations over \$10.00 generally qualify for a tax receipt.
- (f) HONOURIFIC or COMMEMORATIVE NAMING means the naming of City property without return consideration. It is bestowed by the City to recognize the service, commitment or other type of contribution by an individual, group or organization.
- (g) INDIVIDUAL NAMING RIGHTS means the naming of City property in return for a financial or in-kind contribution from an individual or their estate. Typically, such support is given to enhance the community and to help sustain the property in question for a negotiated period of time.
- (h) SPONSORSHIP is a mutually beneficial business arrangement wherein an external party (individual, company, organization or enterprise), whether for profit or otherwise, provides cash and/or in-kind services to the City in return for commercial advantage. This payback may take the

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form of recognition, acknowledgement, promotional consideration, merchandising opportunities, etc. Because of these marketing benefits, a sponsorship does not qualify for a tax receipt.

- (i) DIRECTOR – means the Director of Community Services or Designate.
- (j) CIVIC PARTNER – An arms-length, not-for-profit organization that has a formal and legal relationship to provide services, programs and/or manage and care for City assets in conjunction with, or on behalf of the City of Prince Albert.
- (k) VALUE IN-KIND – A sponsorship received in the form of goods and/or services rather than cash.
- (l) VALUE ASSESSMENT – A determination of the value that a sponsor will receive as a purchaser of specific naming rights and/or sponsorship and may include tangible and intangible benefits.
- (m) ASSET ANALYSIS – A comprehensive review of an asset’s overall value as it relates to sponsorship or naming opportunities.

## **6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE**

**6.01** Street Naming Policy dated June 24, 2013 – Council Resolution No. 0523.

**6.02** Tax Deductible Donation Policy and Procedure dated November 13, 2007 – Council Resolution No. 0783.

## **7 CRITERIA**

### **7.01 Individual/Organization Naming Rights**

The following criteria shall be used in evaluating the merit of each City Park and Facility naming request. There are four potential sources of names for Parks and

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Facilities as outlined below. Generally, it is preferred that the name reflects the location or a historic factor. When there is no predominant location or historic factor, under special circumstances, other naming sources may be considered.

- (a) The name could reflect the location of the Park or Facility. The location might be easily identified by a well-known bordering street, natural feature, neighbourhood, subdivision, the school on which it is located or other factor. Such criteria will allow citizens to easily identify with the location of the Park or Facility.
- (b) The name could commemorate a historic event or event of cultural significance.
- (c) The name could commemorate a person important to the City. The nominated person must have made an exceptional positive contribution to parks, recreation or culture relating to the Park or Facility being named. Nominations will not be accepted by immediate family members. Recognition of individuals, whose contributions have been appropriately recognized in other City venues or by other means, shall be avoided.
- (d) The name could recognize a person, organization or corporation that has made a substantial contribution to the City, including financial, value in-kind or property donation to the City relative to parks, recreation & culture. Corporate names shall not be considered for the naming of Parks but may be considered for trails and greenways, facilities, or assets within Parks or Facilities.

## **7.02 Other Naming Rights Considerations**

- (a) Individuals currently holding elected office, currently working for the City or actively serving on any City standing or selection committee shall not be considered for naming.

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- (b) The individual must not have been convicted of a known felony.
- (c) Names that duplicate or sound as if they duplicate existing Park or Facility names or are otherwise confusing shall not be considered.

### **7.03 Sponsorship**

- (a) An external party may contribute, in whole, or in part, funds, goods, or services to an approved City facility, public park, open space, program, event, or activity where such sponsorship is mutually beneficial to both parties and in a manner consistent with existing criteria, guidelines and policies set by the City.
- (b) The sponsorship arrangement must support the goals, objectives, policies and bylaws of the City of Prince Albert and be compatible with, complimentary to, and reflect the City's Strategic Plan.
- (c) The City will select the most appropriate sponsors using the following criteria:
  - i) Quality and timeliness of product and service delivery.
  - ii) Value of product, service, cash provided to the City.
  - iii) Cost/Risk to the City to service the agreement.
  - iv) Compatibility of products and services with City policies and standards.
  - v) Marketplace reputation of the sponsor.
  - vi) Record of sponsor's involvement in community projects and events.
- (d) Recognition provided to sponsors is subject to negotiation (ie. Advertising, signage, product sampling, brand name) and must meet the following criteria:
  - i) Be of an acceptable standard and in good taste.



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- ii) Not present demeaning or derogatory portrayals of individuals or groups.
  - iii) Not contain anything which, in light of generally prevailing community standards, is likely to cause deep or widespread offense.
- (e) The sponsorship arrangement must be limited in scope and application to the City or project under consideration, and shall not involve any form of a risk-sharing venture.
- (f) Satisfying one or more of the eligibility criteria listed above does not assure a recommendation from the Director of Community Services for City Council approval.

## **8 GUIDELINES**

### **8.01 Guidelines Associated with Community & City Initiated Nominations for Naming Rights & Sponsorship Agreements**

Individuals or organizations initiating the naming and/or sponsorship process shall submit a written request along with justification to the Director of Community Services.

- (a) The request shall include:
- (i) The proposed name or sponsorship proposal.
  - (ii) The value of all funds, goods and services to be provided and the recognition to be provided in return.
  - (iii) Evidence of community support for the proposed name or sponsorship opportunity.
  - (iv) A fixed term of up to a maximum of 10 years unless otherwise approved by City Council.

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- (v) The responsibility for insurance, licenses, permits, safety, security and public health.
- (vi) Revisions to the sponsorship agreements are subject to the same approval as the original sponsorship agreement.
- (vii) Long-standing sponsorship agreements that pre-date this policy may continue upon the approval of City Council.

## **8.02 Guidelines Associated with Fundraising Campaigns**

The naming of Parks or Facilities in association with fundraising campaigns may be considered under the following conditions:

- (a) Organizations affiliated with the City that desire to raise funds for a City-sponsored project must receive a recommendation from the Department of Community Services when it relates to City owned Parks or Facilities and must receive approval from City Council prior to attaching naming opportunities or sponsor recognition to the fundraising campaign.
- (b) Organizations conducting fundraising campaigns with naming and sponsorship opportunities attached must immediately notify City staff when a naming proposal is under consideration in order to facilitate an administrative review.
- (c) Naming and sponsorship proposals that promote alcohol, tobacco products or political organizations will not be considered.
- (d) Acceptance of a naming or sponsorship proposal by an organization conducting a fundraising campaign must be considered conditional pending a review and recommendation by the Director of Community Services to City Council. A final approval by City Council is required.

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## **9 PROCEDURE**

### **9.01 General**

- (a) Issues regarding the interpretation or application of this Policy are to be referred to the Community Services Department.
- (b) In accordance with the principles and criteria contained in this Policy, the solicitation, negotiation and administration of naming rights and sponsorship are to be conducted by authorized City staff only.
- (c) All naming rights and sponsorship must be evaluated for compliance with this Policy. The Department of Community Services is responsible for ensuring that all naming rights and sponsorship holders along with the executed agreements comply with this Policy and that staff abide by the provisions of this Policy.
- (d) All Naming Rights and Sponsorship Agreements will be in the form of a legal contract. For such sponsorships, the Community Services Department shall consult with the City Solicitor's Office regarding appropriate terms and conditions and consider inclusion of the following provisions:
  - i) A description of the contractual relationship, specifying the exact nature of the Agreement;
  - ii) The term of the Agreement;
  - iii) Renewal options, if permitted;
  - iv) The value of the consideration and, in the case of in-kind contributions, the method of assessment;
  - v) The payment schedule;
  - vi) Rights and benefits;
  - vii) Release, indemnification and early termination clauses as appropriate;
  - viii) Insurance clauses;
  - ix) Confidentiality terms;
  - x) A statement acknowledging that the sponsorship may be subject to provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, and

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- xi) A statement that all parties are aware of, and agree to comply with, the provisions of this Policy.
- (e) The City's profile and responsibility as owner/operator of the Facility must be ensured throughout the Agreement with the external organization or corporation.
- (f) The granting of naming rights will not entitle a naming entity to preferential treatment by the City outside of the Naming Rights Agreement.
- (g) The City will not relinquish any aspect of its right to manage and control a Facility through a Naming Rights Agreement.
- (h) An asset analysis and value assessment will be completed to determine the value of the asset in the marketplace.
- (i) All proceeds generated by the City for Naming Rights and Sponsorship Agreements shall be used for:
  - i) Enhancement and maintenance of the named Facility and operation.
  - ii) The provision of programs and services directly related to the Facility's mandate and operation.
  - iii) Subject to the Agreement, the proceeds received may be designated for another City owned Facility.
  - iv) All revenues and expenses pertaining to a Naming Rights or Sponsorship Agreement will be included in the Department's budget.

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- (j) Naming and sponsorship rights may only be transferred or assigned by a naming rights and sponsorship holder with the consent of the City. Where a company changes its name, the naming rights may, with the consent of the City and at the expense of the naming rights holder, be modified to reflect the new name.
- (k) The City will not endorse the products, services, or ideas of any naming right holder and naming rights holders are prohibited from implying that their products, services or ideas are sanctioned by the City.
- (l) The terms and conditions of the Naming Rights Agreement will not conflict with the terms and conditions of the existing lease, license, and agreement(s) with the City.
- (m) All corporate and individual Naming Rights Agreements must be for a fixed term, not exceeding ten (10) years unless approved by City Council. Every such Agreement will include a sunset clause specifying the duration of the naming opportunity. Individual and corporate naming rights may be subject to renewal upon mutual agreement.
- (n) At its sole discretion, the City reserves the right to terminate the Naming Rights Agreement prior to the scheduled termination date, without refund of consideration, should it feel it is necessary to do so to avoid the City being brought into disrepute.
- (o) The terms and conditions contained within a Naming Rights or Sponsorship Agreement are to be approved by the Director of Community Services or designate and City Council.
- (p) The Director of Community Services is responsible for preparing and presenting a Report for Council on the content of the negotiated Naming Rights or Sponsorship Agreements. Upon Council approval, the Mayor and City Clerk shall execute the Agreement.



City of  
**Prince Albert**

**RPT 23-329**

**TITLE:** Margo Fournier Facility Naming

**DATE:** August 16, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

1. That the Prince Albert Arts Centre located at 1010 Central Avenue be renamed the Margo Fournier Arts Centre; and,
2. That the Municipal Heritage Property Bylaw No. 57 of 1981 be amended to reflect the name change from the Prince Albert Arts Centre to the Margo Fournier Arts Centre.

**ATTACHMENTS:**

1. Margo Fournier Facility Naming (RPT 23-286)

Written by: Executive Committee



**RPT 23-286**

**TITLE:** Margo Fournier Facility Naming

**DATE:** July 17, 2023

**TO:** Executive Committee

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

That the Prince Albert Arts Centre located at 1010 Central Avenue be renamed the Margo Fournier Arts Centre.

That the Municipal Heritage Property Bylaw No. 57 of 1981 be amended to reflect the change from the Prince Albert Arts Centre to the Margo Fournier Arts Centre.

**TOPIC & PURPOSE:**

The purpose of the report is to recommend the naming of the Margo Fournier Arts Centre and outline the specifics related to the naming process.

**BACKGROUND:**

The requirement to consider an alternate naming option for Margo Fournier arose through the City's sale of the former Margo Fournier Centre located at 1211 – 1<sup>st</sup> Avenue West. At the time of the sale effective September 1<sup>st</sup>, 2022, the Community Services Department identified to City Council the option to consider the renaming of the Prince Albert Arts Centre in recognition of Margo Fournier.

The report is submitted for consideration at the August 14<sup>th</sup>, 2023 Executive Committee to outline the Naming Proposal.

**PROPOSED APPROACH AND RATIONALE:**

The Prince Albert Arts Centre is a national historical landmark and formally recognized by the City of Prince Albert as a Municipal Heritage Property. The Facility was constructed in 1893

and formerly served as the Prince Albert Town Hall and Opera House.

The facility currently serves as a thriving arts facility offering a wide variety of art, craft, music, culture and other creative opportunities for all members of our community. A link to the Arts Centre's Programs & Services is available here [Arts Centre - City of Prince Albert \(citypa.ca\)](http://citypa.ca).

In considering the Facility Naming Proposal, the following are some notable contributions by Margo Fournier:

- Accomplished & Engaged Musician who served in WWII as an entertainer in song & dance. Margo was a member of the "All Clear" Canadian Air Force Show and performed for the Canadian and Allied troops in Canada and overseas. Margo was decorated with 3 medals for her service.
- Upon return to Prince Albert, Margo became the Founder & Director of the Prince Albert Boys' Choir. Under Margo's direction and pursuit of excellence, the Choir went on to earn National and International acclaim. It was Margo's objective that each participant in the program excel in the development of both personal artistic expression and character as an engaged member of a culturally dynamic community. As a direct result of these experiences, some Choir members went on to win Provincial and National recognition as soloists and as members and directors of university and community choirs.
- For many years Margo coached swimming and diving at the Prince Albert's Multi-Purpose Recreation Centre (Centre became known as the Margo Fournier Centre). Many of Margo's swimmers and divers became outstanding and responsible leaders in their communities.
- Margo taught music to student nurses, boys and girls at the Margo Fournier Centre and at St. Mary's High School. Margo also conducted choirs including the Penitentiary inmates' choir.
- Margo was the founder of the Prince Albert Music Festival Association and was President of the local branch of Jeunesses Musicales which brought both Canadian and International acclaimed musicians to Prince Albert for several years.
- In the 1960's, Margo was named Prince Albert's Citizen of the Year. In 1965, Margo was also appointed as the only woman to the Saskatchewan Youth Review and Advisory Commission. The Commission made major recommendations to the Provincial Government regarding the development of Saskatchewan's youth.
- For her work with youth through music, she was presented the Optimist Club Award for Outstanding Contribution to Music and the Award of Merit by both the Saskatchewan and Canadian Parks and Recreation Associations.
- In 1983, Margo was inducted into the Order of Canada, Canada's highest civilian



honour, for her work with youth in music and for her contribution to the development of musical education in the community of Prince Albert.

#### Naming Rights & Sponsorship Policy:

It is the opinion of the Community Services Department that the Facility Naming Proposal for Margo Fournier meets the criteria of the Naming Rights & Sponsorship Policy. The proposal aligns with the need to commemorate a person important to the City and it is demonstrated that Margo Fournier has made an exceptional and positive contribution to parks, recreation and/or culture.

Due to the fact that the former Margo Fournier Centre was previously named without a formal agreement or term, the recommendation is to proceed with naming the Margo Fournier Arts Centre without a term requiring an exemption to Section 8.01(iv) of the Naming Rights & Sponsorship Policy. This section outlines “A fixed term of up to a maximum of 10 years unless otherwise approved by City Council.”

Other requirements that will be completed prior to the formal name change:

- New Exterior & Interior Signage
- Logo Development
- Website & Letterhead revisions
- Booking Software edits
- Update Search Engines
- Update all Heritage Status (Municipal, Provincial, Federal)
- Update History Documents
- Update Promotional Materials
- Update Social Media accounts

The above requirements will be coordinated following City Council’s approval to proceed.

#### **CONSULTATIONS:**

Consultations have included the Fournier Family through the City Solicitor’s personal relationship with the family. This consultation will continue as the Department works toward a formal Public Recognition Event.

The Planning & Development Services Department will be consulted regarding the process to amend the Municipal Heritage Property Bylaw No. 57 of 1981 – Prince Albert Heritage Museum & Prince Albert Arts Centre.

#### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Upon approval of the recommendation, a public recognition event will be coordinated with the

Fournier Family, members of Council and Community Dignitaries. The event invitation will be directly sent to members of Council and promoted through the media, website & social media.

**POLICY IMPLICATIONS:**

- Naming Rights & Sponsorship Policy.
- Municipal Heritage Property Bylaw No. 57 of 1981 – Prince Albert Heritage Museum & Prince Albert Arts Centre.

**FINANCIAL IMPLICATIONS:**

A new exterior sign will be required to reflect the Margo Fournier Arts Centre name change at an approximate cost of \$1,000. The cost for the new signage will be funded from the Community Services Department's Advertising & Promotions account.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no privacy implications.

**STRATEGIC PLAN:**

The Facility Naming proposal aligns with the Strategic Priority of Promoting a Progressive Community. Specifically, the Culture Action Plan Area of Focus which identifies opportunities to remember, honour and celebrate Prince Albert's Heritage & History.

**OFFICIAL COMMUNITY PLAN:**

The Facility Naming Proposal aligns with Culture Section 13 of the Official Community Plan. The Prince Albert Arts Centre is recognized as a Municipal Heritage Property and will serve as an appropriate location to continue the City's recognition of Margo Fournier's contributions to the community of Prince Albert.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:** Verbal – Jody Boulet, Director of Community Services

**ATTACHMENTS:**

1. Naming Rights & Sponsorship Policy.
2. Municipal Heritage Property Bylaw No. 57 of 1981 - Prince Albert Museum & Prince Albert Arts Centre

Written by: Jody Boulet, Director of Community Services

Approved by: City Manager

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Approved by:	Jody Boulet, Director of Community Services		

## **1 POLICY**

- 1.01** To provide guidelines and procedures for the naming and re-naming of City Parks and Facilities on City owned property.
- 1.02** To provide guidelines which facilitate and support opportunities for entering into sponsorship agreements for City owned and Civic partner controlled assets for the purpose of enhancing financial sustainability.

## **2 PURPOSE**

- 2.01** To name City Parks and Facilities in a manner which ensures a consistent approach to soliciting, managing and reporting on naming rights and sponsorship agreements.
- 2.02** To provide guidance to those that have an interest in the naming and sponsoring of civic properties.
- 2.03** To provide a means of generating new revenues and alternative resources to assist in the construction, support and/or provision of City of Prince Albert Facilities.
- 2.04** To protect the reputation, integrity and aesthetic standards of the City of Prince Albert and its assets.

## **3 SCOPE**

- 3.01** This Statement of Policy and Procedure applies to the City of Prince Albert.
- 3.02** Only corporate and individual naming rights and sponsorship agreements are covered by this Policy. The process for naming of streets is covered in the Street Naming Policy dated June 24, 2013.
- 3.03** Naming rights arrangements that pre-date this Policy are not subject to its terms.

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## **4 RESPONSIBILITY**

### **4.01 City Council:**

- (a) Approval of the policy and all amendments.
- (b) Approval of all Naming Rights Agreements.
- (c) Approval of all sponsorship agreements. Mayor and City Clerk to execute all sponsorship agreements on behalf of the City of Prince Albert.
- (d) Approval of an Inventory Valuation of Assets to be developed by Administration before sponsors are approached or Agreements made.

### **4.02 Director of Community Services or Designate:**

- (a) Assess all proposals to confirm date and duration, sponsor contribution, market value assessment of the contribution and appropriate recognition.
- (b) Compare proposals to ensure consistency between sponsor agreements.
- (c) Ensure the process for tracking and reporting all sponsorship agreements is developed.
- (d) Direct resources to develop and manage an Inventory Valuation of Assets available for sponsorship consideration.
- (e) Seek concept approval from City Council prior to initiating negotiations with a potential sponsor for those projects that may be sensitive in nature or that include naming rights.
- (f) Director of Community Services will work with the City Solicitor in developing consistent conditions for the naming rights & sponsor agreements.
- (g) Prepare recommendations to City Council in accordance with the policy.

## **5 DEFINITIONS**

### **5.01 In this Policy:**

- (a) THE CITY – means the City of Prince Albert, its departments and staff.

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- (b) CITY PARKS – are owned and managed by the City, used for public recreation purposes and shall include developed and undeveloped park areas and open spaces, trails, greenways and plazas.
- (c) CITY FACILITIES – are City owned facilities used to conduct City business and where the general public gathers for social, recreation, cultural and other related purposes. It shall include individual rooms, spaces and features within buildings such as ice pads, soccer fields, gymnasiums; and amenities within parks and open spaces such as picnic shelters, sport fields, bandstands, playgrounds, garden areas, etc.
- (d) CORPORATE NAMING RIGHTS – means a mutually beneficial business arrangement wherein an organization provides goods, services or financial support to the City in return for access to the commercial and/or marketing potential associated with the public display of the organization’s name on a City property for a fixed period.
- (e) DONATIONS – are cash or in-kind contributions which provide assistance to the City. Donations do not constitute a business relationship since no reciprocal consideration is sought. Donations over \$10.00 generally qualify for a tax receipt.
- (f) HONOURIFIC or COMMEMORATIVE NAMING means the naming of City property without return consideration. It is bestowed by the City to recognize the service, commitment or other type of contribution by an individual, group or organization.
- (g) INDIVIDUAL NAMING RIGHTS means the naming of City property in return for a financial or in-kind contribution from an individual or their estate. Typically, such support is given to enhance the community and to help sustain the property in question for a negotiated period of time.
- (h) SPONSORSHIP is a mutually beneficial business arrangement wherein an external party (individual, company, organization or enterprise), whether for profit or otherwise, provides cash and/or in-kind services to the City in return for commercial advantage. This payback may take the

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form of recognition, acknowledgement, promotional consideration, merchandising opportunities, etc. Because of these marketing benefits, a sponsorship does not qualify for a tax receipt.

- (i) DIRECTOR – means the Director of Community Services or Designate.
- (j) CIVIC PARTNER – An arms-length, not-for-profit organization that has a formal and legal relationship to provide services, programs and/or manage and care for City assets in conjunction with, or on behalf of the City of Prince Albert.
- (k) VALUE IN-KIND – A sponsorship received in the form of goods and/or services rather than cash.
- (l) VALUE ASSESSMENT – A determination of the value that a sponsor will receive as a purchaser of specific naming rights and/or sponsorship and may include tangible and intangible benefits.
- (m) ASSET ANALYSIS – A comprehensive review of an asset’s overall value as it relates to sponsorship or naming opportunities.

## **6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE**

**6.01** Street Naming Policy dated June 24, 2013 – Council Resolution No. 0523.

**6.02** Tax Deductible Donation Policy and Procedure dated November 13, 2007 – Council Resolution No. 0783.

## **7 CRITERIA**

### **7.01 Individual/Organization Naming Rights**

The following criteria shall be used in evaluating the merit of each City Park and Facility naming request. There are four potential sources of names for Parks and

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Facilities as outlined below. Generally, it is preferred that the name reflects the location or a historic factor. When there is no predominant location or historic factor, under special circumstances, other naming sources may be considered.

- (a) The name could reflect the location of the Park or Facility. The location might be easily identified by a well-known bordering street, natural feature, neighbourhood, subdivision, the school on which it is located or other factor. Such criteria will allow citizens to easily identify with the location of the Park or Facility.
- (b) The name could commemorate a historic event or event of cultural significance.
- (c) The name could commemorate a person important to the City. The nominated person must have made an exceptional positive contribution to parks, recreation or culture relating to the Park or Facility being named. Nominations will not be accepted by immediate family members. Recognition of individuals, whose contributions have been appropriately recognized in other City venues or by other means, shall be avoided.
- (d) The name could recognize a person, organization or corporation that has made a substantial contribution to the City, including financial, value in-kind or property donation to the City relative to parks, recreation & culture. Corporate names shall not be considered for the naming of Parks but may be considered for trails and greenways, facilities, or assets within Parks or Facilities.

## **7.02 Other Naming Rights Considerations**

- (a) Individuals currently holding elected office, currently working for the City or actively serving on any City standing or selection committee shall not be considered for naming.



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- (b) The individual must not have been convicted of a known felony.
- (c) Names that duplicate or sound as if they duplicate existing Park or Facility names or are otherwise confusing shall not be considered.

### **7.03 Sponsorship**

- (a) An external party may contribute, in whole, or in part, funds, goods, or services to an approved City facility, public park, open space, program, event, or activity where such sponsorship is mutually beneficial to both parties and in a manner consistent with existing criteria, guidelines and policies set by the City.
- (b) The sponsorship arrangement must support the goals, objectives, policies and bylaws of the City of Prince Albert and be compatible with, complimentary to, and reflect the City's Strategic Plan.
- (c) The City will select the most appropriate sponsors using the following criteria:
  - i) Quality and timeliness of product and service delivery.
  - ii) Value of product, service, cash provided to the City.
  - iii) Cost/Risk to the City to service the agreement.
  - iv) Compatibility of products and services with City policies and standards.
  - v) Marketplace reputation of the sponsor.
  - vi) Record of sponsor's involvement in community projects and events.
- (d) Recognition provided to sponsors is subject to negotiation (ie. Advertising, signage, product sampling, brand name) and must meet the following criteria:
  - i) Be of an acceptable standard and in good taste.

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- ii) Not present demeaning or derogatory portrayals of individuals or groups.
  - iii) Not contain anything which, in light of generally prevailing community standards, is likely to cause deep or widespread offense.
- (e) The sponsorship arrangement must be limited in scope and application to the City or project under consideration, and shall not involve any form of a risk-sharing venture.
- (f) Satisfying one or more of the eligibility criteria listed above does not assure a recommendation from the Director of Community Services for City Council approval.

## **8 GUIDELINES**

### **8.01 Guidelines Associated with Community & City Initiated Nominations for Naming Rights & Sponsorship Agreements**

Individuals or organizations initiating the naming and/or sponsorship process shall submit a written request along with justification to the Director of Community Services.

- (a) The request shall include:
- (i) The proposed name or sponsorship proposal.
  - (ii) The value of all funds, goods and services to be provided and the recognition to be provided in return.
  - (iii) Evidence of community support for the proposed name or sponsorship opportunity.
  - (iv) A fixed term of up to a maximum of 10 years unless otherwise approved by City Council.

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- (v) The responsibility for insurance, licenses, permits, safety, security and public health.
- (vi) Revisions to the sponsorship agreements are subject to the same approval as the original sponsorship agreement.
- (vii) Long-standing sponsorship agreements that pre-date this policy may continue upon the approval of City Council.

## **8.02 Guidelines Associated with Fundraising Campaigns**

The naming of Parks or Facilities in association with fundraising campaigns may be considered under the following conditions:

- (a) Organizations affiliated with the City that desire to raise funds for a City-sponsored project must receive a recommendation from the Department of Community Services when it relates to City owned Parks or Facilities and must receive approval from City Council prior to attaching naming opportunities or sponsor recognition to the fundraising campaign.
- (b) Organizations conducting fundraising campaigns with naming and sponsorship opportunities attached must immediately notify City staff when a naming proposal is under consideration in order to facilitate an administrative review.
- (c) Naming and sponsorship proposals that promote alcohol, tobacco products or political organizations will not be considered.
- (d) Acceptance of a naming or sponsorship proposal by an organization conducting a fundraising campaign must be considered conditional pending a review and recommendation by the Director of Community Services to City Council. A final approval by City Council is required.

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## **9 PROCEDURE**

### **9.01 General**

- (a) Issues regarding the interpretation or application of this Policy are to be referred to the Community Services Department.
- (b) In accordance with the principles and criteria contained in this Policy, the solicitation, negotiation and administration of naming rights and sponsorship are to be conducted by authorized City staff only.
- (c) All naming rights and sponsorship must be evaluated for compliance with this Policy. The Department of Community Services is responsible for ensuring that all naming rights and sponsorship holders along with the executed agreements comply with this Policy and that staff abide by the provisions of this Policy.
- (d) All Naming Rights and Sponsorship Agreements will be in the form of a legal contract. For such sponsorships, the Community Services Department shall consult with the City Solicitor's Office regarding appropriate terms and conditions and consider inclusion of the following provisions:
  - i) A description of the contractual relationship, specifying the exact nature of the Agreement;
  - ii) The term of the Agreement;
  - iii) Renewal options, if permitted;
  - iv) The value of the consideration and, in the case of in-kind contributions, the method of assessment;
  - v) The payment schedule;
  - vi) Rights and benefits;
  - vii) Release, indemnification and early termination clauses as appropriate;
  - viii) Insurance clauses;
  - ix) Confidentiality terms;
  - x) A statement acknowledging that the sponsorship may be subject to provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, and

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Approved by:	Jody Boulet, Director of Community Services		

- xi) A statement that all parties are aware of, and agree to comply with, the provisions of this Policy.
  
- (e) The City's profile and responsibility as owner/operator of the Facility must be ensured throughout the Agreement with the external organization or corporation.
  
- (f) The granting of naming rights will not entitle a naming entity to preferential treatment by the City outside of the Naming Rights Agreement.
  
- (g) The City will not relinquish any aspect of its right to manage and control a Facility through a Naming Rights Agreement.
  
- (h) An asset analysis and value assessment will be completed to determine the value of the asset in the marketplace.
  
- (i) All proceeds generated by the City for Naming Rights and Sponsorship Agreements shall be used for:
  - i) Enhancement and maintenance of the named Facility and operation.
  - ii) The provision of programs and services directly related to the Facility's mandate and operation.
  - iii) Subject to the Agreement, the proceeds received may be designated for another City owned Facility.
  - iv) All revenues and expenses pertaining to a Naming Rights or Sponsorship Agreement will be included in the Department's budget.

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- (j) Naming and sponsorship rights may only be transferred or assigned by a naming rights and sponsorship holder with the consent of the City. Where a company changes its name, the naming rights may, with the consent of the City and at the expense of the naming rights holder, be modified to reflect the new name.
- (k) The City will not endorse the products, services, or ideas of any naming right holder and naming rights holders are prohibited from implying that their products, services or ideas are sanctioned by the City.
- (l) The terms and conditions of the Naming Rights Agreement will not conflict with the terms and conditions of the existing lease, license, and agreement(s) with the City.
- (m) All corporate and individual Naming Rights Agreements must be for a fixed term, not exceeding ten (10) years unless approved by City Council. Every such Agreement will include a sunset clause specifying the duration of the naming opportunity. Individual and corporate naming rights may be subject to renewal upon mutual agreement.
- (n) At its sole discretion, the City reserves the right to terminate the Naming Rights Agreement prior to the scheduled termination date, without refund of consideration, should it feel it is necessary to do so to avoid the City being brought into disrepute.
- (o) The terms and conditions contained within a Naming Rights or Sponsorship Agreement are to be approved by the Director of Community Services or designate and City Council.
- (p) The Director of Community Services is responsible for preparing and presenting a Report for Council on the content of the negotiated Naming Rights or Sponsorship Agreements. Upon Council approval, the Mayor and City Clerk shall execute the Agreement.

CITY OF PRINCE ALBERT

BYLAW NO. 57 OF 1981

A Bylaw to designate the properties known municipally as the Prince Albert Heritage Museum and the Prince Albert Arts Centre as being of architectural, historical or natural value.

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WHEREAS Part III of the Heritage Property Act, 1980, authorizes the Council of a Municipality to enact bylaws to designate real property, including all buildings and structures thereon, to be of architectural, historical or natural value or interest;

WHEREAS the Council of the Corporation of the City of Prince Albert, owner of the Prince Albert Heritage Museum and the Prince Albert Arts Centre at 10 - River Street East and 1010 - Central Avenue respectively, has caused a Notice of Intention to be prepared to designate the aforesaid real property and has caused such Notice of Intention to be published in at least two issues of a newspaper with general circulation in the municipality with the first publication at least Twenty-one (21) days prior to the date of consideration of the Bylaw and with the last publication at least Seven (7) days prior to the date of that consideration;

WHEREAS no Notice of Objection to the proposed designation has been served on the Clerk of the Municipality;

NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. There is designated as being of architectural and historical value and interest the real property known as the Prince Albert Heritage Museum and the Prince Albert Arts Centre at 10 - River Street East and 1010 - Central Avenue respectively. The significance of the sites are as follows:
  - a) The Prince Albert Heritage Museum is the former Fire Hall site and the building was built in 1911, which is an excellent example of the early architecture and history of Prince Albert and still being usefully utilized.
  - b) The Prince Albert Arts Centre was built beginning in 1891 as a combined opera-theatre house and used as well as a City Hall. The building is therefore a significant part of the history and architecture of Prince Albert and is still being usefully utilized.

CITY OF PRINCE ALBERT  
Saskatchewan

BYLAW NO. 57 OF 1981

PAGE TWO

2. The City Solicitor is hereby authorized to cause a certified copy of this Bylaw to be registered against the property described above in the Land Titles Office for the Prince Albert Land Registration District.
3. The City Clerk is hereby authorized to cause a copy of this Bylaw to be filed with the City of Prince Albert and a copy of this Bylaw to be served on the Minister of Culture and Youth, and to cause notice of the passing of this Bylaw.

INTRODUCED AND READ A FIRST TIME THIS 31ST DAY OF AUGUST , A.D., 1981  
READ A SECOND TIME THIS 31ST DAY OF AUGUST , A.D., 1981  
READ A THIRD TIME AND PASSED THIS 31ST DAY OF AUGUST , A.D., 1981

  
MAYOR

  
CITY CLERK





**RPT 23-269**

**TITLE:** Update to Flag Protocol Policy

**DATE:** June 29, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

That the Flag Protocol Policy, as attached to this report, be approved.

**TOPIC & PURPOSE:**

To update the Flag Protocol Policy so that it reflects current process and continues to provide a framework for consistency in decision-making as related to the half-masting of flags.

**BACKGROUND:**

The current Flag Protocol Policy dates back to 2018 and is in need of minor updates which reflect current half-masting processes.

**PROPOSED APPROACH AND RATIONALE:**

This Policy provides a framework to ensure flags at City Hall and other municipally owned facilities and parks are flown and displayed in an appropriate and consistent manner.

The City recognizes flags are important symbols of honour and pride to be treated in a respectful manner. The City supports half-masting as an expression of collective mourning.

The City does not have a flag pole dedicated to community organization and group initiated flag raisings. The six flags which are permanently flown at City Hall from left to right are: National Flag of Canada, Provincial Flag of Saskatchewan, Municipal Flag of Prince Albert, Treaty 6 Flag, Metis Flag, and Reconciliation Flag.

The Policy clarifies the configuration of flags at City Hall to ensure consistency and adherence

to flag etiquette. The Saskatchewan Protocol Office and Department of Canadian Heritage provide clear directives for flying flags at half-mast to commemorate solemn occasions and periods of official mourning to the Mayor's Office. The Mayor's Office is responsible for sharing that direction with the Director of Community Services, Prince Albert Police Service, Fire Services, Prince Albert Airport, and City Council.

**CONSULTATIONS:**

The Director of Community Services and City Manager's Office.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

The City's website will be updated to include the revised Flag Protocol Policy.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no Policy, Financial, Privacy or Official Community Plan Implications.

**STRATEGIC PLAN:**

The updated Flag Protocol Policy aligns with the City's Strategic Plan to address the Calls to Action to identify opportunities to remember and celebrate Prince Albert's heritage. One such way is by having dedicated flag poles to honour Treaty 6, Metis and Reconciliation flags at City Hall.

**OPTIONS TO RECOMMENDATION:**

Do not update Flag Protocol Policy – NOT RECOMMENDED. It is important for Administration to occasionally review policies and practices related to protocol, including this policy for flying of flags at municipal facilities, so that processes remain accurate and up-to-date.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. Flag Protocol Policy with Updates

Written by: Renee Horn, Executive Assistant

Approved by: Director of Community Services and City Manager

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
Department:	Community Services Department	Policy No.	<b>45.3</b>
Section:		Issued:	
Subject:	<b>Flag Protocol</b>	Policy Effective:	
Council Resolution # and Date:		Page:	1 of 6
		Replaces:	45.2
Issued by:	Director of Community Services	Dated:	May 28, 2018
Approved by:	City Council	Procedure Amendment:	

## **1 PURPOSE**

- 1.01 To establish ~~framework and guidelines-respectful and consistent process~~ for the raising or half-masting of flags on municipally controlled flagpoles within the City of Prince Albert. ~~This Policy was prepared following established guidelines of the Government of Canada and the Protocol Office of Saskatchewan.~~

## **2 SCOPE**

- 2.01 The Flag Protocol Policy applies to all properties and facilities owned and operated by the City of Prince Albert. The scope of this Policy also applies to the security at City Hall who raise and lower flags on the City's behalf.

## **3 RESPONSIBILITY**

- 3.01 The Director of Community Services is responsible for ensuring compliance with this Policy.

## **4 DEFINITIONS**

- 4.01 "Flag" - a piece of fabric, often flown from a pole or mast, generally used symbolically for signalling or identification.
- ~~4.02 "Banner" - a rectangular piece of cloth bearing a symbol, logo, slogan, or other message and does not have flag status.~~
- 4.02 "Day Time Business Hours" – means between Monday and Friday, during the hours of 8:00 am and 4:45 pm, excluding statutory holidays.
- 4.03 "Dignitary" – a person who holds a high rank or office, as in the government or church.

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
Department:	Community Services Department	Policy No.	<b>45.3</b>
Section:		Issued:	
Subject:	<b>Flag Protocol</b>	Policy Effective:	
Council Resolution # and Date:		Page:	2 of 6
		Replaces:	45.2
Issued by:	Director of Community Services	Dated:	May 28, 2018
Approved by:	City Council	Procedure Amendment:	

- 4.04 “Director of Community Services” means the Director of Community Services for the City of Prince Albert or ~~his/her~~ designate.
- 4.05 “ANAVETS” – The Army, Navy and Air Force Veterans in Canada, which includes the Prince Albert ANAVETS Unit 222.
- 4.06 “Legion” – The Royal Canadian Legion, which includes the Prince Albert Royal Canadian Legion Branch #2.
- 4.07 “Cenotaph” – war memorial erected in Memorial Square ~~outside at~~ City Hall in honour of Prince Albert’s veterans.

## **5 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE**

- 5.01 Use of City Hall and Memorial Square Policy.
- 5.02 Banners on Lamp Posts Policy.

## **6 PROCEDURE**

### 6.01 Flag Poles

- (a) Only one flag is to be raised on the same flag pole and flags must be flown at the same height.
- (b) Flags are flown on a permanent basis at the following City owned and operated facilities:
- i. City Hall
  - ii. Fire Hall
  - iii. Police Station

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
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Issued by:	Director of Community Services	Dated:	May 28, 2018
Approved by:	City Council	Procedure Amendment:	

- iv. Cooke Municipal Golf Course
- v. Prince Albert Airport (Glass Field) Terminal Building
- vi. Municipal Service Centre
- vii. E.A. Rawlinson Centre for the Arts
- viii. South Hill Cemetery
- ix. Prince Albert Tourism Centre
- x. Prime Ministers' Park
- xi. Historical Museum
- xii. **Diefenbaker House**

- (c) Community Services staff are responsible to ensure the flags are replaced when necessary at each of the locations listed **in Section 6.01(b) above.**
- (d) When considering the installation of new flag poles, the Director of Community Services must be involved to ensure protocol standards are followed.

#### 6.02 Hours

- (a) Flags at City owned facilities are flown year round, Sunday through Saturday.

#### 6.03 Flags at Half-Mast

- (a) The act of half-masting a flag is a visual statement that expresses official mourning or commemoration upon death.
- (b) The City of Prince Albert lowers flags in front of City Hall to half-mast following this Policy or based upon recommendations from the Saskatchewan Protocol Office **and Department of Canadian Heritage.** The **Mayor's Office advises the** Director of Community Services **informs**

City of Prince Albert Statement of POLICY and PROCEDURE			
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~~City Hall security~~ when the flags are to be lowered to half-mast and for what length of time. In addition, information is shared with Community Services staff, the Prince Albert Police Service, Fire Services, ~~the Prince Albert Airport, and members of City Council. -and the Mayor's Office.~~

- (c) ~~The~~ Flags are half-masted from notification of death, up to and including the day of the funeral.
- (d) When half-masting a flag, the flag is brought to the top of the mast and immediately lowered to half-mast to the same point on the flag pole.
- (e) Flags at ~~other~~ City owned facilities are lowered to half-mast at the direction of the ~~Mayor's Office Director of Community Services.~~
- (f) In special circumstances, the ~~Mayor's Office Director of Community Services~~ will consult the Saskatchewan Protocol Office to determine the appropriate action.

#### 6.04 Precedence

- (a) ~~Five (5)~~ **Six (6)** flags are flown permanently in front of City Hall and include: the national flag of Canada, provincial flag of Saskatchewan, municipal flag of Prince Albert, Treaty 6 flag, ~~and~~ Metis flag, ~~and~~ **Reconciliation flag.**
- (b) The Canada flag should always be the first one raised and the last one lowered.
- (c) Flags shall be displayed in front of City Hall (left to right) in the following order:

*Canada, Saskatchewan, Prince Albert, Treaty 6, Metis, **Reconciliation***

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
Department:	Community Services Department	Policy No.	<b>45.3</b>
Section:		Issued:	
Subject:	<b>Flag Protocol</b>	Policy Effective:	
Council Resolution # and Date:		Page:	5 of 6
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Issued by:	Director of Community Services	Dated:	May 28, 2018
Approved by:	City Council	Procedure Amendment:	

6.05 The Army, Navy and Air Force Veterans in Canada and The Royal Canadian Legion Flag Poles

- (a) Two (2) flags are flown permanently in front of the Cenotaph in Memorial Square at City Hall in special honour of:
  - i. The Army, Navy and Air Force Veterans in Canada (ANAVETS); and
  - ii. The Royal Canadian Legion (Legion).
- (b) Flags shall be displayed in front of the Cenotaph (left to right) in the following order:  
  
*ANAVETS, Legion*
- (c) Only one flag is to be raised on the same flag pole and flags must be flown at the same height and be of same size.
- (d) The ANAVETS and Legion are responsible to ensure their respective flags are replaced when necessary.
- (e) Flags are flown year round, Sunday through Saturday.
- (f) Sections 6.03(a), (c), and (d) will apply to the ANAVETS and Legion flags.
- (g) On the occasion of the death of a Unit member, the City of Prince Albert will lower the ANAVETS flag at City Hall to half-mast following this Policy and based upon the ANAVETS' Half Masting Protocol, as attached to this Policy as Schedule "A".

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
Department:	Community Services Department	Policy No.	<b>45.3</b>
Section:		Issued:	
Subject:	<b>Flag Protocol</b>	Policy Effective:	
Council Resolution # and Date:		Page:	6 of 6
		Replaces:	45.2
Issued by:	Director of Community Services	Dated:	May 28, 2018
Approved by:	City Council	Procedure Amendment:	

- (h) The Prince Albert ANAVETS Unit 222 will contact the **Mayor's Office or** Director of Community Services upon the death of a Unit member and the Director will inform City Hall security when the flags are to be lowered to half-mast and for what length of time.
- (i) On the occasion of the death of a member, including that of the Branch or Ladies Auxiliary, the City of Prince Albert will lower the Legion flag at City Hall to half-mast following this Policy or based upon Legion's Half Masting Protocol, as attached to this Policy as Schedule "A".
- (j) The Prince Albert Royal Canadian Legion Branch #2 will contact the **Mayor's Office or** Director of Community Services upon the death of a member and the Director will inform City Hall security when the flags are to be lowered to half-mast and for what length of time.
- (k) On the occasion of the death of member of either the ANAVETS or Legion, both flags will be lowered to half-mast to honour their memory.

#### 5.07 Purchasing a Flag

Outside organizations or businesses may wish to purchase a flag. The City of Prince Albert has Canadian, Saskatchewan, and Prince Albert flags for purchase through the Financial Services Department at City Hall by cash or cheque.

#### ~~5.08 Banners~~

~~Requests to hang banners throughout the community are referred to The Banners Policy.~~





**RPT 23-349**

**TITLE:** Prince Albert Golf & Curling Centre - Request for Payment of Legal Fees

**DATE:** August 29, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That the Prince Albert Golf & Curling Centre Legal Fees in the amount of \$57,246.31 be paid by the City of Prince Albert through the Legal Services Account of the City Solicitor's Functional Area.

**TOPIC & PURPOSE:**

The purpose of the report is to outline the request submitted by the Prince Albert Golf & Curling Centre to cover their Legal Fees associated to CUPE 882's Successorship Application process with the Labour Relations Board.

**BACKGROUND:**

The Prince Albert Golf & Curling Centre presented a Proposal to members of City Council for the purchase of the Golf Course Concession Building from the City at the April 11<sup>th</sup>, 2022 Executive Committee. The proposal was referred to the Community Services Department and consultations commenced with CUPE 882.

Upon receiving CUPE 882's written statement on May 5<sup>th</sup> stating that there were "no concerns" with the proposal, a report was provided to City Council and approved at their May 16<sup>th</sup>, 2022 meeting.

**PROPOSED APPROACH AND RATIONALE:**

The Prince Albert Golf & Curling Centre is a local Non-Profit Volunteer driven community organization and valuable longstanding partner of the City of Prince Albert at Cooke Municipal Golf Course. They proceeded to open the Golf Course Concession

Building at the start of June 2022 utilizing their staff as clearly identified in their proposal that was provided to CUPE 882.

The operation continued until receiving notice of the Successorship Application in August 2022. The Prince Albert Golf & Curling Centre Board reviewed the Successorship Application and subsequently notified CUPE 882 of their opposition to it. The application was then advanced to the Labour Relations Board by CUPE 882.

Due to the matter being advanced to the Labour Relations Board, significant legal preparation was required by both the Prince Albert Golf & Curling Centre and the City of Prince Albert. The process concluded in August 2023 with a unanimous decision from the Labour Relations Board to dismiss the Successorship Application submitted by CUPE 882.

### **CONSULTATIONS:**

CUPE 882 was consulted prior to proceeding with the approval of the proposal submitted by the Prince Albert Golf & Curling Centre. A copy of the proposal was provided to CUPE 882 on April 7<sup>th</sup>, 2022 and an in person meeting was hosted on May 5<sup>th</sup>, 2022 that included the following representatives on behalf of CUPE 882 and the City of Prince Albert:

- Tammy Vermette, CUPE 882 President
- Cara Stelmaschuk, CUPE 882 Vice President
- Kerri Kristian, HR Consultant
- Jody Boulet, Director of Community Services

As a follow up to the meeting on May 5<sup>th</sup>, 2022, a written statement on behalf of CUPE 882 was received later the same day by the Community Services Department stating there were “no concerns.” The statement was issued to the meeting attendees outlined above and also copied Craig Thebaud, CUPE National Representative. A copy is attached for reference.

Consultation was required with the City Solicitor once CUPE 882 filed the Successorship Application to defend the City’s position during the Labour Relations Board hearings. A copy of the unanimous decision received by the Labour Relations Board to dismiss the application is attached for reference.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Upon receiving approval of the recommendation, payment will be coordinated with the City's Financial Services Department and the Prince Albert Golf & Curling Centre.

**FINANCIAL IMPLICATIONS:**

As identified in the recommendation, the Prince Albert Golf and Curling Centre Legal Fees related to this process equaled \$57,246.31. Additionally, the City's Legal Fees required to defend the Successorship Application equaled \$16,003.49. An additional 60+ hours of legal services were covered on this file at \$0.00 billing under the City Solicitor In-House Services Contract that otherwise would have reflected an additional value of \$18,000.

As a result, the total legal costs associated with the process is \$91,249.80 as accounted for under the City Solicitor's Budget.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no policy, privacy, Strategic Plan or Official Community Plan implications or further options for consideration.

**PUBLIC NOTICE:**

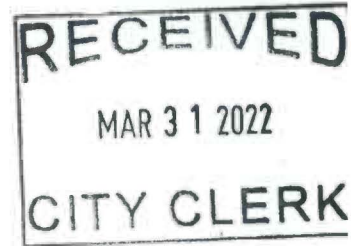
Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. Prince Albert Golf & Curling Centre Proposal received March 31<sup>st</sup>, 2022.
2. CUPE 882 Statement dated May 5<sup>th</sup>, 2022.
3. Labour Relations Board Decision.

Written by: Jody Boulet, Director of Community Services

Approved by: City Manager



**PRINCE ALBERT  
GOLF AND CURLING CENTRE  
PROPOSAL  
Hole 8 Concession Shack**

**PAGCC MISSION STATEMENT**

The Prince Albert Golf and Curling Centre provides a welcoming, accessible, year-round environment for people of all ages and abilities to build friendships, sportsmanship and skill development through sports, social and leisure activities.

The PAG&CC has been in business and partnering with the City of Prince Albert for fifty plus years and has a great working relationship, finding operational and revenue-generating opportunities to enhance the recreational amenity of our Cooke Municipal Golf Course to the community and its visitors.

**INTRODUCTION**

Hole 8 concession shack has been closed for a number of golf seasons. The PAG&CC understands that the City has made the decision to permanently close its operation of the concession shack because of consistent operating losses ranging from \$10,000 - \$20,000 annually. We believe the PAG&CC could itself reopen and operate the shack thus providing food, beverages and safe clean washroom facilities to enhance the golf experience on the course.

**ISSUE**

Both the City and our PAG&CC board have had several requests from our members and city golfers to reopen this facility. PAG&CC holds the Liquor permit for the golf course and has purchased three beverages carts to provide golfers snack and beverage refreshments while golfing through the Food & Beverage Cart Agreement with the City. Additionally, the PAG&CC already provides food and beverage service at our PAG&CC owned Club House and Concession. The opening of the Hole 8 concession will be welcomed by golfers and help maintain safe clean washroom facilities. While we recognize PAG&CC is unlikely to fair better financially from our operation of the 8<sup>th</sup> Hole

Concession we believe it would provide a valuable service to our members and visitors as well as make Cooke Municipal Golf course even more attractive as a tourist destination. We also feel it would be an important asset during tournament play and assist in showcasing Cooke Municipal golf course to the rest of the golf world.

### **SOLUTION**

We propose that the PAG&CC purchase the Hole 8 Concession shack and concession equipment for a nominal fee. PAG&CC will be responsible for maintenance, security and utility costs.

PAG&CC will be responsible for all staffing, providing all food and beverage product plus cleaning product for the daily cleaning. We will also look after arrangements for opening/closing and maintaining the washroom facilities.

The Rock and Iron has an excellent staff with exceptional skills in the food and beverage industry. The Hole 8 shack would be an extension of our patio concession offering beverages and quick prep food - sandwiches, nachos, chips, bars, hot dogs, smokies, pizza and burgers. (Menu not confirmed) Exploring the opportunity to sell ice cream.

PAG&CC would as the new owner of these assets retain all revenues to off-set PAG&CC costs of operating the concession.

We would plan to operate the concession with 2 -2.5 extra PAG&CC staff:

Projected staffing costs:

\$13 per hour for seven months - \$18, 928

Total \$ 56,784

Starting date:

We would like to start as soon as possible with the opening of the course.

Closing date:

We anticipate the closure of the concession to coincide with golf course closure.

Day Hours –

Will need to be flexible – re: weather/tournaments.

Projected hours 10 am to 7 pm

## CONCLUSION

We believe offering food and beverage service again at the 8th hole is a benefit that will be enjoyed by our members and all patrons who come to golf our beautiful course.

We see very little risk for the city, the building has not been utilized for the past number of years and when last operational had experienced substantial yearly deficits. PAGCC will assume some extra costs with increased staffing, maintenance, utilities and security costs.

Thank you for your consideration of this proposal and we look forward to working together to continue to provide ways to offer the best possible service to our members and all patrons who enjoy our facilities and Cooke Municipal golf course.

### Contact Information:

Mel Kelley	306-930-9088	<a href="mailto:kelly.blmm@sasktel.net">kelly.blmm@sasktel.net</a>
Jackie Packet	306-960-9365	<a href="mailto:jmpacket@gmail.com">jmpacket@gmail.com</a>
Darcy Myers	306-961-0394	<a href="mailto:dmyers@citypa.com">dmyers@citypa.com</a>

900-22<sup>nd</sup> Street East  
Prince Albert, SK  
S6V 1P1

## **Jody Boulet**

---

**From:** Tammy Vermette  
**Sent:** Thursday, May 5, 2022 3:43 PM  
**To:** Jody Boulet  
**Cc:** Kerri Kristian; Craig Thebaud; Cara Stelmaschuk  
**Subject:** RE: Golf Course Concession Proposal - PA Golf & Curling Centre

Hi Jody,

Further to our meeting this morning, we have no concerns.

**From:** Jody Boulet <jboulet@citypa.com>  
**Sent:** Thursday, April 7, 2022 11:17 AM  
**To:** Tammy Vermette <tvermette@citypa.com>  
**Cc:** Kerri Kristian <kjkristian@citypa.com>  
**Subject:** Golf Course Concession Proposal - PA Golf & Curling Centre

Hi Tammy,

It has been brought to my attention following the Agenda Review meeting this morning that the PA Golf & Curling Centre has submitted the attached request for presentation at the April 11<sup>th</sup> Executive Committee meeting.

You previously communicated that you would like to stay informed on this topic therefore I wanted to ensure you were advised of this correspondence in advance of the public agenda being distributed later today.

Thank you

Jody Boulet  
Director of Community Services  
City of Prince Albert  
P: (306) 953-4800  
E: [jboulet@citypa.com](mailto:jboulet@citypa.com)

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**IN THE MATTER OF**

An application for an order determining employer successorship pursuant to *The Saskatchewan Employment Act*;

**BETWEEN:**

Canadian Union of Public Employees, Local 882

**APPLICANT**

- and -

Prince Albert Golf and Curling Centre Inc.

**RESPONDENT**

- and -

City of Prince Albert

**RESPONDENT**

**BEFORE:**

Michael J. Morris, K.C., Chairperson  
Shawna Colpitts  
Don Ewart

)  
)  
)

**DATED** at Regina, Saskatchewan,  
on the **15th** day of **August, 2023.**

**ORDER**

**THE LABOUR RELATIONS BOARD**, pursuant to Section 6-103 of *The Saskatchewan Employment Act*, **HEREBY ORDERS** that the application is dismissed.

**LABOUR RELATIONS BOARD**

Michael J. Morris, K.C.  
Chairperson



**CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 882, Applicant v PRINCE ALBERT GOLF AND CURLING CENTRE INC., Respondent and CITY OF PRINCE ALBERT, Respondent**

LRB File No. 192-22; August 15, 2023

Chairperson, Michael J. Morris, K.C.; Board Members: Shawna Colpitts and Don Ewart

For Canadian Union of Public Employees, Local 882:	Natalie Laing
Counsel for the Prince Albert Golf and Curling Centre Inc.:	Robert Affleck
Counsel for the City of Prince Albert:	Mitchell Holash, K.C.

**Successorship – Section 6-18 of *The Saskatchewan Employment Act* – Disposal of a business or part of a business – Sale of concession shack on municipal golf course to non-profit corporation – Shack had been idle for five years – Sale not a disposal of a business or part of a business – Successorship application dismissed.**

**Unfair labour practice allegations – Allegations reliant on non-profit corporation being a successor employer to unionized municipal employer – allegations not established.**

**Procedure – Ability of co-respondent to cross-examine witness of other co-respondent – Board declines to order blanket prohibition sought by union – Dangerous to make such an order on the basis of pleadings alone – Board endorses principles stated in *Trizec Equities*.**

## REASONS FOR DECISION

### Background:

**[1] Michael J. Morris, K.C., Chairperson:** These are the Board's reasons regarding a successorship application brought by the Canadian Union of Public Employees, Local 882 [Union] pursuant to s. 6-18 of *The Saskatchewan Employment Act* [Act].<sup>1</sup>

**[2]** The successorship application arises from the sale of a building, referred to by all parties as a shack [Shack], from the City of Prince Albert [City] to the Prince Albert Golf and Curling Centre Inc. [Non-Profit] in 2022.

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<sup>1</sup> *The Saskatchewan Employment Act*, SS 2013, c S-15.1 [Act], s 6-18.

[3] The Shack is located near the 8<sup>th</sup> hole of the Cooke Municipal Golf Course and is described as being approximately 400 square feet in area. It contains an area from which food and beverages can be sold, as well as an area containing washrooms.

[4] The City employed the Union's members to sell food and beverages from the Shack until the City made a decision to not re-open the Shack for the 2017 golf season, except for its washrooms. The washrooms were maintained by employees represented by a different union. The City stopped operating the Shack because it was losing money doing so.

[5] The Non-Profit bought the Shack from the City in 2022 and operated it for part of the 2022 golf season. The Union alleges that the Non-Profit is a successor employer to the City, and it seeks an order certifying itself as the bargaining agent for employees working at the Shack. Relatedly, the Union alleges that the Non-Profit has committed unfair labour practices by failing to implement the collective agreement with respect to employees working at the Shack, failing to deduct and remit dues to the Union for these employees, and threatening to close the Shack in response to the Union's successorship allegation and application.<sup>2</sup>

[6] The Non-Profit takes the position that it is not a successor employer to the City and denies having committed any unfair labour practice.

[7] While the City participated in the proceedings before the Board, no relief has been sought against it in these proceedings.

**Evidence and Procedural Issue:**

[8] The Union, the City and the Non-Profit each called one witness. In addition to oral evidence, various documents were entered into evidence by the parties.

[9] A procedural ruling was made by the Board during the hearing, with reasons to follow. Those reasons follow the description of the evidence on behalf of the Union.

*Evidence on behalf of the Union*

[10] Craig Thebaud [Mr. Thebaud] gave evidence on behalf of the Union. Mr. Thebaud is the CUPE National Servicing Representative assigned to the Union.

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<sup>2</sup> The Non-Profit's conduct is alleged to violate ss. 6-41, 6-43 and 6-62(1)(k) of the Act.

[11] Mr. Thebaud did not have any personal involvement with material matters until the spring of 2022, when the Non-Profit's proposed purchase of the Shack was brought to the Union's attention. Much of the Union's evidence regarding the history of the Shack and the Union's involvement with same, as well as the City's operations more generally at the Cooke Municipal Golf Course, was based on documents which were entered into evidence by the Union.

[12] The Union's evidence confirmed that it received notice that the City would not be operating the Shack for food and beverage sales in 2017, and that the City did not operate the Shack for such purposes at any time from 2017 onward. No Union members lost their jobs as a result of this decision. Members could no longer be scheduled for shifts at the Shack, but they remained eligible to work at other concession locations operated by the City. The Union did not file any grievances in relation to the City's decision to cease operating the Shack for food and beverage sales.

[13] The Non-Profit expressed interest in selling food and beverages out of the Shack on multiple occasions, from 2017 onward.

[14] In 2017, the Non-Profit directly asked the Union about its position if the Non-Profit were to rent the Shack from the City to sell food and beverages. The Union's email reply through its president, Tammy Vermette [Ms. Vermette], included the following:

*The Golf and Curling club cannot take over the 7<sup>th</sup> Hole concession. The option for this was presented and it has been concluded that the jobs at the 7<sup>th</sup> hole are protected by our union agreement. So any worker at the 7<sup>th</sup> hole would be a city of Prince Albert concession worker. This was based on what happened with the AHC back in 2006 when the AHC was leased out.<sup>3</sup>*

[15] In 2020, the City approached the Union about selling or leasing the Shack to the Non-Profit. Ms. Vermette documented the Union's position in an email to Jody Boulet, Director of Community Services for the City. Ms. Vermette's email included the following:

*Hi Jody,*

*Further to our meeting on Wednesday, June 3<sup>rd</sup> regarding the 7<sup>th</sup> hole concession at the Golf & Curling Club, please be advised that I have discussed this with the Union Executive as well as our CUPE rep and the union is not in favour of losing this concession to the Golf & Curling Club. We do understand that the City was not making any money operating this concession under the current arrangement; however, the union would prefer than an amendment to the agreement/new agreement for the operation of the concession be done to include a share of the profits from the liquor sales or allow for us to sell alcohol from this concession with all sales from this concession kept by the City.*

<sup>3</sup> Exhibit U-7, email from Tammy Vermette to Elaine McCloy, dated August 29, 2017.

*I would appreciate being kept up-to-date on this matter.*

*Thank you again for taking the time to meet with Cara and I to discuss this matter. ...<sup>4</sup>*

[16] Ms. Vermette's reference to "the current arrangement" in the abovementioned email references the fact that prior to its closure following the 2016 golf season, the City sold alcohol from the Shack under the Non-Profit's liquor license, but did not retain any of the profit from the alcohol sales; it went to the Non-Profit. In the Union's view, this was a cause of the Shack's unprofitability. Following the closure of the Shack at the end of the 2016 season the City permitted the Non-Profit to sell food and beverages (including alcohol) in the area formerly served by the Shack, being the 7<sup>th</sup> and 8<sup>th</sup> holes, through the Non-Profit's mobile food and beverage carts.<sup>5</sup> The Non-Profit was required to pay the City \$2,000 per year to operate its mobile food and beverage carts throughout the entire golf course,<sup>6</sup> but the City paid for the fuel for the carts.<sup>7</sup> The Union did not file any grievances with respect to this arrangement.

[17] Mr. Thebaud testified that he spoke with Ms. Vermette in late April or early May 2022 about a proposed sale of the Shack to the Non-Profit.

[18] The Union entered into evidence an April 7, 2022 email from Jody Boulet, of the City, to Ms. Vermette, advising Ms. Vermette about the Non-Profit's proposal to purchase the Shack.<sup>8</sup> The email attached the Non-Profit's proposal to conduct food and beverage sales out of the Shack, which was to be presented to the City's Executive Committee on April 11th, and stated:

*Hi Tammy,*

*It has been brought to my attention following the Agenda Review meeting this morning that the PA Golf & Curling Centre has submitted the attached request for presentation at the April 11<sup>th</sup> Executive Committee meeting.*

*You previously communicated that you would like to stay informed on this topic therefore I wanted to ensure you were advised of the correspondence in advance of the public agenda being distributed later today.*

*Thank you*

*Jody Boulet*

<sup>4</sup> Exhibit U-8, email from Tammy Vermette to Jody Boulet et al, dated June 8, 2020.

<sup>5</sup> Exhibit U-4, Memorandum of Understanding dated May 2, 2017 between the City and the Non-Profit.

<sup>6</sup> Exhibit U-5, Food and Beverage Cart – Service Agreement dated April 3, 2018, clause 2(a); Exhibit U-6, Food and Beverage Cart – Service Agreement dated May 4, 2021, clause 2(a).

<sup>7</sup> Exhibit U-5, Food and Beverage Cart – Service Agreement dated April 3, 2018, clause 3(b); Exhibit U-6, Food and Beverage Cart – Service Agreement dated May 4, 2021, clause 3(b).

<sup>8</sup> Exhibit U-9.

*Director of Community Services  
City of Prince Albert ...<sup>9</sup>*

**[19]** The Non-Profit's proposal indicated projecting staffing costs of \$13 per hour,<sup>10</sup> which was less than Union members would be entitled to under their collective agreement (\$13.28 per hour),<sup>11</sup> and indicated that the Shack would be staffed by Non-Profit employees.<sup>12</sup>

**[20]** The Union entered into evidence Ms. Vermette's May 5, 2022 reply to the abovementioned email. Ms. Vermette's reply was sent to Jody Boulet but also copied to Mr. Thebaud and others, including Kerri Kristian of the City, but no one from the Non-Profit. Ms. Vermette's reply stated:

*Hi Jody,*

*Further to our meeting this morning, we have no concerns.<sup>13</sup>*

**[21]** Mr. Thebaud was questioned extensively on what the Union was intending to convey in Ms. Vermette's May 5<sup>th</sup> email, particularly since it had clearly stated its opposition to the Non-Profit taking over the Shack for food and beverage sales in previous years (i.e., 2017 and 2020).

**[22]** Mr. Thebaud maintained that the Union's indication of having "no concerns" with respect to the sale of the Shack only meant that the Union would not object to the sale of the Shack by the City.<sup>14</sup> According to Mr. Thebaud, the email was not meant to convey that the Union would not pursue successorship rights with respect to the Non-Profit. Further, Mr. Thebaud indicated that he did not understand the City to be asking about the Union's position with respect to the Non-Profit's proposal on the Non-Profit's behalf.

<sup>9</sup> Exhibit U-9, p 1.

<sup>10</sup> Exhibit U-9, p 3.

<sup>11</sup> Exhibit U-2, p 41 (Schedule "C", Rates of Pay – Recreation, Effective January 1, 2021). The start rate for a concession worker is listed as \$13.28/hr.

<sup>12</sup> Exhibit U-9, p 3.

<sup>13</sup> Exhibit U-10.

<sup>14</sup> During Mr. Thebaud's evidence he suggested that Article 12.07 of the collective agreement (Exhibit U-2) could have been relied upon by the Union to attempt to stymy a sale of the Shack, if such a sale were characterized as a "contracting out". Article 12.07 states: "Having regard to the desirability of maintaining a stable work force and having regard to periodic peaks in work load dictating the necessity of contracting work out, the City agrees to notify and consult with the Union prior to making any final decision to contract out work presently being performed by City employees. The Union will be a participant in studying any contracting out plans and will be supplied with all information and research done prior to the final decision being made." Mr. Thebaud noted that Article 12.07 was interpreted in *Canadian Union of Public Employees, Local 882 v Art Hauser Centre Board Inc.*, 2006 CanLII 80569 (SK LA) [*Art Hauser Centre*]. In *Art Hauser Centre*, the majority of the arbitration panel concluded at para 157 that, properly interpreted, Article 12.07 meant that bargaining unit work could only be contracted out if periodic peaks in work load dictated that necessity.

**[23]** Mr. Thebaud indicated that the wage rate in the Non-Profit's proposal was not concerning because it was similar (though less) to the rate prescribed by the collective agreement. He went on to say that if the Non-Profit had reached out to the Union about its proposal, the Union would have told them their wage rate was wrong. According to Mr. Thebaud, the Union was intent on bringing a successorship application when Ms. Vermette sent the May 5<sup>th</sup> email, and the Union assumed there would be no opposition to such an application.

**[24]** The Non-Profit's proposal was considered at the May 16<sup>th</sup> City Council meeting and approved.<sup>15</sup> Council approved selling the Shack to the Non-Profit for \$1.00 with an option for the City to repurchase it for \$1.00 if the Non-Profit at any time changed the intended use of the Shack.

**[25]** According to Mr. Thebaud, by mid-August the Union became aware that the Shack was open and being operated by the Non-Profit.

**[26]** On August 18, 2022, Mr. Thebaud emailed the Non-Profit, attaching the Union's collective agreement, and requested compliance with it. Mr. Thebaud indicated that the Union would be filing a successorship application with the Board, and asked whether the Non-Profit would be opposing its application.

**[27]** At some point after this email, Mr. Thebaud spoke with Darcy Myers, the General Manager of the Non-Profit. Mr. Myers indicated that he'd need to discuss Mr. Thebaud's email with the Non-Profit's board of directors. According to Mr. Thebaud, it did not seem like the Non-Profit was expecting any communication from the Union with respect to the Shack.

**[28]** The Union filed a letter received by the Office of the City Clerk from the Non-Profit on September 27, 2022.<sup>16</sup> In the letter the Non-Profit expressed its surprise regarding the Union's position that it was a successor employer. The Non-Profit indicated that it had purchased the Shack in reliance on the City's consultation with the Union, and the City advising it that the Union had no concerns with the Non-Profit's proposal. The Non-Profit also stated that it was faced with the prospect of possible legal proceedings or closure of the Shack. Its letter closed with a request to be put on a City Council agenda so that a delegation representing the Non-Profit could address the matter with Council.

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<sup>15</sup> Exhibit U-12, Minutes of May 16, 2022 City Council meeting, p 6.

<sup>16</sup> Exhibit U-17, Letter to City Council c/o City Clerk from the Non-Profit.

[29] The Union played a video recording of part of the October 24, 2022 City Council meeting.<sup>17</sup> A delegation from the Non-Profit was in attendance to address the issues raised in its aforementioned letter. Mel Kelly, president of the Non-Profit, stated that the Non-Profit had no intent to challenge the Union or be unionized. He mentioned that the Shack had closed at some point after the Non-Profit received correspondence from the Union, partly because of the correspondence and partly because the Non-Profit's seasonal staff were returning to school.

[30] Mayor Dionne expressed dismay at what had occurred, stating that the City couldn't control the Union and that it was unfortunate that the Non-Profit had been put in the position it was in because of the Union's representations to the City. Some councilors asked the City Solicitor questions about whether the Non-Profit could be viewed as a successor employer to the City. Another councilor expressed dismay at what had occurred, saying the Non-Profit "shouldn't have had to deal with this". At the end of the discussion the Non-Profit's September 27, 2022 letter was referred to the City's Community Services Division for a response. Whatever the response was, it was not entered into evidence.

[31] On November 27, 2022, Mr. Thebaud received an email stating the following from Mr. Myers:

*Craig,*

*When the PAGCC approached City Council with a proposal to purchase the 8<sup>th</sup> hole concession from the City of PA earlier this spring, the intent was to use our non-unionized staff from the PAGCC to operate the concession as laid out in our proposal. As we understand, your union was notified regarding the proposal and there were no concerns from your union representatives before PAGCC entered into the agreement with the City. We have been transparent throughout this process and we do not intend to work out a joint application and oppose the successorship application.*

*Regards,*

*Darcy Myers  
General Manager  
Prince Albert Golf & Curling Centre ...<sup>18</sup>*

[32] The Union closed its case following Mr. Thebaud's evidence. The Board noted that Ms. Vermette was present throughout the hearing as the instructing client for the Union, but she was not asked to give evidence. Accordingly, her explanation of what she meant in her May 5, 2022 email when she advised that the Union had "no concerns" with the Non-Profit's proposal is not available to the Board.

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<sup>17</sup> Exhibit U-23.

<sup>18</sup> Exhibit U-21.

*Procedural ruling*

[33] After the City opened its case, the Union objected to counsel for the Non-Profit being permitted to cross-examine any witnesses called by the City, and indicated that it would take the same position with respect to any witnesses called by the Non-Profit (i.e., that the City should not be permitted to cross-examine them).

[34] The Union's objection was based on the City and the Non-Profit having similar interests based on their pleadings and both "acting on the same side" as co-respondents. In the Union's view, permitting them to cross-examine each other's witnesses would be akin to permitting the Non-Profit and City to cross-examine their own witnesses.

[35] The Union took the position that the Court of Appeal's decision *Frobisher Ltd. v Canadian Pipelines & Petroleum Ltd.*,<sup>19</sup> particularly the reasons of Chief Justice Martin,<sup>20</sup> supported its request for a peremptory order prohibiting the City and Non-Profit from cross-examining each other's witnesses.

[36] A close read of *Frobisher* establishes that the trial judge refused to allow co-defendants to cross-examine witnesses called by other co-defendants on material matters because all of the co-defendants had pled similarly to the plaintiff's claim. However, four of the five appeal justices ruled that this was in error, including because the witnesses sought to be cross-examined had given evidence that was adverse to the interests of the co-defendants who were seeking to cross-examine them.<sup>21</sup>

[37] In the Board's view, *Frobisher* demonstrates the danger in relying solely on the pleadings to order a blanket prohibition on the ability to cross-examine. The pleadings do not necessarily foretell all the evidence that will be elicited through a party's witness, and whether that evidence may be perceived as adverse to the interests of a co-defendant or co-respondent.

[38] Both the Non-Profit and the City opposed a blanket prohibition on their ability to cross-examine each other's witnesses. The Non-Profit noted that its interests were not the same as the City's. For example, only the Non-Profit had relief sought against it in the application, and therefore only the Non-Profit was at risk of direct legal consequences through the proceeding. For

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<sup>19</sup> *Frobisher Ltd. v Canadian Pipelines & Petroleum Ltd.* (1957), 10 DLR (2d) 338, 1957 CanLII 163 (SK CA) [*Frobisher*].

<sup>20</sup> *Frobisher*, at paras 9-11 (Martin, CJS).

<sup>21</sup> *Frobisher*, at paras 36-44 (Gordon, JA), 107-108 (McNiven, JA), 136-139 (Proctor, JA), 230-231 (Culliton, JA).



its part, the City stressed that its interests were primarily in ensuring that the facts were accurate. But the City also noted that it could have exposure to a potential claim by the Non-Profit (in a different forum) based on its representations to the Non-Profit regarding the Union's position on the sale of the Shack and the Non-Profit's reliance on same. The Board noted that to the extent either the Non-Profit or City intended to call a witness to contradict the other's witness, the rule in *Browne v Dunn*<sup>22</sup> would presumably require the contradiction to be put to the other's witness.

**[39]** The Board declined to make the order sought by the Union, noting the Non-Profit and the City had different interests in the proceeding. In the Board's view, a peremptory ruling preventing any cross-examination would unfairly prejudice the Non-Profit and the City. Instead, it determined that it would deal with any objections to questions or lines of questioning as they arose, in the course of any cross-examination. The Board also determined that questioning by the Non-Profit and the City of each other's witness(es) would occur before cross-examination of the witness(es) by the Union.

**[40]** As it happened, the Non-Profit's questioning of the City's witness, Ms. Kristian, was brief, and the City's questioning of the Non-Profit's witness, Mr. Myers, was very brief. Further, the nature of the questioning was generally as would be conducted in examination-in-chief (i.e., non-leading), and the Union raised no objections during the course of it. Similarly, the Board had no concerns with improper "spoon feeding" or "sweetheart cross-examination". The Board notes that the type of questioning conducted (effectively, supplemental examination-in-chief by a co-respondent) has been determined to be presumptively appropriate by the Alberta Court of King's Bench in *Trizec Equities*, following a review of different authorities:

*[14] These cases review the English authorities and grapple with the differences in the English Rules which refer to the "opposite party" as opposed to the Canadian Rules based on "parties adverse in interest". Without entering into that debate what is certain from these authorities is that in civil actions (1) as between defendants there is a right to examine in chief a co-defendant's witness by way of supplementary questions; (2) there is a right to cross-examine a co-defendant's witness on points where the other defendant is a party adverse in interest or, where a codefendant's witness has by his or her evidence adversely affected the other defendant's position in the case. Adverse in interest is to be interpreted broadly to include rights to be adjudicated upon or a pecuniary or other substantial legal interest or conflict in the action.<sup>23</sup>*

**[41]** The Board endorses the above principles from *Trizec Equities* as generally applicable to proceedings before it. In terms of the order of questioning, the Board may consider the

<sup>22</sup> *Browne v Dunn*, 1893 CanLII 65 (FOREP).

<sup>23</sup> *Trizec Equities Ltd. v Ellis-Don Management Services Ltd.*, 1996 CanLII 10350 (AB KB) [*Trizec Equities*], at para 14.

appropriateness of the procedure used in *Trizec Equities*, depending on the particular circumstances before it:

*[17] Based on these authorities, I have decided, first, that the Defendants may examine the witnesses of other co-Defendants by way of examination-in-chief, to elicit supplementary evidence in support of their position on matters common between them. Second, that the Defendants may cross-examine witnesses of a co-Defendant where either upon the record or on the issues raised in the case, there are adversities of interest or rights to be adjudicated or conflicts on the evidence between them. The subject area of this cross-examination should be conducted only with the prior approval of the Court to guard against procedural or substantive abuses. Third, that having regard to the circumstances of this case, the examination by one Defendant of a co-Defendant should proceed prior to the cross-examination by the Plaintiff Trizec. Fourth, that following cross-examination by Trizec of a Defendant's witness, a co-Defendant may apply to deal with a matter by way of further cross-examination in the event that the Plaintiff's cross-examination has raised a new adverse point in issue.<sup>24</sup>*

**[42]** Ultimately, the extent of permissible cross-examination by co-respondents of each other's witnesses will depend on the circumstances in any given proceeding. However, as indicated above, due to the dynamic nature of the giving of evidence, parties should generally not expect the Board to make a blanket order prohibiting co-respondents from cross-examining each other's witnesses solely on the basis of their pleadings.

*Evidence on behalf of the City*

**[43]** Kerri Kristian [Ms. Kristian] gave evidence on behalf of the City. Ms. Kristian has worked in the City's human resources department since 2005. In her role she regularly works with the Union, on behalf of the City. She was involved in matters relating to the City's decision to cease operating a food and beverage service out of the Shack, and communications with the Union about the Non-Profit's potential acquisition of the Shack.

**[44]** Ms. Kristian noted that the City's 2017 decision to cease operating a food and beverage service out of the Shack came after consultations with the Union. The City entered into evidence Ms. Kristian's notes which were taken during these consultations.<sup>25</sup>

**[45]** The City provided Ms. Vermette a letter dated April 11, 2017, in which it indicated the rationale for closing the Shack.<sup>26</sup> The letter noted the Shack was the only concession that continually operated in a deficit position, and that it would be closed to prevent further subsidization by the City. However, the letter indicated that permanent employees working at the

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<sup>24</sup> *Trizec Equities*, at para 17.

<sup>25</sup> Exhibits PA-1, PA-2, PA-3.

<sup>26</sup> Exhibit PA-4, p 2.

Shack would continue their primary duties at other concession locations, as would non-permanent employees.

**[46]** Ultimately, the Union did not file any grievances arising from the City's decision to cease operating a food and beverage service out of the Shack, or its decision to allow the Non-Profit to sell food and beverages from its mobile food and beverage carts on the 7<sup>th</sup> and 8<sup>th</sup> holes, being areas which were previously exclusively served by the Shack.

**[47]** Ms. Kristian discussed the Non-Profit expressing interest in acquiring the Shack in May of 2020. Jody Boulet mentioned he had received an informal inquiry from the Non-Profit and wanted to check what the Union's position might be with respect to this. On June 8, 2020, Ms. Kristian was forwarded the June 8, 2020 email Ms. Vermette wrote to Mr. Boulet in this regard (quoted at paragraph 15 of these reasons).<sup>27</sup>

**[48]** On June 9, 2020, Mr. Boulet and Ms. Kristian met with Ms. Vermette and the Union's vice-president. Ms. Kristian made notes of what was discussed, including Ms. Vermette indicating that the City could expect a challenge from the Union if it intended to transfer the Shack to the Non-Profit.<sup>28</sup> According to Ms. Kristian, after this meeting Mr. Boulet advised the Non-Profit that the City was not considering a transfer of the Shack due to the Union's position.

**[49]** On April 7, 2022, Ms. Kristian was copied on the email from Jody Boulet to Mr. Vermette (quoted at paragraph 18 of these reasons), indicating the Non-Profit's interest in acquiring the Shack, and attaching the Non-Profit's proposal.<sup>29</sup> A meeting was scheduled for May 5<sup>th</sup> to discuss the matter.

**[50]** On May 5, 2022, Mr. Boulet and Ms. Kristian met with Ms. Vermette and the Union's vice-president. Ms. Kristian took notes regarding what was discussed.<sup>30</sup> Ms. Vermette indicated that she would discuss the proposal with Mr. Thebaud that afternoon. Mr. Boulet indicated that there was some urgency as the Non-Profit wanted to get the operation set up. Ms. Kristian left the meeting under the impression that Ms. Vermette would advise if the Union had any concerns with the Non-Profit's proposal.

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<sup>27</sup> Exhibit PA-6.

<sup>28</sup> Exhibit PA-7.

<sup>29</sup> Exhibit PA-8.

<sup>30</sup> Exhibit PA-10.

**[51]** Later that day, at 3:43 p.m., Ms. Kristian was copied on the email from Ms. Vermette to Mr. Boulet indicating “Further to our meeting this morning, we have no concerns.”<sup>31</sup> Ms. Kristian understood this to mean the Union had no concerns with the Non-Profit’s proposal, in general. She expected Jody Boulet to communicate this to the Non-Profit, and she understood that he did so.

**[52]** In cross-examination, Ms. Kristian agreed that she didn’t know if the Non-Profit’s acquisition of the Shack was conditional on the Union waiving any successorship rights that might exist, and that the City had never asked the Union to waive such rights. She also agreed that the City had not filed an unfair labour practice application against the Union with respect to the Union’s representations and conduct concerning the Shack.

**[53]** City Council approved the sale of the Shack to the Non-Profit at its May 16, 2022 meeting.<sup>32</sup> Ms. Kristian indicated that the City heard nothing from the Union with respect to the Shack after the City Council meeting, and that no grievances have been filed because of its sale.

**[54]** Ms. Kristian identified a copy of the bill of sale for the Shack.<sup>33</sup> The bill of sale was signed on September 6, 2022, though it appears the drafter’s intent was to have it signed and effective as of some point in May 2022.

**[55]** Ms. Kristian’s evidence concluded the case for the City.

*Evidence on behalf of the Non-Profit*

**[56]** Darcy Myers [Mr. Myers] gave evidence on behalf of the Non-Profit. Mr. Myers has been the General Manager of the Non-Profit since April 1, 2022. He is not an employee of the Non-Profit. He provides his services to the Non-Profit as an independent contractor through his corporation, Darcy’s Golf Shop Ltd. He provides services to the City as a golf professional through the same corporation, also as an independent contractor.

**[57]** Mr. Myers explained that the City owns the golf course and the land it is situated on. The Non-Profit owns the course’s pro shop, which is situated on land owned by the Non-Profit. Aside from the pro shop, the Non-Profit owns the Rock and Iron, a restaurant which is situated on the Non-Profit’s land, and the Shack, which is located on the golf course near the 8<sup>th</sup> hole.

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<sup>31</sup> Exhibit PA-11.

<sup>32</sup> Exhibit PA-14.

<sup>33</sup> Exhibit PA-16.

**[58]** Mr. Myers explained that the Non-Profit operates a food and beverage service from its mobile carts, pursuant to its Food and Beverage Cart Service Agreement with the City.<sup>34</sup> The food and beverages for the carts are sourced from the Rock and Iron. The Rock and Iron also supplied the food and beverages for the Shack in 2022.

**[59]** Mr. Myers thought the Shack was built in the 1980's. The City used it to provide food and beverage service until 2017, in addition to washroom facilities. From 2017 until 2022, the City used the Shack as a storage facility only, though it kept the washrooms open. According to Mr. Myers, the City employees who maintained the washrooms from 2017 to 2022 were members of CUPE Local 160, the same union that the golf course groundskeepers belonged to.

**[60]** Mr. Myers explained that the Non-Profit's motivation for acquiring the Shack was to provide an additional facility to enhance golfers' experiences. Staff who worked at the Rock and Iron were used to staff the Shack, and the Rock and Iron's kitchen was used to prepare food.

**[61]** As aforementioned, the Shack was used as a storage facility from 2017 until 2022. Before it was opened by the Non-Profit, it needed to be emptied. Aside from a large double-door Coca-Cola branded cooler, the Club needed to supply its own equipment to operate the Shack.

**[62]** The Shack had no employee contracts or management expertise attached to it when acquired by the Non-Profit. It also had no signage or branding associated with it. When asked what the Non-Profit acquired from the City, Mr. Myers replied "a building".

**[63]** The Non-Profit opened the Shack on June 2, 2022. Mr. Myers didn't know when the bill of sale for the Shack was actually signed, but he was notified on May 17, 2022 that City Council had approved the sale.

**[64]** Mr. Myers was directed to Ms. Vermette's May 5, 2022 email in which she indicated the Union had no concerns with the Non-Profit's proposal to acquire the Shack.<sup>35</sup> He didn't think he received a copy of this email, but he was advised by Jody Boulet that the Union had no concerns with the Non-Profit buying the Shack. Mr. Myers stated that as far as he was aware, the Union had no concerns with what the Non-Profit was planning on doing. He contrasted the Union's representations in May of 2022 with its clearly stated opposition in 2020 to the Non-Profit acquiring the Shack.

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<sup>34</sup> Exhibit U-6.

<sup>35</sup> Exhibit PA-11.

[65] Mr. Myers was surprised when he received Mr. Thebaud's August 17, 2022 email, which demanded that the Non-Profit abide by the Union's collective agreement.<sup>36</sup> He did not expect to be hearing from the Union at all.

[66] The Non-Profit ceased its food and beverage service out of the Shack in late August 2022. Mr. Myers explained that the Shack was almost breaking even at that point (i.e., it was operating at a slight loss). The Non-Profit didn't think it could reasonably continue to operate the Shack after it received Mr. Thebaud's email, and many of its seasonal employees were due to return to school in September, in any event.

[67] In cross-examination, Mr. Myers said that he had not asked the City to inquire about the Union's position regarding the Non-Profit's proposal to purchase the Shack. As well, the following exchange occurred:

Q *Was your proposal conditional on the Union waiving any rights to the employees of the concession stand?*

A *No.*

[68] Mr. Myers' evidence concluded the case for the Non-Profit.

**Argument on behalf of the Union:**

[69] The Union argues that the Shack was a "going concern" when acquired by the Non-Profit, and that it did not intend to waive any successorship rights arising from the Shack's acquisition by the Non-Profit or to convey such a position to the City or the Non-Profit.

[70] In the Union's brief of law, it states "[t]he Union believed it was an obvious successorship and therefore assumed that the City would have also recognized that."<sup>37</sup> The Union relies on Mr. Myers' answer during cross-examination that the Non-Profit's proposal to acquire the Shack was not conditional on the Union "waiving any rights to the employees". At the same time, the Union suggests that the City and the Non-Profit were engaged in a concerted effort to subvert the Union's bargaining rights relating to operation of the Shack.

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<sup>36</sup> Exhibit PA-15.

<sup>37</sup> Union's brief, p 18.

[71] The Union highlights that if the City had reopened the Shack in 2022, the Union's collective agreement would have applied to City employees working at the Shack. During oral argument, the Union submitted that it "owned" the positions at the Shack.<sup>38</sup>

[72] The Union emphasizes that the Non-Profit operated the same type of business from the Shack as the City had. It submits that the City, as owner of the golf course, stood to benefit from the Shack reopening. It points to the Shack being sold at a nominal value, and being subject to return to the City if not operated for the purpose for which it was sold. It also points to the fact that Mr. Myers, through his corporation, provides services to both the City and the Non-Profit, and suggests this supports a successorship finding.

[73] The Union suggests that the City's participation in proceedings before the Board and its receptiveness to the Non-Profit's concerns after the Shack was sold support the conclusion that it sold a "going concern" to the Non-Profit.

[74] The Union submits that the Shack's closure for five years is immaterial. In its brief, it states "When the same business reopens in the same location, length of time does not extinguish successorship rights."<sup>39</sup> The Union emphasizes the Non-Profit using the same building in the same location serving the same clientele, while benefiting both the seller (City) and the buyer (Non-Profit).

[75] The Union submits that, although it would be a small bargaining unit, a bargaining unit composed of employees of the Shack would be viable.

[76] The Union concedes that its unfair labour practice allegations cannot succeed without the Non-Profit being determined to be a successor employer. If the Non-Profit is determined to be a successor employer, the Union submits that its conduct has amounted to unfair labour practices contrary to ss. 6-41, 6-43 and 6-62(1)(k) of the Act.

**Argument on behalf of the City:**

[77] The City's position is that it has at all times been open and transparent with respect to circumstances involving the Shack.

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<sup>38</sup> This terminology – of "owning" positions – accords with how the Union posed the question to Mr. Myers which is quoted at paragraph 67 of these reasons. In the Board's view, unions are properly characterized as having obligations to employees, as opposed to owning positions or having rights to employees.

<sup>39</sup> Union's brief, p 13.

[78] The City denies engaging in any kind of plot to subvert bargaining rights held by the Union. The City submits that no successorship rights could attach to the sale of the Shack, particularly given the effluxion of time since it was last operated. The Shack was an idle asset that had been used for storage for five years.

[79] In the City's view, the Union gave a deliberately cryptic response of "no concerns" when asked for its position on the Non-Profit's proposal in May of 2022. Accepting Mr. Thebaud's evidence – that the Union had at the time of the response decided that it would file a successorship application – the response was not forthright. The response either knowingly or recklessly created potential liability for the City to the Non-Profit. The Union ought to have expected its response would be conveyed by the City to the Non-Profit, and understood by the Non-Profit to mean that the Union would not be asserting any rights arising from the proposed sale. The Union not raising the issue of successorship until August of 2022 was unfair to both the City and the Non-Profit. The Union encouraged the sale to go through so that it could bring an unanticipated successorship application.

[80] The City asks that the Board consider awarding costs on the basis of the Union's conduct prior to and in bringing the within application.

**Argument on behalf of the Non-Profit:**

[81] The Non-Profit argues that it did not acquire any form of business from the City. Rather, it acquired an idle asset. It points to the five year period during which the Shack was not used for food and beverage sales, but simply as a storage facility (apart from its washrooms). It emphasizes that the Non-Profit acquired no management expertise, branding, signage or goodwill when it acquired the Shack, and that the only equipment that came with it was a Coca-Cola branded cooler. The Shack was a long-idle asset that was incorporated into the Non-Profit's existing business, the Rock and Iron. The equipment, staff and expertise necessary to operate the Shack came from the Rock and Iron.

[82] Apart from arguing that no successorship occurred, the Non-Profit also argues that the doctrines of waiver and promissory estoppel should be applied to prevent the Union from asserting any successorship rights against it.

[83] The Non-Profit highlights that Ms. Vermette was present throughout the hearing as the Union's instructing client but was not called by it. The Non-Profit asks the Board to draw an adverse inference from the Union's failure to call Ms. Vermette, the best source of evidence



regarding what she meant when she wrote that the Union had “no concerns” with the Non-Profit’s proposal, in her May 5<sup>th</sup> email.

**[84]** The Non-Profit submits that Ms. Vermette’s statement that the Union had “no concerns” with the Non-Profit’s proposal is most reasonably interpreted as an unequivocal representation that the Union would not be advancing a successorship application. The proposal showed that employees at the Shack would be paid at a lower rate than in the Union’s collective agreement. If the Union intended to try to enforce the collective agreement with respect to the Shack (as testified by Mr. Thebaud), it would have raised this, and not indicated that it had “no concerns” with the proposal. Alternatively, the Union’s representation of “no concerns” was not forthright and was meant to be relied upon by the Non-Profit, to its detriment.

**[85]** The Non-Profit denies that it committed any unfair labour practice. Further, it submits that even if a successorship occurred, which it vehemently denies, the Union’s ambushing it with the successorship issue in late August unfairly prejudiced it by preventing it from collecting dues from employees’ wages throughout the summer months.

**Relevant Statutory Provisions:**

**[86]** The following provisions of the Act are relevant:

*6-18(1) In this Division, “disposal” means a sale, lease, transfer or other disposition.*

*(2) Unless the board orders otherwise, if a business or part of a business is disposed of:*

*(a) the person acquiring the business or part of the business is bound by all board orders and all proceedings had and taken before the board before the acquisition; and*

*(b) the board orders and proceedings mentioned in clause (a) continue as if the business or part of the business had not been disposed of.*

*(3) Without limiting the generality of subsection (2) and unless the board orders otherwise:*

*(a) if before the disposal a union was determined by a board order to be the bargaining agent of any of the employees affected by the disposal, the board order is deemed to apply to the person acquiring the business or part of the business to the same extent as if the order had originally applied to that person; and*

*(b) if any collective agreement affecting any employees affected by the disposal was in force at the time of the disposal, the terms of that collective agreement are deemed to apply to the person acquiring the business or part of the business to the same extent as if the collective agreement had been signed by that person.*

*(4) On the application of any union, employer or employee directly affected by a disposal, the board may make orders doing any of the following:*

(a) *determining whether the disposal or proposed disposal relates to a business or part of a business;*

(b) *determining whether, on the completion of the disposal of a business or part of the business, the employees constitute one or more units appropriate for collective bargaining;*

(c) *determining what union, if any, represents the employees in the bargaining unit;*

(d) *directing that a vote be taken of all employees eligible to vote;*

(e) *issuing a certification order;*

(f) *amending, to the extent that the board considers necessary or advisable:*

(i) *a certification order or a collective bargaining order; or*

(ii) *the description of a bargaining unit contained in a collective agreement;*

(g) *giving any directions that the board considers necessary or advisable as to the application of a collective agreement affecting the employees in the bargaining unit referred to in the certification order.*

(5) *Section 6-13 applies, with any necessary modification, to a certification order issued pursuant to clause (4)(e)*

...

**6-41(1)** *A collective agreement is binding on:*

(a) *a union that:*

(i) *has entered into it; or*

(ii) *becomes subject to it in accordance with this Part;*

(b) *every employee of an employer mentioned in clause (c) who is included in or affected by it; and*

(c) *an employer who has entered into it.*

(2) *A person bound by a collective agreement, whether entered into before or after the coming into force of this Part, must, in accordance with the provisions of the collective agreement:*

(a) *do everything the person is required to do; and*

(b) *refrain from doing anything the person is required to refrain from doing.*

(3) *A failure to meet a requirement of subsection (2) is a contravention of this Part.*

(4) *If an agreement is reached as the result of collective bargaining, both parties shall execute it.*

(5) *Nothing in this section requires or authorizes a person to do anything that conflicts with a requirement of this Part.*

(6) *If there is any conflict between a provision of a collective agreement and a requirement of this Part, the requirement of this Part prevails.*

...

**6-43(1)** *On the request in writing of an employee and on the request of a union or union local representing the employees in the bargaining unit, the employer shall deduct and pay in periodic payments out of the wages due to the employee the union dues, assessments and initiation fees of the employee.*

(2) *The employer shall pay the dues, assessments and initiation fees mentioned in subsection (1) to the union or union local representing the employee.*

(3) *The employer shall provide to the union or union local the names of the employees who have given their authority to have the dues, assessments and initiation fees mentioned in subsection (1) paid to the union or union local.*

(4) *Failure to make payments or provide information required by this section is an unfair labour practice.*

...

**6-62(1)** *It is an unfair labour practice for an employer, or any person acting on behalf of the employer, to do any of the following:*

...

(k) *to threaten to shut down or move a plant, business or enterprise or any part of a plant, business or enterprise in the course of a labour-management dispute;*

### **Analysis and Decision:**

**[87]** The primary issue before the Board is whether the Non-Profit's acquisition of the Shack engages s. 6-18 of the Act. If does not, none of the relief sought by the Union is available. Accordingly, this issue will be dealt with first.

**[88]** Section 6-18 is engaged when there has been a "disposal" of a business, or part of a business, from a unionized employer to another employer.<sup>40</sup> Subsection 6-18(1) defines a disposal as a "sale, lease, transfer or other disposition". Where such a disposal has occurred, the employer acquiring the business (or part of the business) also acquires the collective bargaining obligations of the previous employer.

**[89]** Determining whether a disposition of (part of) a business has occurred requires a contextual analysis. In *Singh*,<sup>41</sup> the Board described this as follows (emphasis added):

<sup>40</sup> The term "unionized employer" is used here to refer to an employer subject to a certification order under the Act. For clarity, in this context it is more expansive than the definition of "unionized employer" in s. 6-65(h), which is specific to Division 13 (Construction Industry) of Part VI.

<sup>41</sup> *SJBRWDSU v Chamjit Singh and 1492559 Alberta Inc.*, 2013 CanLII 3584 (SK LRB) [*Singh*].

[45] Numerous successorship cases have demonstrated a number of factors that have been considered by various labour boards to help in making this determination, including: the presence of any legal or familial relationship between the predecessor and the new owner; the acquisition by the new owner of managerial knowledge and expertise through the transaction; the transfer of equipment, inventory, accounts receivable, customer lists and existing contracts; the transfer of goodwill, logos and trademarks; and the imposition of covenants not to compete or to maintain the good name of the business until closing. While the presence of any of these factors can be indicative of successorship, their absence is often considered inconclusive. Labour boards have also considered factors such as the perception of continuity of an enterprise; whether or not the employees have continued to work for the purchaser; whether or not these employees are performing the same work; and whether or not the previous management structure has been maintained or if there has been a commonality of directors and other officers. If the work performed by the employees after the transfer is substantially similar to the work performed prior to the transfer, an inference of continuity can be drawn. Similarly, Labour boards have also considered whether or not there has been a hiatus in production or a shutdown of operations. Depending upon the industry, the longer a property lays dormant, the more difficult it is to draw an inference of continuity. Of course, this list is not exhaustive of the factors that may be considered, and, depending upon the situation, certain factors will be given more import than others. This concept was stated by the Board in *Versa Services Ltd. v. C.U.P.E.*, supra, as follows:

No list of significance, however, could ever be complete; the number of variables with potential relevance is endless. It is of utmost importance to emphasize, however, that none of these possible considerations enjoys an independent life of its own; none will necessarily decide the matter. Each carries significance only to the extent that it aids the Board in deciding whether the nature of the business after the transfer is the same as it was before, i.e. whether there has been a continuation of the business.

[46] In the end, the vital consideration for the Board is whether or not the effect of the transaction was to put the transferee into possession of something that could be considered a "going concern"; something distinguishable from an idle collection of surplus assets from which the new owner has organized a new business. To make a finding of successorship, the Board must be satisfied that the new owner acquired the essential elements of a business or part thereof; something of a sufficiently dynamic and coherent quality to be considered a going concern; and that the said business interest can be traced back to the business activities of the previous certified owner. In making this determination, this Board has cautioned that the test is not whether the business activities of the new owner resemble the previous certified business; but whether or not the business carried on after the transaction was acquired from the certified employer. See: *JKT Holdings Ltd. v. Hotel Employees and Restaurant Employees, Local 767*, [1990] 5 C.L.R.B.R. (2d) 316, LRB File No. 149-89. Tracing the business interest back to the previous owner is essential to a finding of successorship as this Board has rejected the proposition that, once a trade union becomes certified at a particular location for a particular type of work, anyone who subsequently opens a similar business at those premises is automatically a successor within the meaning of s. 37 of the Act. See: *United Steelworkers of America v. A-1 Steel & Iron Foundry Ltd., et. al.*, [1985] Oct Sask. Labour Rep. 42, LRB File No. 001-85.

[90] Though described in the context of s. 37 of *The Trade Union Act*, the considerations mentioned above are equally relevant to s. 6-18 of the Act.<sup>42</sup>

<sup>42</sup> *Saskatchewan Joint Board, Retail, Wholesale v Broadway Lodge Ltd.*, 2017 CanLII 6029 (SK LRB), at para 25.

[91] As is obvious from the above-quoted passage from *Singh*, the mere fact that the Non-Profit operated a similar business at the Shack (in 2022) to that which had been operated by the City (until some point in 2016) is insufficient to ground a finding of a successorship.

[92] Further, the fact that the Union's collective agreement would have bound the City if the City had reopened the Shack for food and beverage service in 2022 is of very limited significance. Simply put, if that were not the case, the Union's application for the collective agreement to bind the Non-Profit would automatically fail.

[93] Ultimately, the issue boils down to whether the Non-Profit acquired (part of) a business when it acquired the Shack, a "going concern", as opposed to an idle asset. The onus is on the Union to establish this on a balance of probabilities, through sufficiently clear, convincing and cogent evidence.

[94] The Board concludes that the Union has not met its onus.

[95] The length of time the Shack remained idle was lengthy. The Union could not point to an analogous case where an asset had sat idle for five years and a successorship had been found. The City did not use the Shack for food and beverage sales from 2017 onward; it was used for storage. Importantly, none of the Union's members had any responsibilities with respect to the Shack from 2017 onward. The Shack's washrooms were maintained by a different union (CUPE Local 160) until the Non-Profit acquired it.

[96] Apart from the Shack itself, the only thing the Non-Profit acquired from the City through its sale was a Coca-Cola branded cooler. The Non-Profit relied on its own business, the Rock and Iron, and particularly its staff, equipment and other arrangements (e.g., its liquor license, its food and ingredient acquisition arrangements) to make the Shack operational. It did not acquire a business with a "beating heart"<sup>43</sup> when it acquired the Shack.

[97] The Union's suggestion that Mr. Myers' provision of services (through his corporation) to both the City and the Non-Profit assists its position is not accepted by the Board. The Board notes that the Union did not bring a common employer application with respect to the Shack pursuant to s. 6-20. Further, the Board heard no evidence that Mr. Myers had any particular expertise relevant to operating the Shack, or that such expertise (if any) was acquired by the Non-Profit as

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<sup>43</sup> *Singh*, para 57.

a result of the Shack's sale. As aforementioned, the Non-Profit already had what it needed to make effective use of the Shack through the Rock and Iron.

**[98]** The Board accepts that the Non-Profit's operation of the Shack enhanced golfers' experiences and provided an indirect benefit to the City-owned golf course. However, the fact that the City stood to benefit from the Shack being operated, and had an option to repurchase it for a nominal sum if it was not being so operated, does not mean that the City sold the Non-Profit a business, as opposed to an idle asset. The Non-Profit was already servicing the area in the vicinity of the Shack through its mobile carts (see paragraph 16 of these reasons). The City's option to repurchase the Shack was effectively a restrictive covenant on its use, which is understandable from a public policy perspective.

**[99]** The Board rejects the Union's submission that the City's participation in these proceedings suggests that it sold the Non-Profit "a going concern". The City was named as a respondent to the Union's application and had standing as of right to participate in the proceedings. The Board has found the City's participation helpful. The fact that it participated in the proceedings does not lead to the conclusion the Union asks the Board to draw.

**[100]** The Board similarly rejects the Union's contention that the Council's receptiveness to the Non-Profit's concerns during the fall of 2022 indicates collusion or is supportive of the Union's application. Council, as one might expect, wanted to understand whether the City had misrepresented matters in the spring of 2022 to the Non-Profit's detriment. Misrepresentation claims are actionable and can result in civil liability.

**[101]** Because the Board concludes that s. 6-18 does not apply to the acquisition of the Shack by the Non-Profit, it does not need to consider whether the doctrines of waiver or promissory estoppel prevent the Union from relying on the section.

**[102]** As conceded by the Union, its unfair labour practice allegations fail because the Board has concluded that the Non-Profit was not a successor employer to the City. By way of brief explanation, the Non-Profit had no obligations under the collective agreement with respect to the employees at the Shack. Further, the Union did not represent employees at the Shack after it was acquired by the Non-Profit.

**[103]** The City requested costs, but did not strenuously argue for same. The Board appreciates that the City was required to deal with allegations of inappropriate conduct and collusion, which the Board has rejected. On balance, the Board considers the City's communications in May of

2022 to have been more transparent than the Union's. However, it bears reminding that costs are not awarded by the Board in the same way as by the Court of King's Bench.<sup>44</sup> The City has not pointed to any provision of the Act upon which it relies for costs, and the Board declines the City's request.

**[104]** The result of these reasons is that the Union's application is dismissed. An appropriate order will issue.

**[105]** This is a unanimous decision of the Board.

**DATED** at Regina, Saskatchewan, this **15th** day of **August, 2023**.

**LABOUR RELATIONS BOARD**



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Michael J. Morris, K.C.  
Chairperson

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<sup>44</sup> *Andritz Hydro Canada Inc. v Timothy John Lalonde and Director of Occupational Health and Safety*, 2021 CanLII 61031 (SK LRB), at paras 29-33.



**RPT 23-350**

**TITLE:** Harry Jerome Track Replacement Project

**DATE:** August 29, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That \$750,000 be approved from the Future Infrastructure Reserve in support of the Harry Jerome Track Replacement.

That the Mayor and City Clerk be authorized to execute any necessary documents on behalf of the City if required.

**TOPIC & PURPOSE:**

The purpose of the report is to outline the recommendation to proceed with the City's 50% share for the Harry Jerome Track Replacement in partnership with the Saskatchewan Rivers School Division.

**BACKGROUND:**

The City of Prince Albert and the Saskatchewan Rivers School Division have jointly built, operated and funded Prime Minister's Park for many years through a Joint Use Agreement dating back to the 1970s. Property Ownership between the City and SRSD is shared for Prime Minister's Park which has made the Agreement important under this long standing partnership.

The City of Prince Albert received notice from Saskatchewan Athletics outlining the work required on the track in order to be sanctioned for future Provincial Track & Field events. Prince Albert is next scheduled to host the Provincial Event in 2024. However due to the state of the Track, the local Committee has had to decline Prince Albert's turn to host in 2024.

The opportunity to partner with the Saskatchewan Rivers School Division on this project was discussed with the SRSD representatives following the May 10<sup>th</sup>, 2023 City/School Board Liaison Committee meeting. It was agreed that the Community Services Department would



prepare a cost estimate in order to report to members of Council regarding the partnership request.

### **PROPOSED APPROACH AND RATIONALE:**

Under the Joint Use Agreement, the City's Operating share is 65% and SRSD is 35%. The respective percentages reflect the access for each party. SRSD receives access to the amenities during school days and the City rents the amenities to all other community organizations during weeknights of school days, non-school days & weekends. There are exceptions each year for access during school days. For example in 2023, the Prince Albert Catholic School Division hosted their respective Track Meets on May 24<sup>th</sup> & 26<sup>th</sup> during the SRSD's exclusive time under the agreement.

For 2023, the Operating Budget for Prime Minister's Park is \$214,516 which is shared as follows:

- City's 65% share in operations represents a total of \$139,435
- SRSD's 35% share in operations represents a total of \$75,080. SRSD is responsible for an additional 15% Administration Fee on their share which is \$11,262. Therefore the total share contributed by SRSD for 2023 equals \$86,342.75 + GST = \$90,659.89.

Capital Improvements are shared at a 50%/50% share between both parties. Attached to the report is the Preliminary Cost Forecast dated May 30<sup>th</sup>, 2023.

The Preliminary Cost Forecast for the Track Portion includes:

- Sitework - \$65,500
- Athletic Running Track - \$1,357,000
- Consulting – \$60,000
- Total - \$1,482,500

The City's 50% share under this option is projected to be \$741,250. Sufficient funds are currently available through the Future Infrastructure Reserve to fund the City's share.

The partnership between both parties on this project serves as a major improvement to Prime Minister's Park which will benefit local organizations and attract major events in the future to Prince Albert.

An estimated Construction Timeframe is as follows:

September 2023:	Project Approval
October 2023:	Contractor Approval & Site Preparation
April – August 2024:	Project Construction
September 2024:	Open for Public Use

**CONSULTATIONS:**

Consultations on this project have included the following partners:

- Mike Hurd, SRSD Facilities Superintendent
- Saskatchewan Athletics

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Upon receiving approval of the City's 50% share for the Track Replacement Project, a Request for Proposals will be issued in conjunction with the Saskatchewan Rivers School Division. The RFP results will be reported to members of Council once available.

A joint announcement will also be coordinated with the Sask Rivers School Division during the week of September 5<sup>th</sup> to communicate the specifics related to the full scope of the project.

**FINANCIAL IMPLICATIONS:**

The balance of the Future Infrastructure Reserve Fund is currently \$919,954.62. Sufficient funds are available if the recommendation to support the Harry Jerome Track Replacement project in the amount of \$750,000 is approved.

The Community Services Department will be proposing an annual reserve fund allocation beginning in 2024 for the future repair & replacement work to the Track.

**STRATEGIC PLAN:**

The Project aligns with the Strategic Priority of Promoting a Progressive Community. Specifically, the project aligns with the Cultural & Community Events Area of Focus by investing in infrastructure improvements with the goal of increasing Prince Albert's event hosting capacity.

**OFFICIAL COMMUNITY PLAN:**

The project aligns with Section 9.2 of the Official Community Plan related to the City's Parks & Recreation Facilities. In addition to the event hosting capacity, the replacement project will benefit the programming offered by the local school divisions and multiple community organizations that rent the facility on annual basis.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

Written by: Jody Boulet, Director of Community Services

Approved by: City Manager

**TITLE:** Bank Courier and Coin Rolling Services - Agreement Extension

**DATE:** August 1, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

- 1) That the extension to the Bank Courier and Coin Rolling Services Agreement between The City and GardaWorld Cash Services Canada Corporation be approved for a two (2) year term from January 1, 2024 to December 31, 2025; and
- 2) That the Mayor and City Clerk be authorized to execute the Agreement on behalf of The City, once prepared.

**TOPIC & PURPOSE:**

The purpose of this report is to request approval to extend the term of The City's Bank Courier and Coin Rolling Services Agreement with GardaWorld Cash Services Canada Corporation for an additional two (2) year term beginning January 1, 2024.

**BACKGROUND:**

The City's current agreement for Bank Courier and Coin Rolling Services expires on December 31, 2023. On October 13, 2020, City Council approved an agreement with GardaWorld for a three (3) year term commencing January 1, 2021 and ending December 31, 2023, with an option for a two (2) year extension option upon mutual agreement, based on the results of Tender #42/20.

**PROPOSED APPROACH AND RATIONALE:**

Administration has been very satisfied with the level of service that we currently receive from

GardaWorld. GardaWorld has been the City’s provider since 2016. There have been no disruptions in service and the City’s timelines for the coin rolling process are being met.

When the tender was issued in 2020 GardaWorld was the lowest bid with the next closest bid being 15% higher. The current pricing increase for the two (2) year extension is 10% with an added fuel surcharge.

**CONSULTATIONS:**

Consultations were held with the Chief Clerks as they are the ones who deal with the GardaWorld personnel on a daily basis and also see the banking side of the timeliness of the deposits when they are received at the bank for both the regular deposits and the coin rolling deposits. All of the staff were happy with the current service level.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

If the extension is approved, Garda will be contacted by Administration in order to provide The City with an extension agreement for signing.

**FINANCIAL IMPLICATIONS:**

In discussions with GardaWorld, they have proposed a 10% rate increase over the 2023 rates we are currently receiving for the 2 year term, if the extension is approved. Table below shows costs before taxes. One new cost over the existing agreement is the addition of the fuel surcharge which would be added to the monthly cost as shown below.

<b>Standard Pick Up</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Monthly Cost	\$ 647.93	\$ 647.93	\$ 660.90	\$ 726.98	\$ 726.98
Yearly Cost	\$ 7,775.16	\$ 7,775.16	\$ 7,930.80	\$ 8,722.68	\$ 8,722.60
Fuel Surcharge	no charge	no charge	no charge	see chart below	
<b>Coin Rolling</b>					
Cost per roll	\$ 0.20	\$ 0.20	\$ 0.20	\$ 0.22	\$ 0.22
			YTD	Estimated	Estimated
Yearly	\$ 4,621.87	\$ 4,774.76	\$ 2,869.52	\$ 6,312.94	\$ 6,312.94
note: coin deposited in 2023 has increased 27% compared to 2022 which significantly increased the 2024-2025 estimate					

**Fuel Surcharge (Standard)**

Notwithstanding any stipulation to the contrary, GardaWorld shall have the right to apply a surcharge for fuel to any cash-in-transit rates set out in any rate schedule, the who in accordance with the rate variance matrix hereinbelow.

Fuel Surcharge Set	From Price	To Price	Surcharge Percentage
Standard Fuel Rates	\$ -	\$ 0.70	0%
Standard Fuel Rates	\$ 0.701	\$ 0.08	5%
Standard Fuel Rates	\$ 0.801	\$ 0.90	6%
Standard Fuel Rates	\$ 0.901	\$ 1.00	7%
Standard Fuel Rates	\$ 1.001	\$ 1.10	8%
Standard Fuel Rates	\$ 1.101	\$ 1.20	9%
Standard Fuel Rates	\$ 1.201	\$ 1.30	10%
Standard Fuel Rates	\$ 1.301	\$ 1.40	11%
Standard Fuel Rates	\$ 1.401	\$ 1.50	12%
Standard Fuel Rates	\$ 1.501	\$ 1.60	13%
Standard Fuel Rates	\$ 1.601	\$ 1.70	14%
Standard Fuel Rates	\$ 1.701	\$ 1.80	15%
Standard Fuel Rates	\$ 1.801	\$ 1.90	16%
Standard Fuel Rates	\$ 1.901	\$ 2.00	17%
Standard Fuel Rates	\$ 2.001	\$ 2.10	18%
Standard Fuel Rates	\$ 2.101	\$ 2.20	19%
Standard Fuel Rates	\$ 2.202	\$ 2.30	20%
Standard Fuel Rates	\$ 2.301	\$ 2.40	21%
Standard Fuel Rates	\$ 2.401	\$ 2.50	22%

\*The average monthly price is determined using Kalibrate Global (<https://charting.kalibrate.com>)

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no policy, privacy or official community plan implications.

**STRATEGIC PLAN:**

CREATE new, and support existing partnerships to leverage the strengths of Prince Albert. Gardaworld does have a local branch office within the City and we have had a working relationship with them since 2016.

**OPTIONS TO RECOMMENDATION:**

- 1) Re-Tender the Bank Courier and Coin Rolling service for the year 2024 and beyond.

This option is not recommended for the following reasons:

- Administration does not believe that re-tendering the service at this time will yield cost savings and could potentially result in an increase to costs.
- Administration has been very satisfied with the level of service that The City has been receiving during the current contract.
- By extending the contract there is no disruption of services.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:**

None

**ATTACHMENTS:**

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Written by: Natara Kulcher, Acting Senior Operations Manager

Approved by: Director of Financial Services & City Manager

**TITLE:** Request for Write Off of Penalties Charged for Property Taxes at 371 25th Street West

**DATE:** August 21, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATIONS:**

1. That the amount of \$31.65 in penalties charged to Roll No. 101012700 for the property located at 371 25<sup>th</sup> Street West be written off relating to a payment made to an incorrect roll number.
2. That the outstanding penalties in the amount of \$510.92 be payable by the Property Owner for Roll No. 101012700.

**TOPIC & PURPOSE:**

To forward the request of the property owner that Council consider writing off the penalty charges for Roll No. 101012700 for the property located at 371 25<sup>th</sup> Street West.

**BACKGROUND:**

In July this year, the property owner for Roll No. 101012700 called the City in relation to the property taxes for the property at 371 25<sup>th</sup> Street West, specifically the outstanding penalties charged.

The individual owns other properties in the City that qualified for the TIPPS Program and are therefore current on their taxes. However, 371 25<sup>th</sup> Street West did not qualify for the Program as the account must be up to date on payments, and upon the initial purchase in June 2022, the entire 2022 balance was due. Therefore, the entire 2022 balance would have been required to be paid before being eligible for the TIPPS Program. This was explained to the property owner.



The TIPPS (Tax Installment Payment Plan) Program is an equalized payment plan offered by the City as a courtesy to tax payers. This program will automatically withdraw payment amounts directly from owner's bank account on the 1<sup>st</sup> of each month. The property owner's tax levy is spread out over twelve (12) equalized payments for their convenience.

**The property owner's concerns relating to the property taxes at 371 25<sup>th</sup> Street West included:**

**Property Owner:** Tax Statements were being mailed to the address of 371 25<sup>th</sup> Street West as per property address and not the owner's permanent resident home. As such, the property owner was not receiving the Tax Statements mailed to the address of 371 25<sup>th</sup> Street West and the Tenants advised there was no mail.

**Administration Response:** Our records indicate that upon the purchase of the property of 371 25<sup>th</sup> Street West by the owner in June of 2022, the information provided by Information Services Corporation noted 371 25<sup>th</sup> Street West as the mailing address. Our records are updated accordingly based on information provided by the lawyer to Information Services Corporation. **Finance Administration has amended the mailing address for Roll No. 101012700 to be the permanent residence of the property owner.**

**Property Owner:** The property owner made a payment of \$1,000 towards the 2022 Levy on May 25, 2023, which was applied to a different property owned by the tax payer. The property owner contacted the City in relation to the payment made of \$1,000. It was determined that the payment should have been credited to 371 25<sup>th</sup> Street West, and not the other property owned.

**Administration Response:** It is the property owner's responsibility to ensure payments are made to the correct account. **Finance Administration has credited the payment of \$1,000 to the correct Roll relating to the property at 371 25<sup>th</sup> Street West.**

**Property Owner:** Difference of \$700 from the 2022 Property Annual Levy to the 2023 Annual Levy. The property owner was calling on why the property tax increase was so high.

**Administration Response:** Upon review of the property taxes, the actual increase in Property Annual Levy was \$71.78. Finance Administration explained that the Snow Management Special Tax was a \$12.00 increase, the Roadways Special Tax was a \$15.00 increase, and the remainder was the municipal and library levy increase. **It was determined that the costs charged in question by the property owner related to the penalties charged for Year 2022 and 2023. Finance Administration explained the penalties that were charged.**

**Property Owner:** The property owner called the City in regards to the outstanding property tax penalties owing for Roll No. 101012700 for the property located at 371 25<sup>th</sup> Street West. The owner was inquiring in to the total amount of outstanding penalties that have been charged to date to the account. At that time of reviewing the outstanding penalties charged, the property owner requested that a request for the write off of penalties be forwarded to Council for consideration.

**Administration Response:** This report is being forwarded to Council for consideration as requested by the property owner to request that Council write off the penalties charged to Roll No. 101012700 for the property located at 371 25<sup>th</sup> Street West.

**CONSULTATIONS:**

Finance Administration has consulted with the City Clerk and City Manager regarding the request by the property owner for consideration by City Council.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

As requested by the property owner, this report is being forwarded to Council for consideration. Communication has been made by the City Clerk's Office to the property owner that consideration will be forwarded to City Council.

Once a decision is approved by City Council, Finance Administration will advise the property owner accordingly relating to the outstanding penalties.

**POLICY IMPLICATIONS:**

*City's Policy No. 51 - Policy & Procedure for Applications for Tax Relief*

The City's Policy No. 51 states as follows:

*"7.07 At a minimum any applicant seeking an exemption would be required to:*

- 1. Be registered as a non-profit corporation or acceptable equivalent.*
- 2. Have objectives of enhancing the health, safety, or welfare of the citizens of Prince Albert. A linkage to the provision of support to youth, the physically or emotionally challenged or other groups identified as deserving by council must be clear in the documentation.*
- 3. Be applying for tax relief for a property that is owned, occupied and utilized by the applying organization for the purpose of meeting the objectives of the organization or the applicant meets all other criteria and occupies property owned by an organization normally exempt under the legislation."*

As per the City's Policy regarding Applications for Tax Relief, the property owner is not eligible for tax relief of penalties as the owner does not meet the guidelines of an organization registered as a non-profit corporation or acceptable equivalent.

As per the City's Policy No. 51, **Council is the authority relating to write off of penalties as follows:**

City's Policy No. 51 - Policy & Procedure for Applications for Tax Relief

4.01 Council is responsible for making the final decision regarding the abatement or exemption of taxes under the authority of Sections 244, 262, and 263 of The Cities Act.

4.02 The Cities Act (Section 101(1)(h)) authorizes Council to provide tax relief in certain instances, and this is an authority that Council can't delegate to administration; all requests for tax relief must be forwarded to Council for its decision.

4.03 The Director of Financial Services is responsible for ensuring all requests are in compliance with this policy before information is forwarded to City Council for its decision.

**FINANCIAL IMPLICATIONS:**

The property located at 371 25<sup>th</sup> Street West was purchased by the property owner in June of 2022. The Annual Levy for 2022 was the amount of \$2,639.34. A payment in the amount of \$1,000 was paid August 11, 2022 towards the 2022 Annual Levy. Property taxes are due June 30<sup>th</sup> every year.

Ending the year 2022, the outstanding property taxes and penalties were as follows:

Annual Levy 2022	\$2,639.34
Payment August 11, 2022	(\$1,000.00)
Penalties for 2022	\$237.35
<b>Owing Ending 2022</b>	<b>\$1,876.69</b>

The Annual Levy for 2023 is \$2,711.12. The \$1,000 payment made in May by the property owner has been credited to this property along with another payment of \$1,000 on July 13, 2023.

While it is the responsibility of the property owner to ensure they make a payment to the correct account, this report is recommending that a credit of \$31.65 be applied to the account relating to the May 25, 2023 payment, as if the payment of \$1,000 was applied to the correct roll.

If the credit is approved, the remaining penalties to date (August 21<sup>st</sup>) are \$510.92 outstanding as follows:

Penalties to Date (Aug 21)	\$542.57
Less Credit to be Applied	(\$31.65)
<b>Remaining Penalties Owing</b>	<b>\$510.92</b>

Considering that the 2023 Levy is still unpaid, and factoring the credit, the remaining amount owing in Property Taxes and Penalties is as follows:

2022 Annual Levy	\$2,639.34
2023 Annual Levy	\$2,711.12
Penalties to Date	\$542.57
Less Payments Made	(\$3,000.00)
<b>Amount Owing</b>	<b>\$2,893.03</b>

Less Credit to be Applied to Penalties	(\$31.65)
<b>Remainder Amount Owing in Total</b>	<b>\$2,861.38</b>

The property owner is requesting that Council consider writing off all the penalty charges as the property owner has taken actions to rectify the situation.

This report is recommending that the remaining penalties charged in the amount of \$510.92 (with credit applied) be payable by the property owner, considering the following:

- While the mail was delivered to the property instead of the owner's own address, it is the responsibility of the property owner to notify the City if their mailing address needs updating. The City updates addresses based on information provided by Information Service Corporation or by the owner.
- The Cities Act deems Tax Notices to be received seven (7) days after they are sent unless by fax or email, then the Notice is deemed received following the transmission. From this, the Tax Notice was deemed to be received.
- The individual owns other properties within the City and would therefore be aware of the legislated property tax due date.
- The owner did not attempt to resolve the unpaid 2022 balance until May 2023, eleven (11) months after the deadline.
- The balance on the account still remains in arrears.

**STRATEGIC PLAN:**

The City's Strategic Plan Priority "Building a Robust Economy" includes the priority of creating an equitable taxation structure that promotes community growth.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no privacy implications or official community plan implications.

**OPTIONS TO RECOMMENDATION:**

Council may consider writing off all the penalties that have been charged to date in the total amount of \$542.57. However, that is not being recommended as that will set a precedent for other property owners requesting their penalties to be written off. The appropriate legislation and bylaws have been followed, therefore, the City has no obligation to offer penalty write-off.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

Written by: Melodie Boulet, Finance Manager

Approved by: Senior Accounting Manager, Director of Financial Services and City Manager



**TITLE:** Bylaw No. 17 of 2023 – District Official Community Plan Amendment

**DATE:** **August 2, 2023**

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

1. That Bylaw No. 17 of 2023, to amend Bylaw No. 18 of 2018, the *Prince Albert Planning District Official Community Plan*, receive first reading; and,
2. That Administration be authorized to proceed with public notice.

**TOPIC & PURPOSE:**

The purpose of this report is to consider Bylaw No. 17 of 2023, which proposes several amendments to the land use maps in the *Prince Albert Planning District Official Community Plan 2018* (District OCP).

**BACKGROUND:**

The Prince Albert District Planning Commission (PADPC) is composed of the City of Prince Albert, the RM of Buckland No. 491 and the RM of Prince Albert No. 461. In 2018, all member municipalities adopted the District OCP, which provides a framework of goals, objectives and policies that are intended to promote the orderly and sustainable growth of the district.

At the February 28, 2023 PADPC meeting, the board passed several resolutions to amend the District OCP (see attached).

**PROPOSED APPROACH AND RATIONALE:**

Any amendment to the District OCP needs to be approved by all three member municipalities before it is adopted into the District OCP. As such, Administration has prepared the attached bylaw, and a further explanation of all proposed amendments is provided below.

### Amending the Planning District and Environmental Constraints Maps

The District OCP currently identifies a section of land (Parcels A and B, Plan 101413527 on SE and SW 35-49-25-W2M) as Provincial Forest, which appears to be an oversight, as this land is not identified as Provincial Forest in the Government of Saskatchewan's Nisbet Integrated Forest Land Use Plan. Figure 1 – Prince Albert Planning District Map and Figure 2 – Environmental Constraints Map will be amended to change the future land use of these lands from Provincial Forest to Industrial, to accommodate a rezoning in the RM of Buckland.

### Amending the Future Land Use Map and Future Urban Growth Area

Three amendments to Figure 3 – Future Land Use Map are proposed to accommodate future businesses. These changes are highlighted in the attached location maps.

- Change from Highway Commercial to Commercial/Industrial (Parcel A, Plan 101625151)
- Change from Agricultural to Highway Commercial (SW 19-47-26-W2M ext 34)
- Removing Provincial Forest Designation (Parcels A and B, Plan 101413527)

Two amendments to Figure 4 – Future Land Use Map – Future Urban Growth Area are proposed to accommodate the above changes.

Administration has reviewed the proposed amendments and no concerns have been identified.

### **CONSULTATIONS:**

This amendment to the District OCP was drafted in consultation with the Director of Planning and Development for the RM of Buckland and the RM of Prince Albert.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Upon approval of this bylaw amendment by all member municipalities and the Ministry of Government Relations, the District OCP will be updated accordingly.

### **OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no other options to the recommendation or any policy, financial or privacy implications to consider with this report.

### **STRATEGIC PLAN:**

In keeping with the City's focus of Economic Growth, this bylaw amendment allows the City to strengthen its relationships with surrounding rural municipalities to promote economic development.

**OFFICIAL COMMUNITY PLAN:**

As per Section 1.6.1 of the Official Community Plan, one of the goals of Decision Making, Sustainability and Strategic Planning is to:

*“Foster a relationship of trust and cooperation with regional stakeholders - First Nations, rural municipalities, and Federal and Provincial governments”.*

The District OCP is one way to improve this relationship of trust and cooperation with the neighbouring RM of Prince Albert and RM of Buckland.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required prior to the 1<sup>st</sup> reading of the bylaw.

Upon approval of 1<sup>st</sup> reading of this bylaw, Administration will proceed with issuing the following public notice:

- Including public notice in an issue of the Prince Albert Daily Herald,
- Posting the public notice on the City’s website, and
- Posting the public notice on the bulletin board at City Hall.

**ATTACHMENTS:**

1. Bylaw No. 17 of 2023
2. Prince Albert District Planning Commission - DOCP Amendment
3. Location Map - Provincial Forest to Industrial
4. Location Map - Agricultural to Highway Commercial
5. Location Map - Highway Commercial to Commercial/Industrial
6. Figure 1 - Prince Albert Planning District
7. Figure 2 - Environmental Constraints Map
8. Figure 3 - Future Land Use Map
9. Figure 4 - Future Land Use Map (Future Urban Growth Area)

Written by: Ellen Pearson, Planner

Approved by: Director of Planning and Development Services & City Manager



# CITY OF PRINCE ALBERT BYLAW NO. 17 OF 2023

*A Bylaw of The City of Prince Albert to amend  
the Prince Albert Planning District Official Community Plan, being  
Bylaw No. 18 of 2018*

**WHEREAS** it is desirable to amend the Prince Albert Planning District Official Community Plan, Bylaw No. 18 of 2018;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. That Bylaw No. 18 of 2018 be amended in the manner hereinafter set forth:
  - a) Figure 3 – Future Land Use Map, and Figure 4 – Future Land Use Map – Future Urban Growth Area, are amended by removing the Highway Commercial land use designation from Blk/Par A, Plan 101625151 Ext 86 and 88, and designating the lands as Commercial/Industrial.
  - b) Figure 3 – Future Land Use Map, and Figure 4 – Future Land Use Map – Future Urban Growth Area, are amended by designating the SW 19-47-26-W2M, Ext 34, as Highway Commercial.
  - c) Figure 1 – Prince Albert Planning District and Figure 2 – Environmental Constraints Map, are amended by removing the Provincial Forest designation from Blk/Par A, Plan 101413527 Ext 14 and Blk/Par B, Plan 101413527 Ext 15.
  - d) Figure 3 – Future Land Use Map is amended by removing the Provincial Forest designation from Blk/Par A, Plan 101413527 Ext 14 and Blk/Par B, Plan 101413527 Ext 15, and designating the lands Industrial.
2. This bylaw shall come into force on the date of Ministerial approval.

INTRODUCED AND READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

READ A THIRD TIME AND PASSED \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**PRINCE ALBERT DISTRICT PLANNING COMMISSION  
REPORT**

**DATE:** February 28<sup>th</sup>, 2023  
**TO:** PADPC  
**FROM:** Jason Kaptein  
**RE:** **DOCP Amendment - 2023**

**DISCUSSION:**

The RMs of Buckland and Prince Albert, along with the City of Prince Albert have passed complimentary Bylaws to make the following changes to the PAPD District Official Community Plan.

1. The RM of Prince Albert is working with Signature Developments on developing the NW and SW 34-47-26-W2M. The RM is anticipating a future application for an Industrial business on Blk/Par A, Plan 101625151.

Currently, the DOCP identifies the lands for future Highway Commercial land use. To accommodate the anticipated development, the RM of Prince Albert is requesting an amendment to the DOCP, changing the future land use to Commercial/Industrial.

Resolution

Figure 3 – Future Land Use Map, and Figure 4 – Future Land Use Map – Future Urban Growth Area, are amended in the following manner:

By removing the Highway Commercial designation from a portion of the NW and SW 34-47-26-W2M, as identified in the attached revised Figures 3 and 4, and designating the lands as Commercial/Industrial.

2. The RM of Prince Albert is referring a request for a DOCP amendment to the Commission.

Lee Bibby is looking to change the future land use for SW 19-47-26-W2M Ext 34 to Highway Commercial. See attached letter from Mr. Bibby. The RM of Prince Albert Council has expressed initial support, and is referring the application to the Commission.

Resolution

Figure 3 – Future Land Use Map is amended in the following manner:

By adding the Highway Commercial designation to SW 19-47-26-W2M ext 34, as identified in the attached revised Figure 3.

3. The RM of Buckland is working with One Sky Forest Products on rezoning Parcels A and B, Plan 101413527 on SE and SW 35-49-25-W2M to M-Industrial.

Currently, the DOCP identifies the lands as Provincial Forest, which appears to be an oversight in the Plan. To accommodate the Zoning amendment, the DOCP will need to be amended to change the future land use of these lands from Provincial Forest, to Industrial..

Resolution

Figures 1 and 2 are amended by removing the Provincial Forest designation from Parcels A and B, Plan 101413527.

and

Figure 3 – Future Land Use Map, is amended by removing the Provincial Forest designation from Parcels A and B, Plan 101413527, and designating the lands as Industrial.



S-N

S-N

PLANNING & DEVELOPMENT

August 1, 2023

Subject Property Identified With A Bold Dashed Line



S-HZ

S-HZ

PLANNING & DEVELOPMENT

August 1, 2023

Subject Property Identified With A Bold Dashed Line



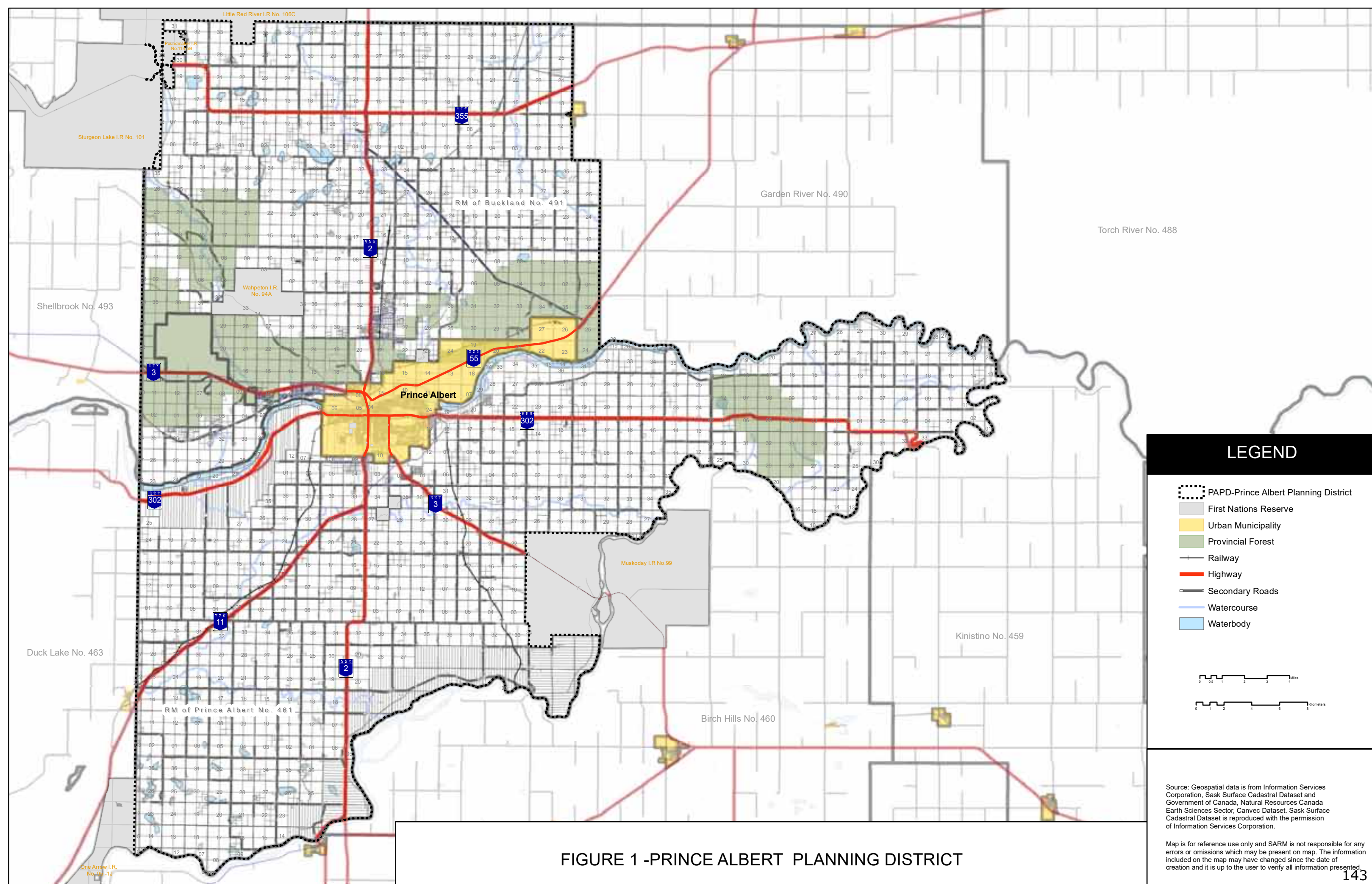
S-HZ

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PLANNING & DEVELOPMENT

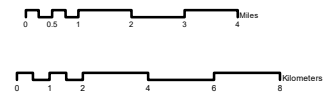
August 1, 2023

Subject Property Identified With A Bold Dashed Line



### LEGEND

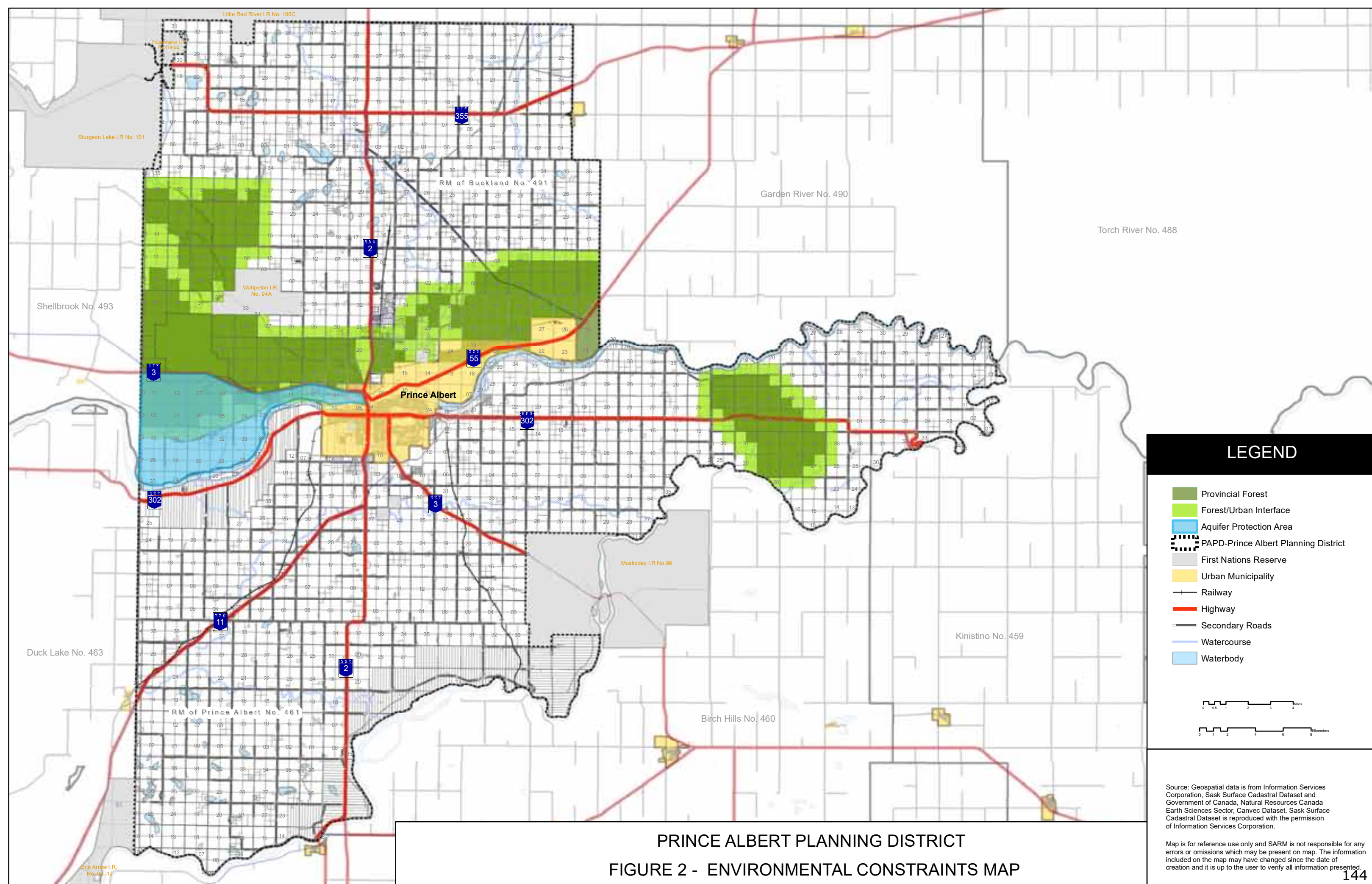
- PAPD-Prince Albert Planning District
- First Nations Reserve
- Urban Municipality
- Provincial Forest
- Railway
- Highway
- Secondary Roads
- Watercourse
- Waterbody



Source: Geospatial data is from Information Services Corporation, Sask Surface Cadastral Dataset and Government of Canada, Natural Resources Canada Earth Sciences Sector, Canvec Dataset. Sask Surface Cadastral Dataset is reproduced with the permission of Information Services Corporation.

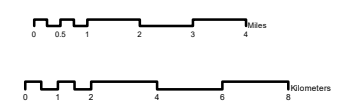
Map is for reference use only and SARM is not responsible for any errors or omissions which may be present on map. The information included on the map may have changed since the date of creation and it is up to the user to verify all information presented.

**FIGURE 1 -PRINCE ALBERT PLANNING DISTRICT**



### LEGEND

- Provincial Forest
- Forest/Urban Interface
- Aquifer Protection Area
- PAPD-Prince Albert Planning District
- First Nations Reserve
- Urban Municipality
- Railway
- Highway
- Secondary Roads
- Watercourse
- Waterbody

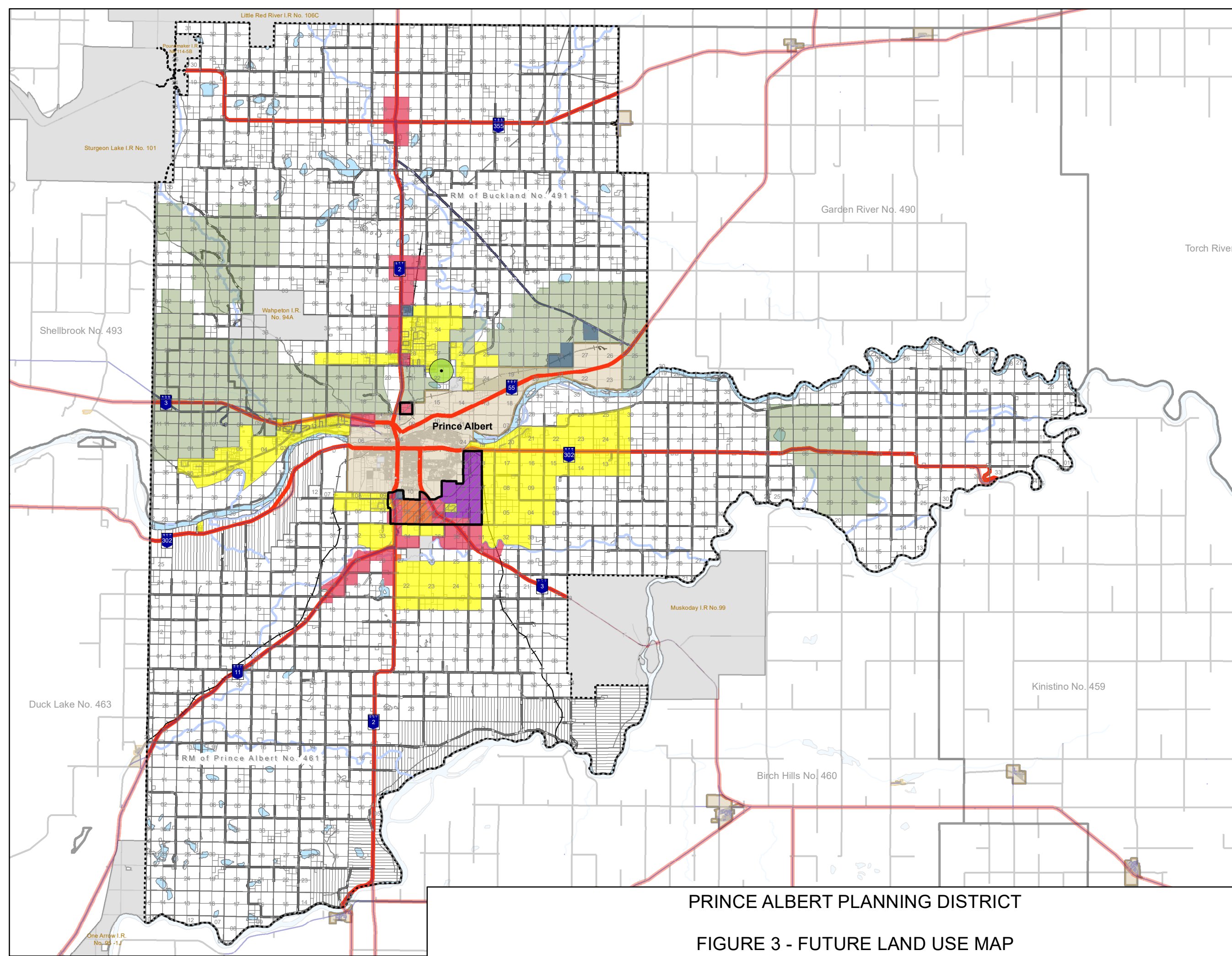


Source: Geospatial data is from Information Services Corporation, Sask Surface Cadastral Dataset and Government of Canada, Natural Resources Canada Earth Sciences Sector, Canvec Dataset. Sask Surface Cadastral Dataset is reproduced with the permission of Information Services Corporation.

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**PRINCE ALBERT PLANNING DISTRICT**  
**FIGURE 2 - ENVIRONMENTAL CONSTRAINTS MAP**





### LEGEND

**Land Use**

- Commercial/Industrial
- Highway Commercial
- Industrial
- Residential
- Future Urban Growth
- Future Urban Growth Area (FUGA)
- Intensive Livestock Operation and 800m Buffer

**Other Features**

- PAPD-Prince Albert Planning District
- First Nations Reserve
- Urban Municipality
- Provincial Forest
- Railway
- Highway
- Secondary Roads
- Watercourse
- Waterbody

0 0.5 1 2 3 4 Miles

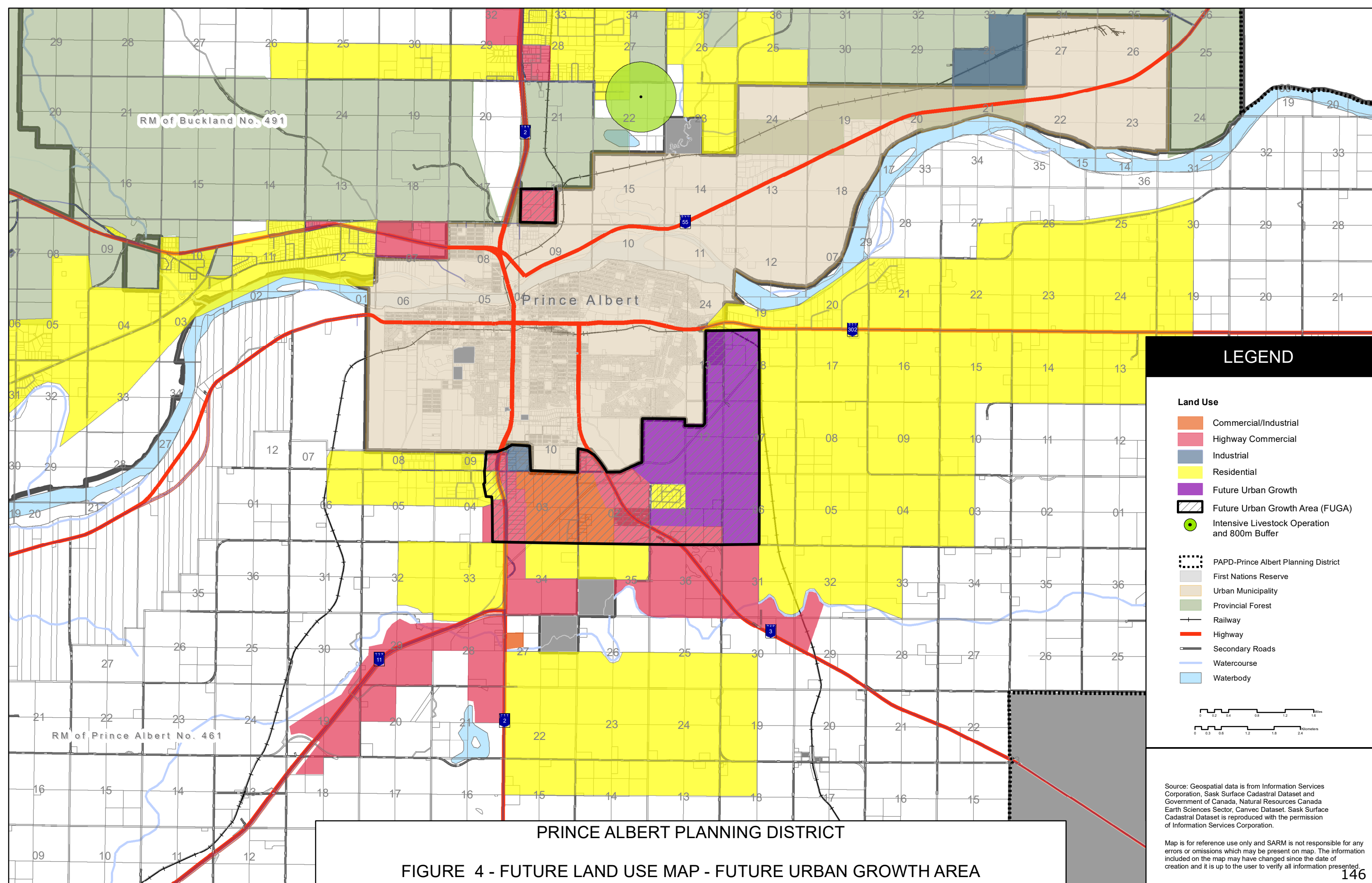
0 1 2 4 6 8 Kilometers

Source: Geospatial data is from Information Services Corporation, Sask Surface Cadastral Dataset and Government of Canada, Natural Resources Canada Earth Sciences Sector, Canvec Dataset. Sask Surface Cadastral Dataset is reproduced with the permission of Information Services Corporation.

Map is for reference use only and SARM is not responsible for any errors or omissions which may be present on map. The information included on the map may have changed since the date of creation and it is up to the user to verify all information presented.

## PRINCE ALBERT PLANNING DISTRICT

### FIGURE 3 - FUTURE LAND USE MAP





**TITLE:** Permanent Re-Classification of Full Time Casual Bid Parking Inspector

**DATE:** August 16, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

That the Casual Bid Parking Inspector position be reclassified to a Permanent Parking Meter Inspector position.

**PURPOSE:**

The purpose of this report is to outline the Department's proposal to reclassify the full time Casual Bid position of Parking Meter Inspector to a Permanent Parking Meter Inspector.

**BACKGROUND:**

The Parking Division is an arm of the Bylaw Services work unit which reports to the Bylaw Services Manager. This unit is comprised of one in-scope Meter Services Supervisor, two permanent in-scope Parking Meter Inspectors and one full time (12 month per year) Casual Bid Parking Meter Inspector.

Prior to 2017 the Casual Bid Parking Meter Inspector worked 8 months per year from approximately March to October which helped with summer vacations and the maintenance season for parking meter repairs.

In 2017 City Council approved the creation of the City's Municipal Impound Lot which required the Casual Bid Parking Meter Inspector to work 12 months per year due to the resources required to operate the impound lot. This was the only increase in staffing for the impound lot.

**PROPOSED APPROACH AND RATIONALE:**

Due to a recent vacancy of this position, Administration is using this opportunity to reclassify it

to a permanent position.

Over the past 6 years this position has proven to be an imperative component of parking and impound operations. Reclassifying this position to be permanent full-time makes it a more attractive job opportunity, limits staff turn-over and ensures a level of service that is required to operate the parking division and impound lot.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

A meeting will be held with Local #160 Executive and Management to advise them that this position has been reclassified as permanent.

A public posting will be issued for the Permanent Parking Meter Inspector position.

**FINANCIAL IMPLICATIONS:**

There will be no financial impact with the approval of the reclassification as the position was budgeted as a casual with 2080 hours at the same rate of pay as a permanent rate. This is similar to the other two permanent Parking Meter Inspectors.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no policy or privacy implications at this time.

**STRATEGIC PLAN:**

The proposal to reclassify the Casual Bid Parking Meter Inspector to Permanent aligns with the Delivering Professional Governance Strategic Priority of the City's Strategic Plan. More specifically, the "Organizational Effectiveness" Area of Focus within this Strategic Priority promotes succession planning, leadership training and clear human resource management processes.

**OFFICIAL COMMUNITY PLAN:**

The reclassification of this position from Bid Casual to Permanent aligns with Section 1.6.1 of the Official Community Plan – Decision Making, Sustainability and Strategic Planning. As the City grows and services change, the need to assess and maintain services is imperative for growth and is necessary for transparency to keep these decisions with Council.

**OPTIONS TO RECOMMENDATION:**

An option to the recommendation would be to keep the 12 month per year Bid Casual as a casual employee. This option is not recommended as it has been shown through the past six years that this position is required to maintain services. This reclassification also has no financial impact to the City's budget as it is already a budgeted position at the permanent rate

with the loading factor for benefits.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION: N/A**

Written by: Trina Wareham, Bylaw Services Manager

Approved by: Corporate Services Director, Planning and Development Services Director and City Manager

**RPT 23-335**

**TITLE:** Digital Billboard – 75 South Industrial Drive

**DATE:** August 23, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

1. That the application for the conversion of an existing Billboard to a Digital Billboard, located at 75 South Industrial Drive, legally described as Lot 13, Block E, Plan 79PA03642, Ext 0, be approved subject to:
  - a. The submission of a stamped engineered drawing or letter showing that the existing sign pole and foundation is structurally capable of supporting the new digital components.

**TOPIC & PURPOSE:**

The purpose of the report is to consider an application for the conversion of an existing Billboard to a Digital Billboard at 75 South Industrial Drive, current location of Trudel Auto Body.

**BACKGROUND:**

The Department of Planning & Development Services is in receipt of a Sign Permit Application for a Digital Billboard to be located at 75 South Industrial Drive. There is an existing Billboard at this location that will be converted for use as a Digital Billboard if approved. A Billboard is defined by the Zoning Bylaw as a poster panel freestanding sign that is only allowed in specific locations for the purpose of providing third party advertising. As the applicant is hoping to replace the poster panels with a double-faced digital display for third party advertising, this application requires City Council approval.

This application was forwarded to City Council for consideration on February 13, 2023. However, at that time City Council made the motion to review permit fees for third party

advertising on private property. Administration provided reports in response to this motion and on August 8, 2023, the Zoning Bylaw was amended to increase the cost of a digital sign permit fee from \$250 to \$400. The applicant has paid the \$400 application fee.

### **PROPOSED APPROACH AND RATIONALE:**

The existing billboard at 75 South Industrial Drive currently meets the required front, side, and rear yard setbacks as outlined in Bylaw No. 1 of 2019, the Zoning Bylaw. In addition to those standards, the existing billboard meets the zoning location requirements as laid out in Section 13.3.2 (a) of the Zoning Bylaw:

“Large billboards shall be permitted within the M1 – Heavy Industrial or M3 – Large Lot Light Industrial Zoning Districts, or on City owned property as shown on Schedule A.”

The proposed new Digital Billboard also meets all size requirements for height and sign area, as well as minimum clearance standards, but as the location of the Digital Billboard is determined by the location of the existing Billboard, it does not meet Section 13.3.2 (d) of the Zoning Bylaw, which states:

“Large billboards shall be spaced a minimum of 90 metres apart when located on the same side of a right-of-way, except along a provincial highway where the minimum spacing shall be at the discretion of the Ministry of Highways and Infrastructure.”

The existing Billboard is located on a site zoned M3 – Large Lot Light Industrial, and is currently located 86.8 metres away from another existing Billboard. These billboards were approved and erected in 2005, immediately after the Zoning Bylaw was first amended to allow for billboards in industrial zones. As the billboards do not quite meet the 90 metre separation requirement, they are considered legal non-conforming structures. As per Section 91(1) of the *Planning & Development Act, 2007*, the element of non-conformity is not increased by converting an existing Billboard to a Digital Billboard, so the alteration is acceptable.

If the conversion to a Digital Billboard were to be approved by City Council, the applicant would be required to provide engineer stamped drawings or a letter indicating that the existing sign pole and foundation is structurally sound and capable of supporting the weight of the proposed double-faced digital sign. As there were no issues identified during the plan review outside of the requirement to obtain a stamped drawing, Administration recommends approval of the permit application.

### **CONSULTATIONS:**

The Department of Planning and Development Services has been in contact with the applicant throughout the review process in order to ensure that they are aware of municipal requirements and processes, options, and to manage expectations and timelines.

The application has also been reviewed by the Department of Public Works, Community

Services, Fire and Emergency Services, and the Building Division, and there are no additional concerns.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

The applicant will be notified in writing of City Council's decision.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no other options to the recommendation or any policy, financial or privacy implications to consider with this report.

**STRATEGIC PLAN:**

Throughout the permit process, Administration has supported the area of focus of Economic Diversity and Stability by working to accommodate the needs of new and existing businesses.

**OFFICIAL COMMUNITY PLAN:**

Section 17.7 of the Official Community Plan states that "All signage shall comply with the Zoning Bylaw or the Portable Sign Bylaw and the design guidelines set out therein."

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. Location Plan
2. Location Plan - Aerial
3. Site Plan
4. Structural Drawings

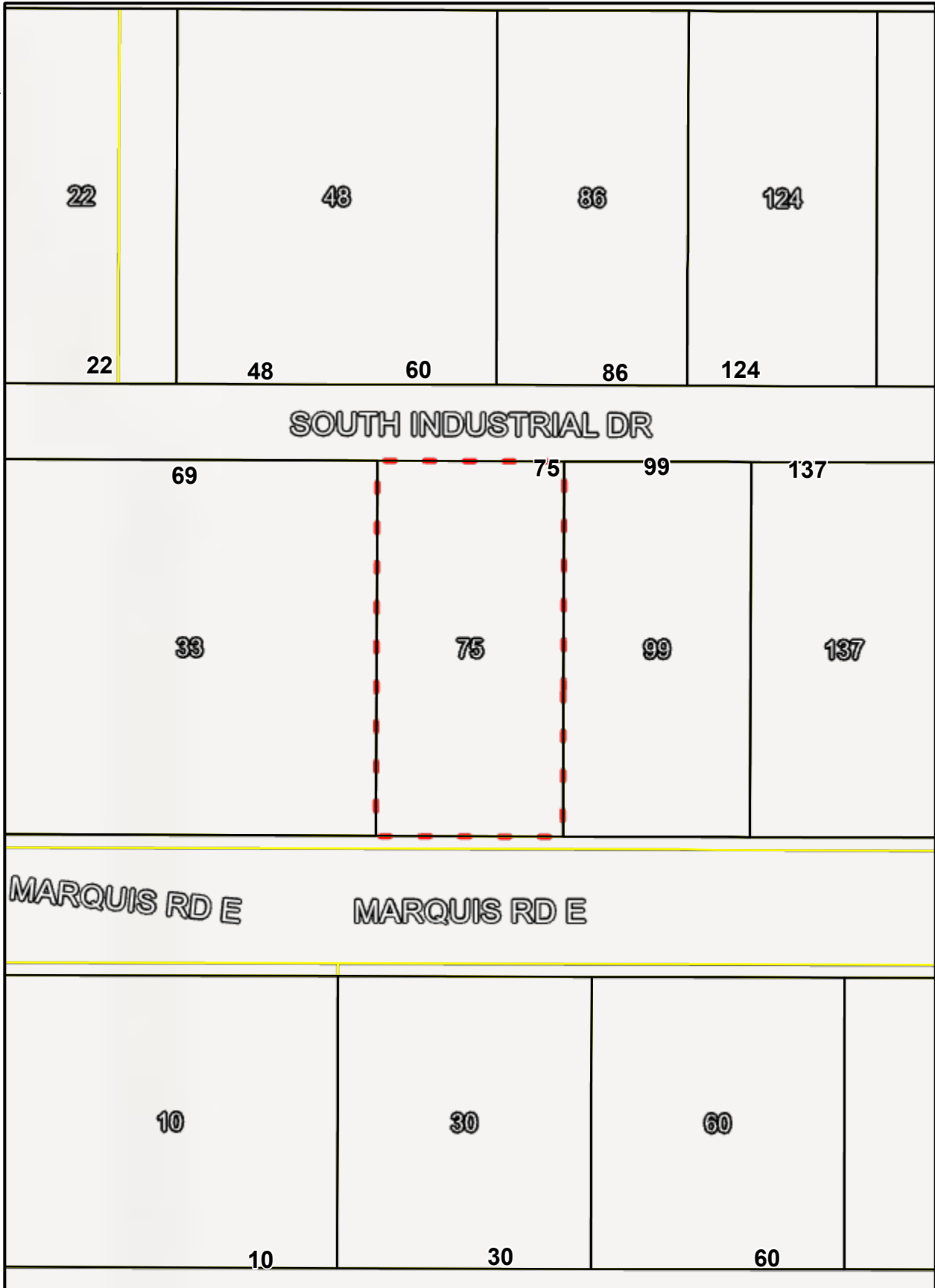
Written by: Ellen Pearson, Planner

Approved by: Director of Planning and Development Services & City Manager



THE CITY OF PRINCE ALBERT

Location Plan



S-HZ

S-HZ

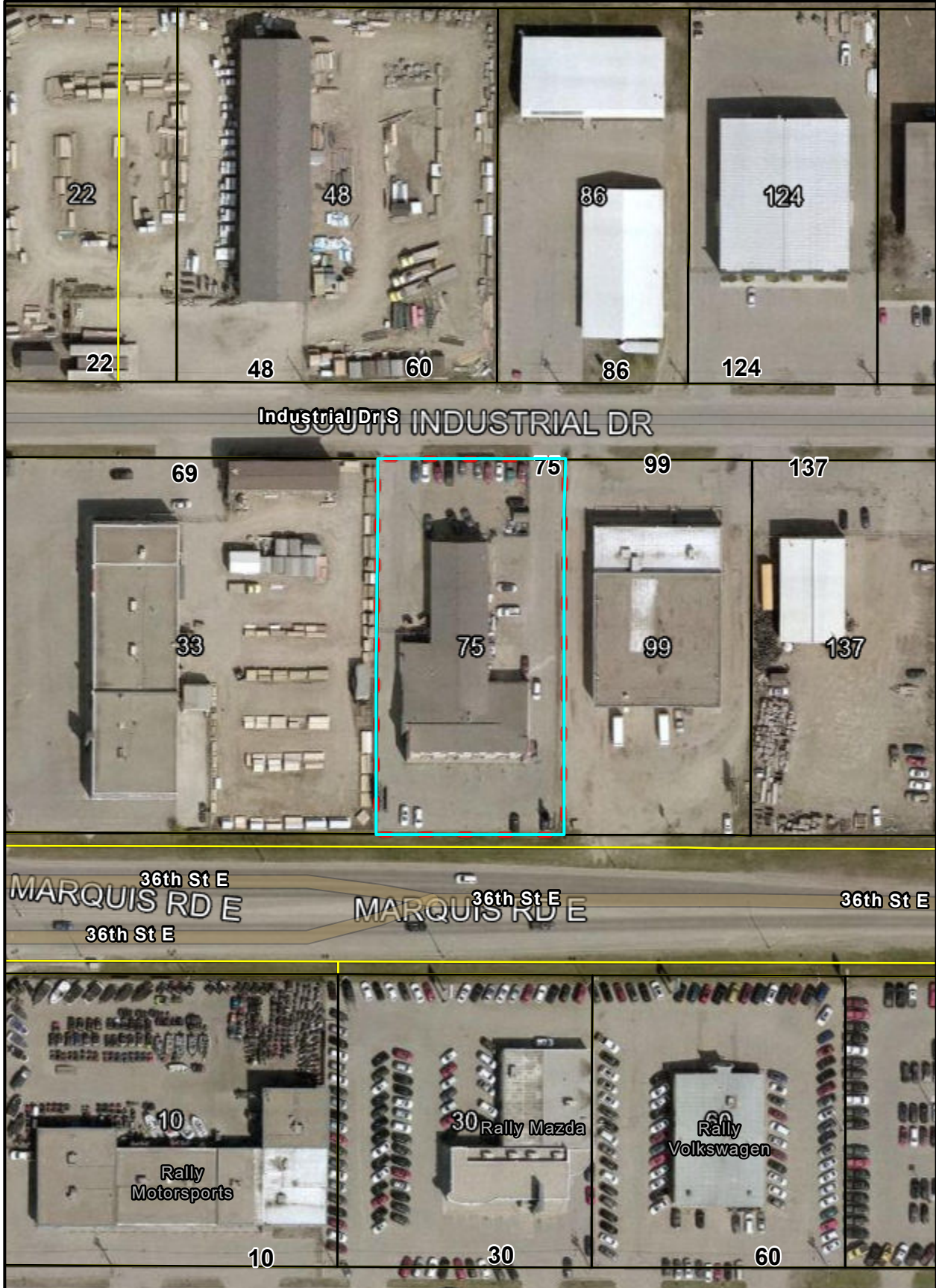
PLANNING & DEVELOPMENT

December 29, 2022

Subject Property Identified With A Bold Dashed Line

THE CITY OF PRINCE ALBERT

Location Plan



S-TZ

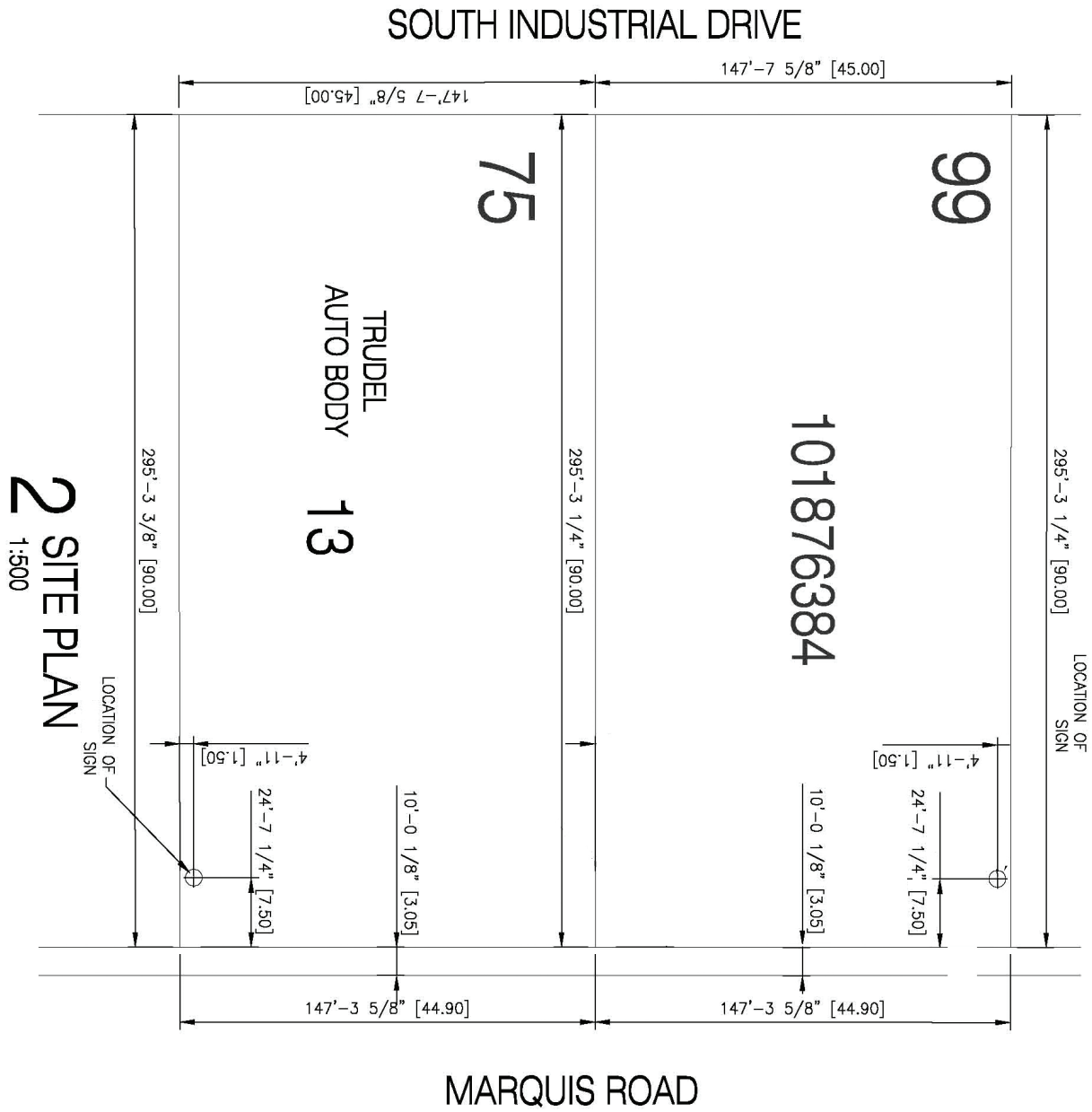
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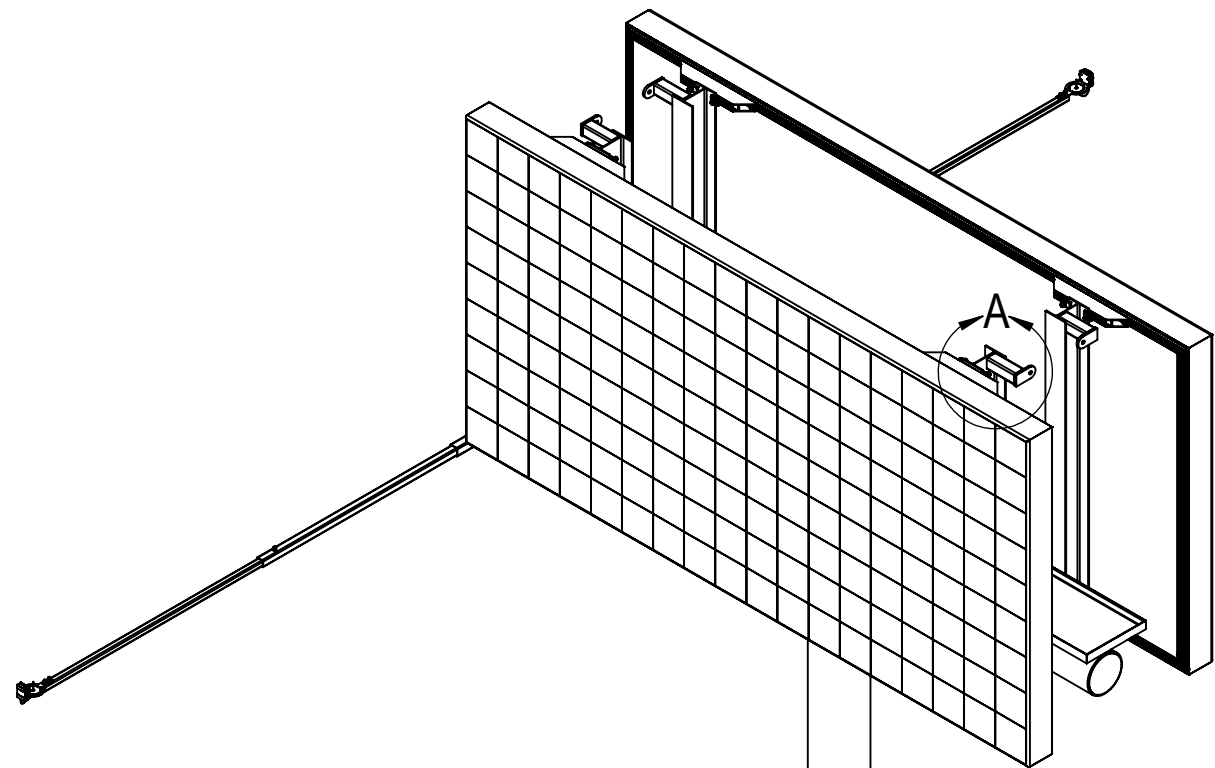
PLANNING & DEVELOPMENT

December 29, 2022

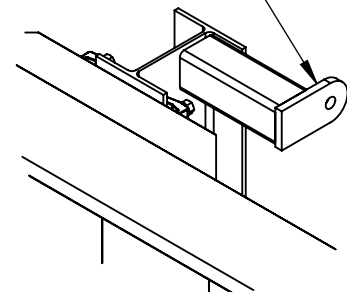
Subject Property Identified With A Bold Dashed Line

# Site Plan 75 - South Industrial Drive





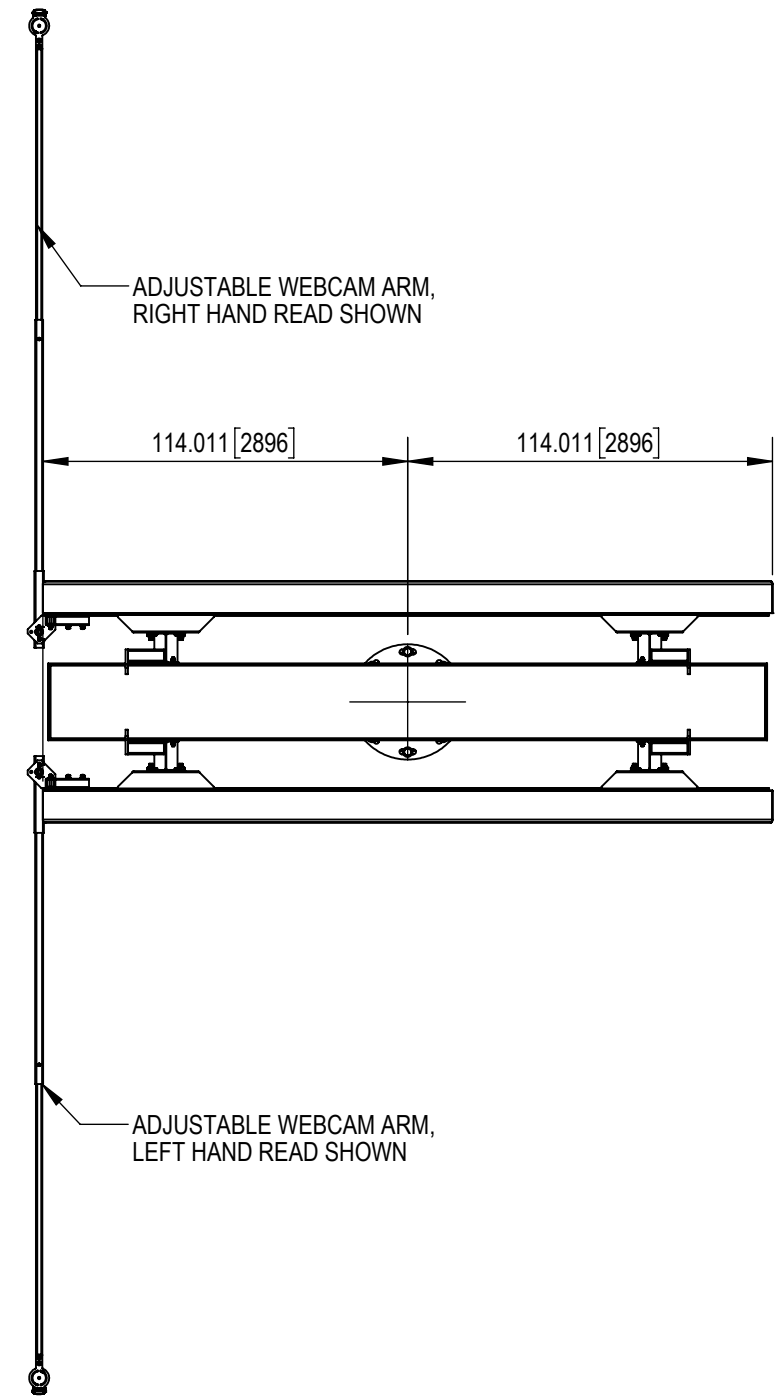
UPPER FALL ARREST BRACKET



DETAIL A  
SCALE 1 : 16

**DISPLAY SPECIFICATIONS**

- DISPLAY IS ALL ALUMINUM CONSTRUCTION
- DISPLAY IS FRONT AND REAR ACCESSIBLE
- DISPLAY SHIPS IN ONE SECTION
- WEIGHT OF EACH LED DISPLAY APPROX. 2800 lbs



ADJUSTABLE WEBCAM ARM,  
RIGHT HAND READ SHOWN

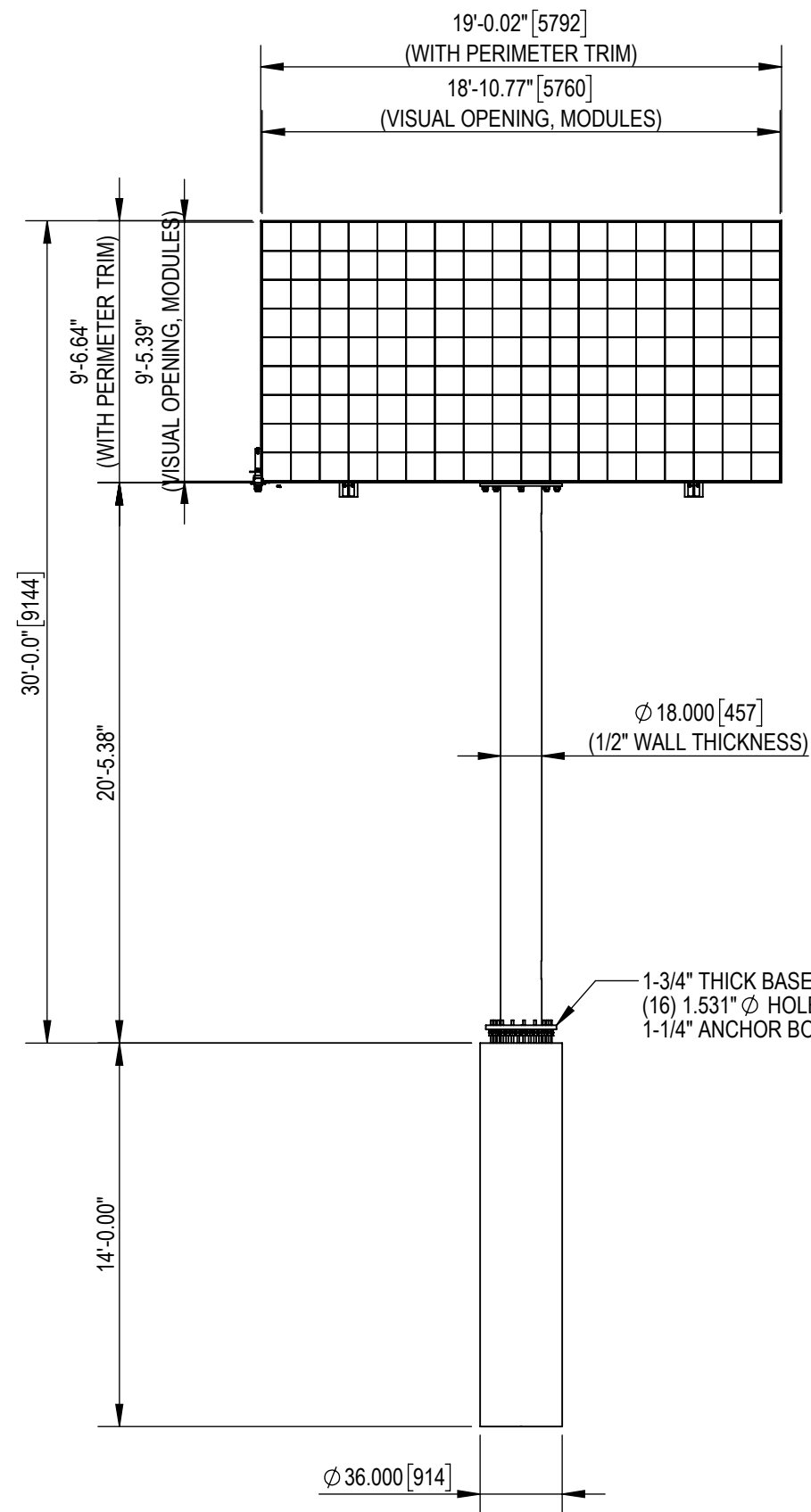
ADJUSTABLE WEBCAM ARM,  
LEFT HAND READ SHOWN

**NOTES:**

1. SIGN MOUNTING TO STRUCTURE USING 5/8" Ø BOLTS, A563 NUTS & F436 WASHERS
2. FASTENERS TORQUED TO 75 LB-FT, MAXIMUM 100 LB-FT

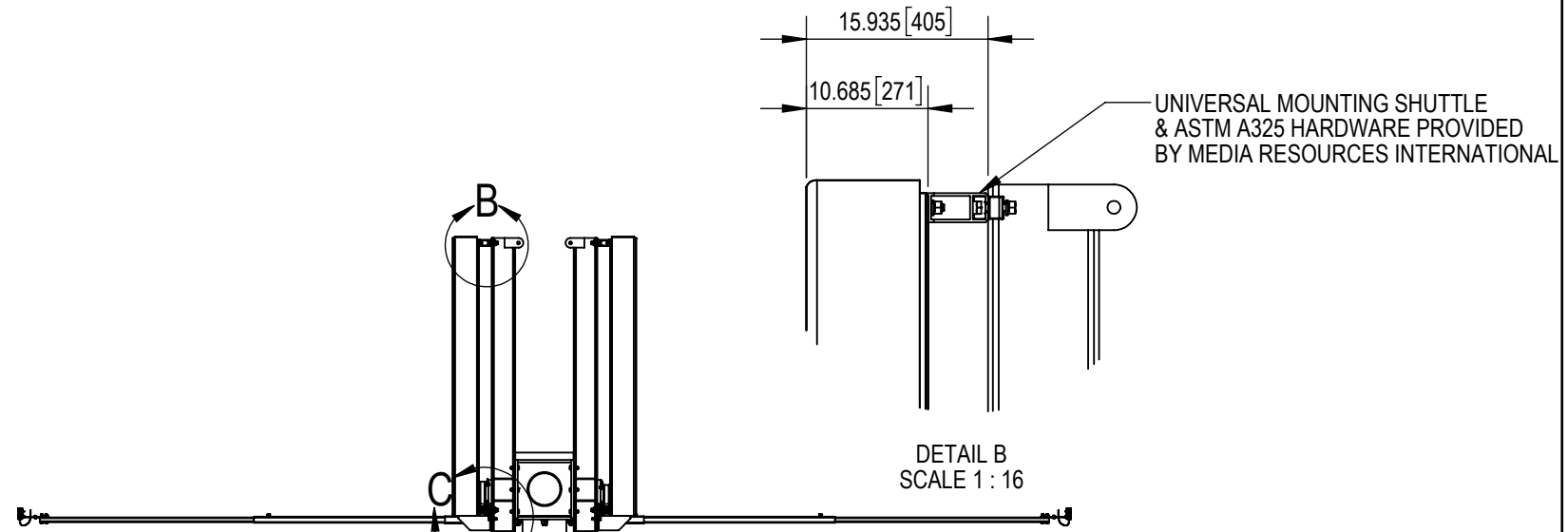
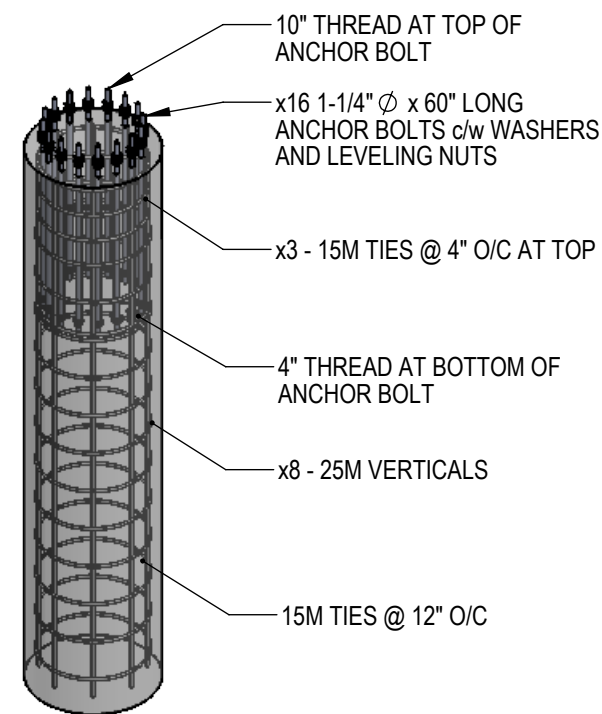
THIS DRAWING, AND THE INFORMATION CONTAINED THEREIN, IS THE CONFIDENTIAL PROPRIETARY INFORMATION OF MEDIA RESOURCES INTERNATIONAL AND MAY NOT BE USED OR REPRODUCED WITHOUT APPROVAL OF MEDIA RESOURCES INTERNATIONAL. ALL RIGHTS RESERVED.

<p>UNLESS OTHERWISE SPECIFIED DO NOT SCALE DRAWING INTERPRET DIMENSIONS AND TOLERANCES PER ASME Y14.5M-1994 DIMENSIONS ARE IN INCHES TOLERANCES APPLY AS SHOWN BELOW</p> <table> <tr><td>0 PL DEC</td><td>± 0.2</td></tr> <tr><td>1 PL DEC</td><td>± 0.1</td></tr> <tr><td>2 PL DEC</td><td>± 0.01</td></tr> <tr><td>3 PL DEC</td><td>± 0.005</td></tr> <tr><td>ANGLES</td><td>± .1°</td></tr> <tr><td>SURFACE ROUGHNESS</td><td>32 µ in</td></tr> </table>		0 PL DEC	± 0.2	1 PL DEC	± 0.1	2 PL DEC	± 0.01	3 PL DEC	± 0.005	ANGLES	± .1°	SURFACE ROUGHNESS	32 µ in	<p>...solutions for the sign industry.</p>		<p><b>MEDIA RESOURCES INTERNATIONAL</b> 1387 CORNWALL ROAD OAKVILLE ONTARIO TEL: 1.800.667.4554 FAX: 1.905.337.9531</p>	
0 PL DEC	± 0.2																
1 PL DEC	± 0.1																
2 PL DEC	± 0.01																
3 PL DEC	± 0.005																
ANGLES	± .1°																
SURFACE ROUGHNESS	32 µ in																
<p>NOTES: 1. MATERIAL: " THICK 2. FINISH: 3. COATING:</p>		<p>CUSTOMER: MRI PROJECT: 9H x 18W RGB DF LED DISPLAY</p>		<p>TITLE: <b>10' x 20' DIGITAL BILLBOARD DOUBLE FACE, CENTER MOUNT</b></p>													
<p>DATE: 1/26/22 DATE: 1/26/22</p>		<p>DATE: 1/26/22 DATE: 1/26/22</p>		<p>SIZE: <b>B</b> DRAWING NO: <b>MRI 10x20 CM DF Permit</b></p>													
<p>APPROVED: BASHIR HAMIS</p>		<p>APPROVED: BASHIR HAMIS</p>		<p>WORK ORDER NO: SCALE: 1:55 WEIGHT: lbs SHEET 1 OF 2</p>													



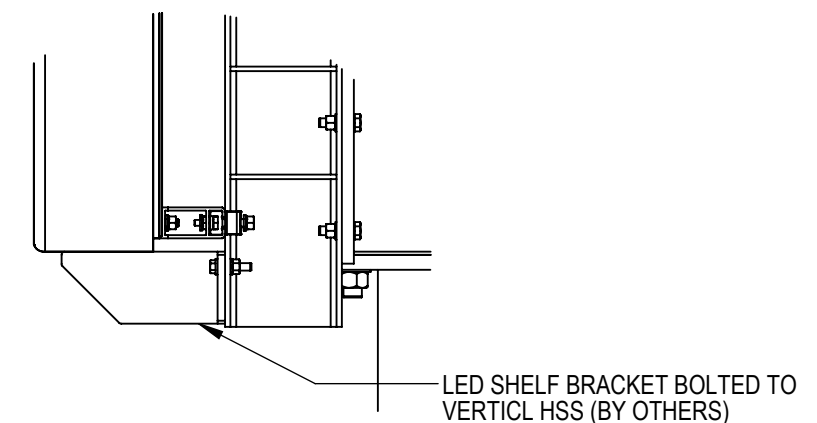
Ø 18.000 [457]  
(1/2" WALL THICKNESS)

1-3/4" THICK BASEPLATE c/w  
(16) 1.531" Ø HOLES FOR (16)  
1-1/4" ANCHOR BOLTS



UNIVERSAL MOUNTING SHUTTLE  
& ASTM A325 HARDWARE PROVIDED  
BY MEDIA RESOURCES INTERNATIONAL

DETAIL B  
SCALE 1 : 16



LED SHELF BRACKET BOLTED TO  
VERTICL HSS (BY OTHERS)

DETAIL C  
SCALE 1 : 16

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INTERPRET DIMENSIONS AND TOLERANCES  
PER ASME Y14.5M-1994  
DIMENSIONS ARE IN INCHES  
TOLERANCES APPLY AS SHOWN BELOW

0 PL DEC	± 0.2
1 PL DEC	± 0.1
2 PL DEC	± 0.01
3 PL DEC	± 0.005
ANGLES	± .1°
SURFACE ROUGHNESS	32 µ in

NOTES:  
1. MATERIAL: " THICK  
2. FINISH:  
3. COATING:

**mediaresources**  
...solutions for the sign industry.

CUSTOMER: MRI  
PROJECT: 9H x 18W RGB DF LED DISPLAY

DRAWN BY: R. YORK	DATE: 1/26/22
CHECKED BY: BASHIR HAMIS	DATE: 1/26/22
APPROVED: BASHIR HAMIS	DATE: 1/26/22

**MEDIA RESOURCES INTERNATIONAL**  
1387 CORNWALL ROAD OAKVILLE ONTARIO  
TEL: 1.800.667.4554 FAX: 1.905.337.9531

TITLE: **10' x 20' DIGITAL BILLBOARD  
DOUBLE FACE, CENTER MOUNT**

SIZE: <b>B</b>	DRAWING NO: <b>MRI 10x20 CM DF Permit</b>	REVISION:
WORK ORDER NO:	SCALE: 1:75	WEIGHT: lbs SHEET 2 OF 2

**TITLE:** Digital Billboard – 321 Marquis Road East

**DATE:** August 23, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

1. That the application for the conversion of an existing Billboard to a Digital Billboard, located at 321 Marquis Road East, legally described as Lot 2, Block E, Plan 76PA10690, Ext 0, be approved subject to:
  - a. The submission of a stamped engineered drawing or letter showing that the existing sign pole and foundation is structurally capable of supporting the new digital components.

**TOPIC & PURPOSE:**

The purpose of the report is to consider an application for the conversion of an existing Billboard to a Digital Billboard at 321 Marquis Road East.

**BACKGROUND:**

The Department of Planning & Development Services is in receipt of a Sign Permit Application for a Digital Billboard to be located at 321 Marquis Road East. There is an existing Billboard at this location that will be converted for use as a Digital Billboard if approved. A Billboard is defined by the Zoning Bylaw as a poster panel freestanding sign that is only allowed in specific locations for the purpose of providing third party advertising. As the applicant is hoping to replace the poster panels with a double-faced digital display for third party advertising, this application requires City Council approval.

**PROPOSED APPROACH AND RATIONALE:**

The existing billboard at 321 Marquis Road East currently meets the required front, side, and

rear yard setbacks as outlined in Bylaw No. 1 of 2019, the Zoning Bylaw. In addition to those standards, the existing billboard meets the zoning location requirements as laid out in Section 13.3.2 (a) of the Zoning Bylaw:

“Large billboards shall be permitted within the M1 – Heavy Industrial or M3 – Large Lot Light Industrial Zoning Districts, or on City owned property as shown on Schedule A.”

The proposed new Digital Billboard also meets all size requirements for height and sign area, minimum clearance standards, and distances from existing billboards.

If the conversion to a Digital Billboard were to be approved by City Council, the applicant would be required to provide engineer stamped drawings or a letter indicating that the existing sign pole and foundation is structurally sound and capable of supporting the weight of the proposed double-faced digital sign. As there were no issues identified during the plan review outside of the requirement to obtain a stamped drawing, Administration recommends approval of the permit application.

### **CONSULTATIONS:**

The Department of Planning and Development Services has been in contact with the applicant throughout the review process in order to ensure that they are aware of municipal requirements and processes, options, and to manage expectations and timelines.

The application has also been reviewed by the Department of Public Works, Community Services, Fire and Emergency Services, and the Building Division, and there are no additional concerns.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

The applicant will be notified in writing of City Council’s decision.

### **OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no other options to the recommendation or any policy, financial or privacy implications to consider with this report.

### **STRATEGIC PLAN:**

Throughout the permit process, Administration has supported the area of focus of Economic Diversity and Stability by working to accommodate the needs of new and existing businesses.

### **OFFICIAL COMMUNITY PLAN:**

Section 17.7 of the Official Community Plan states that “All signage shall comply with the Zoning Bylaw or the Portable Sign Bylaw and the design guidelines set out therein.”

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

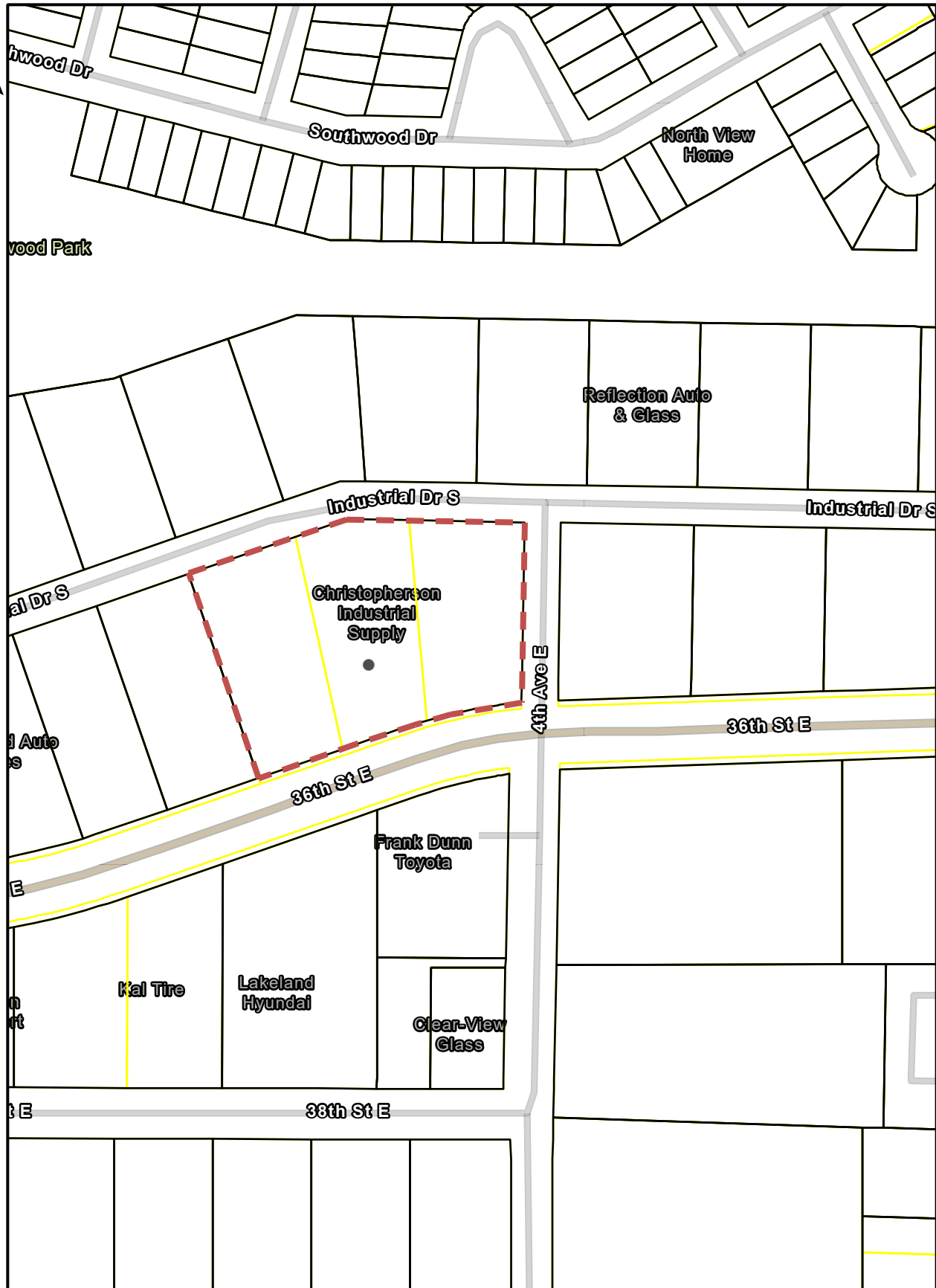
**ATTACHMENTS:**

1. Location Plan
2. Location Plan - Aerial
3. Site Plan
4. Structural Drawings

Written by: Ellen Pearson, Planner

Approved by: Director of Planning and Development Services & City Manager





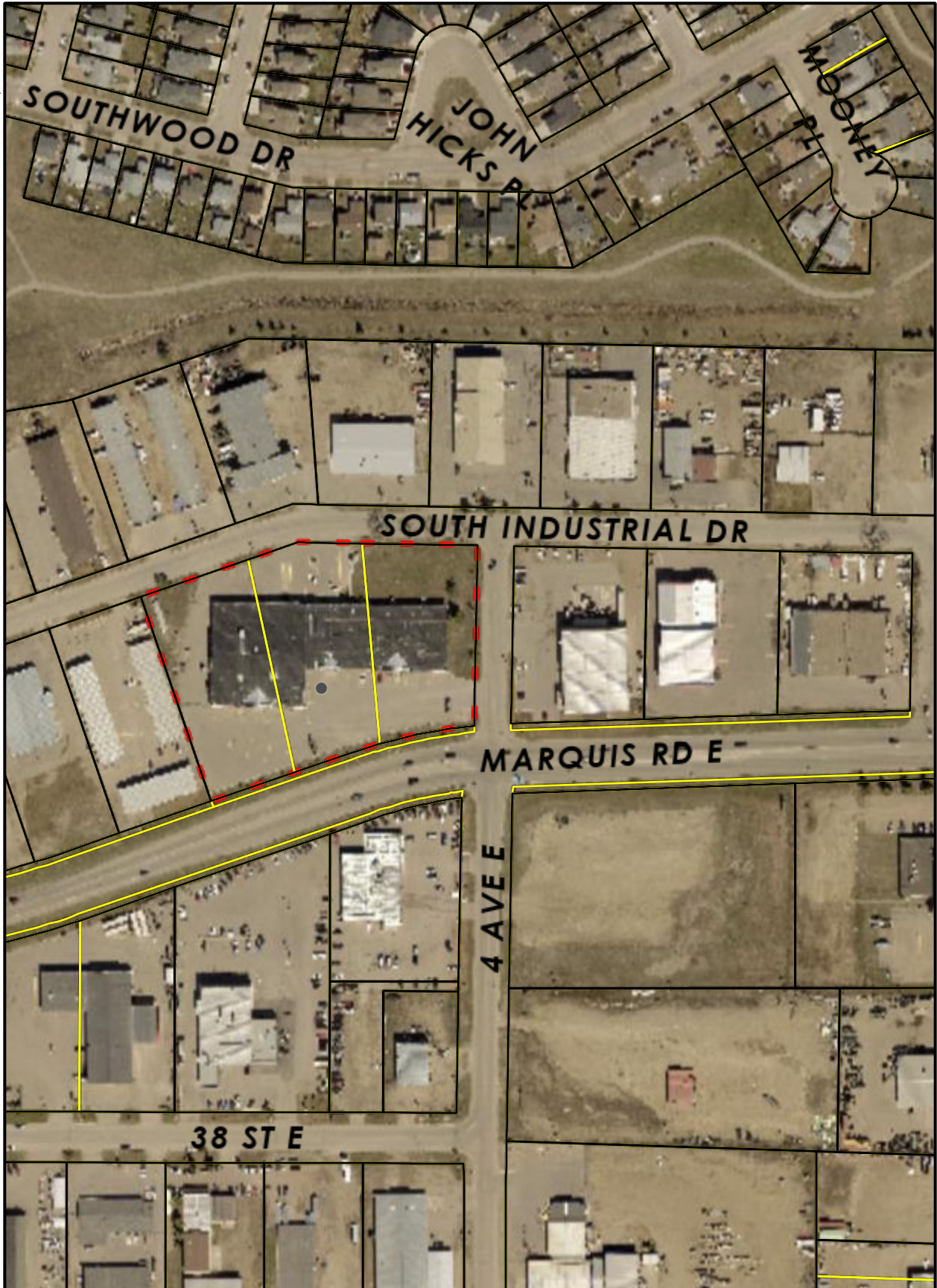
S-HZ

S-HZ

PLANNING & DEVELOPMENT

August 23, 2023

Subject Property Identified With A Bold Dashed Line



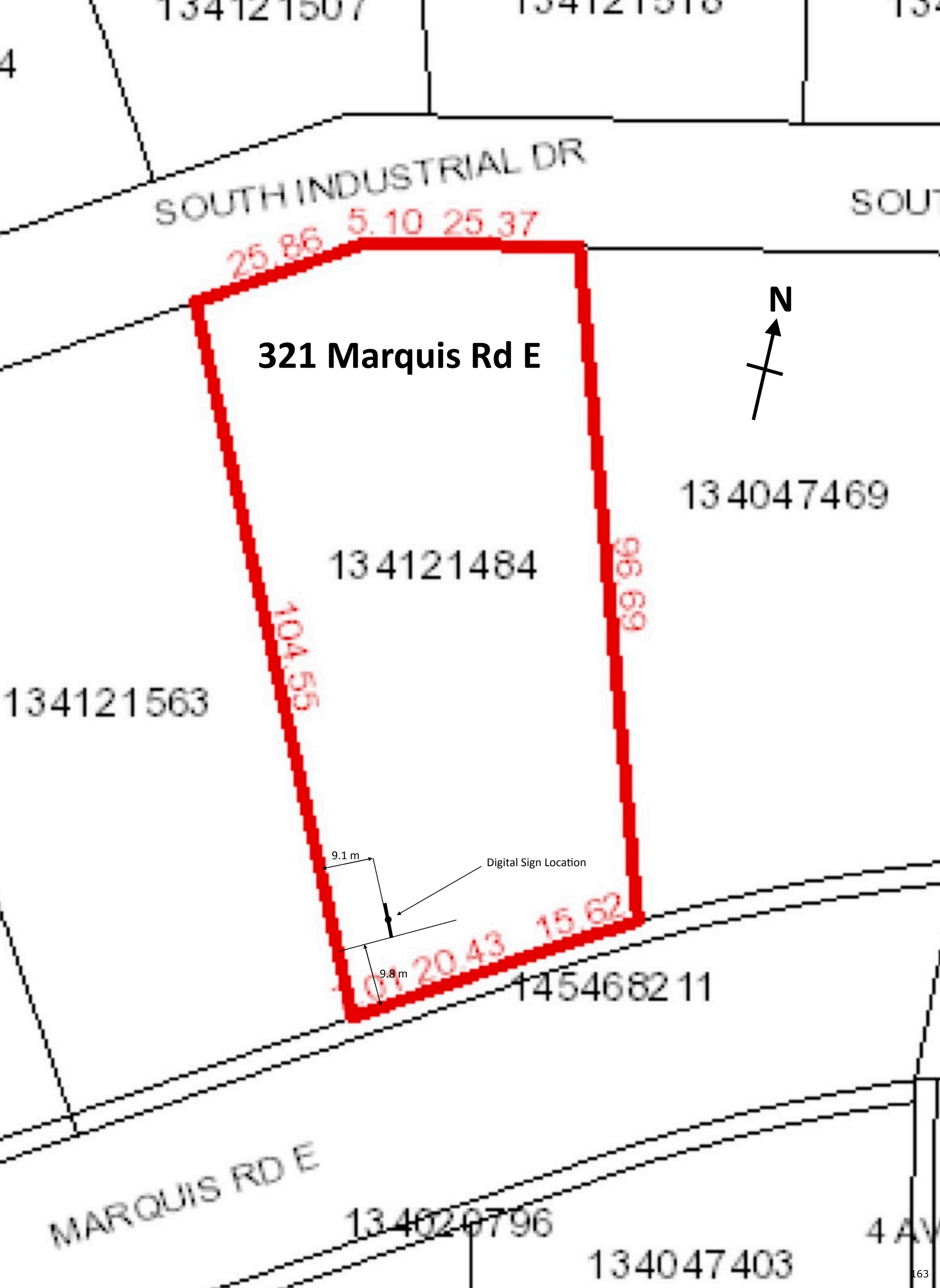
S-N

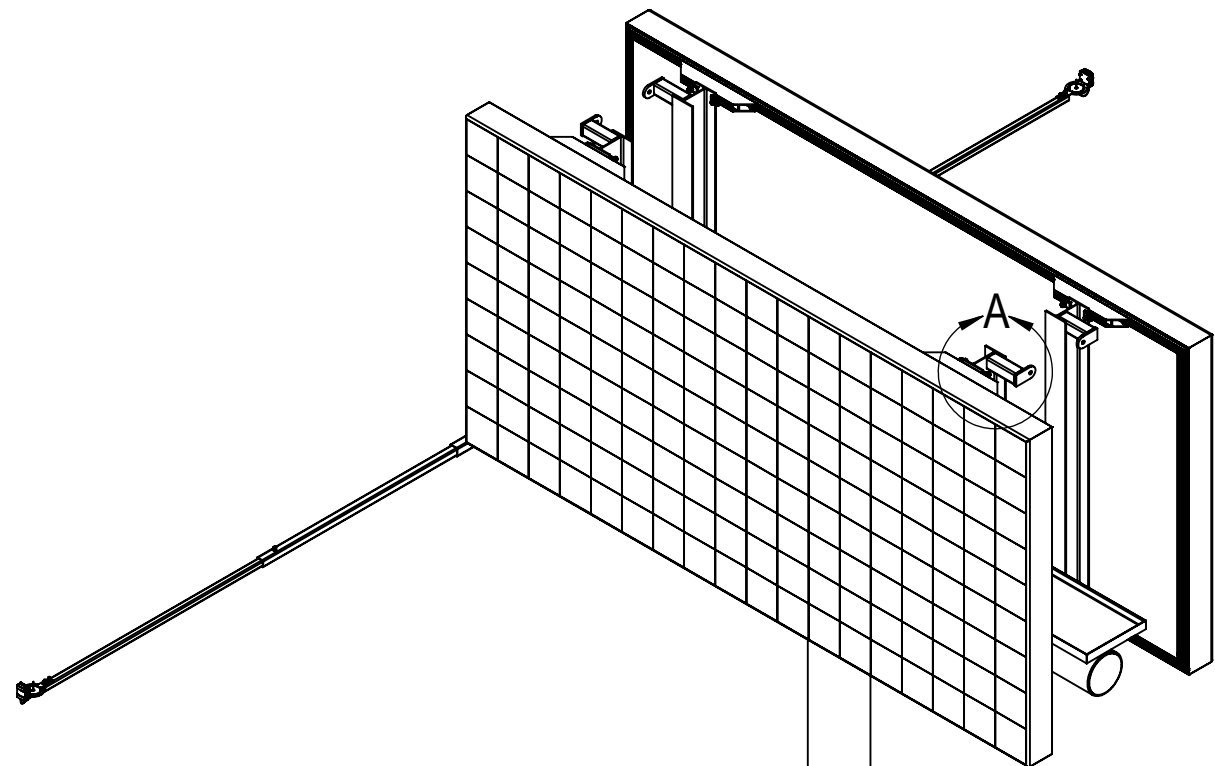
S-N

PLANNING & DEVELOPMENT

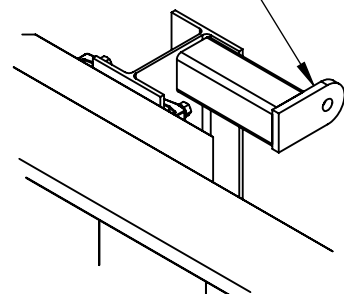
August 23, 2023

Subject Property Identified  
With A Bold Dashed Line





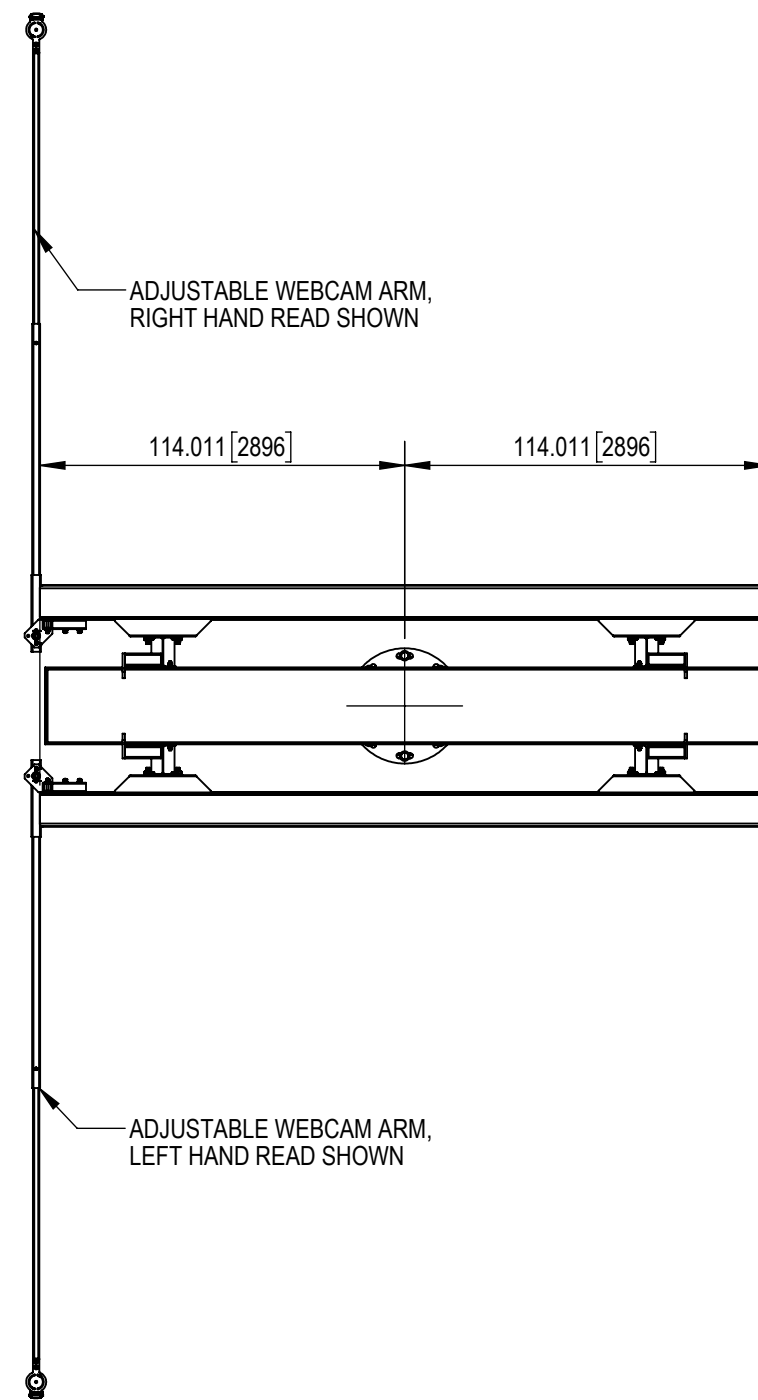
UPPER FALL ARREST BRACKET



DETAIL A  
SCALE 1 : 16

**DISPLAY SPECIFICATIONS**

- DISPLAY IS ALL ALUMINUM CONSTRUCTION
- DISPLAY IS FRONT AND REAR ACCESSIBLE
- DISPLAY SHIPS IN ONE SECTION
- WEIGHT OF EACH LED DISPLAY APPROX. 2800 lbs

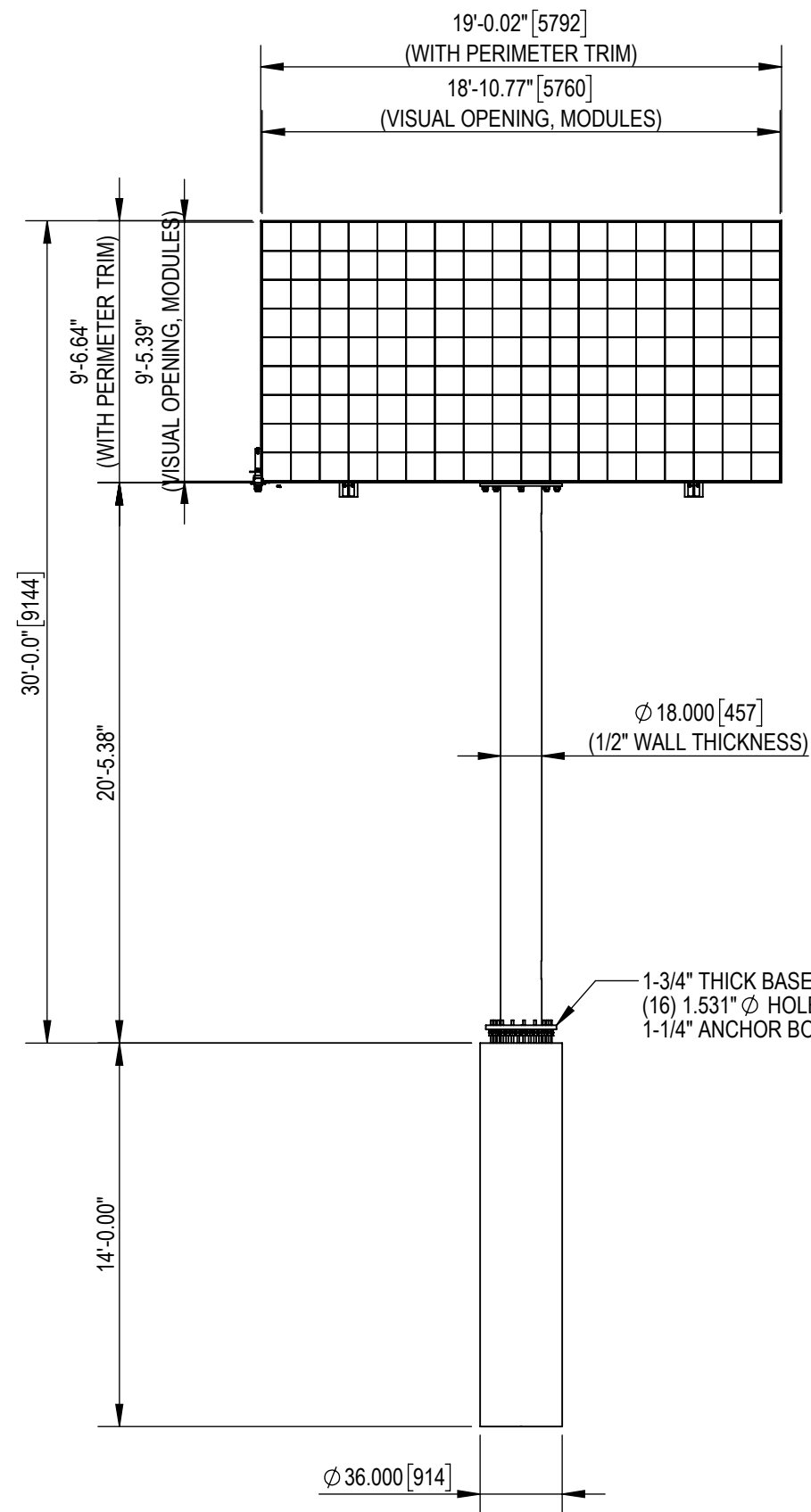


**NOTES:**

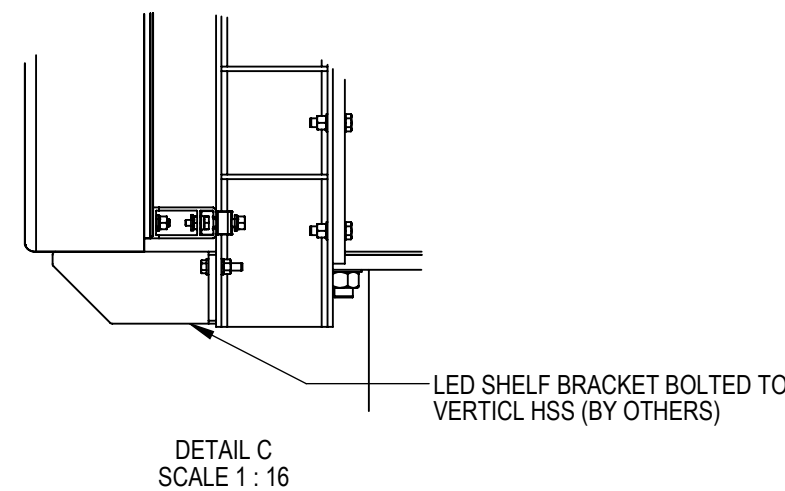
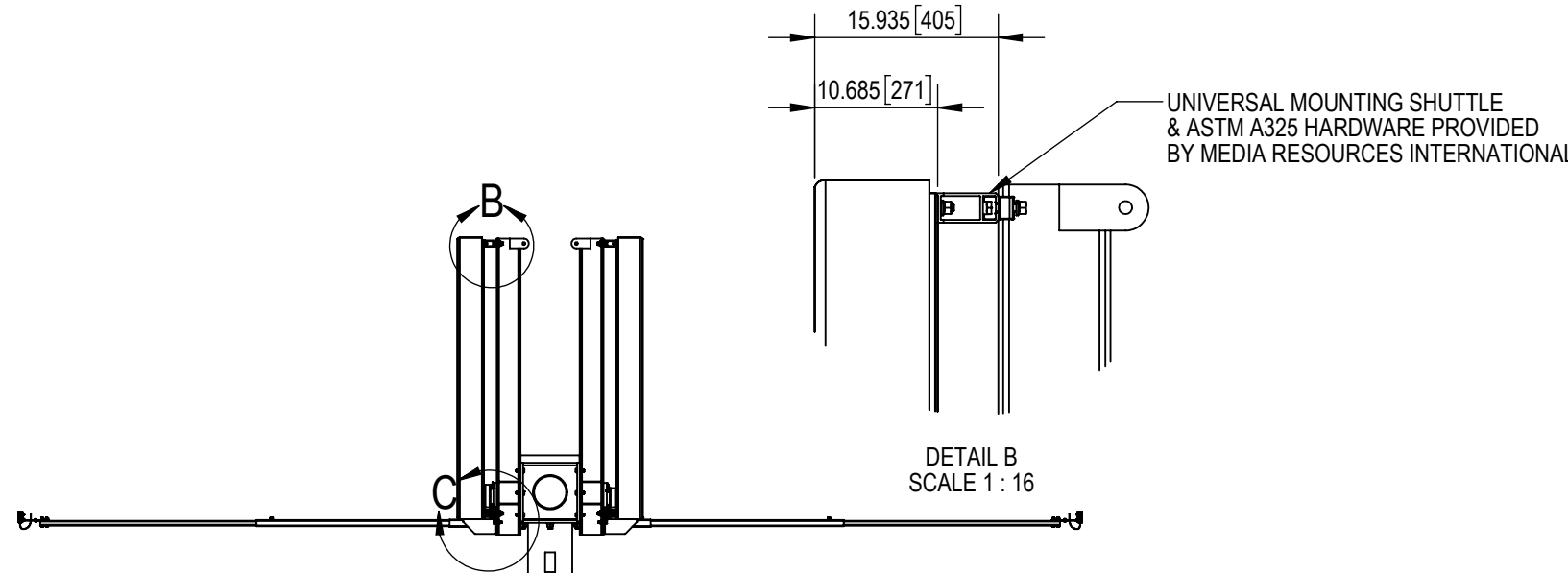
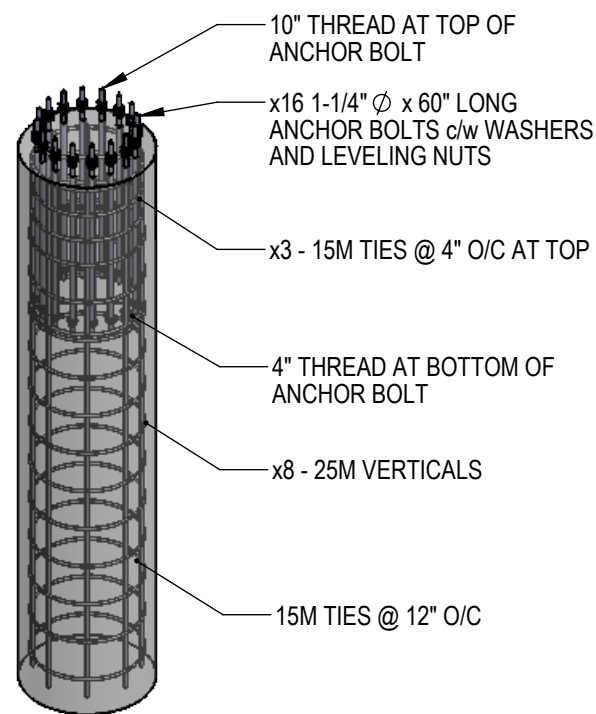
1. SIGN MOUNTING TO STRUCTURE USING 5/8" Ø BOLTS, A563 NUTS & F436 WASHERS
2. FASTENERS TORQUED TO 75 LB-FT, MAXIMUM 100 LB-FT

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<p>UNLESS OTHERWISE SPECIFIED DO NOT SCALE DRAWING INTERPRET DIMENSIONS AND TOLERANCES PER ASME Y14.5M-1994 DIMENSIONS ARE IN INCHES TOLERANCES APPLY AS SHOWN BELOW</p> <p>0 PL DEC ± 0.2 1 PL DEC ± 0.1 2 PL DEC ± 0.01 3 PL DEC ± 0.005 ANGLES ± .1° SURFACE ROUGHNESS 32 µ in</p>		<p>...solutions for the sign industry.</p>		<p><b>MEDIA RESOURCES INTERNATIONAL</b> 1387 CORNWALL ROAD OAKVILLE ONTARIO TEL: 1.800.667.4554 FAX: 1.905.337.9531</p>	
<p>NOTES: 1. MATERIAL: " THICK 2. FINISH: 3. COATING:</p>		<p>CUSTOMER: MRI PROJECT: 9H x 18W RGB DF LED DISPLAY</p>		<p>TITLE: <b>10' x 20' DIGITAL BILLBOARD DOUBLE FACE, CENTER MOUNT</b></p>	
<p>DATE: 1/26/22 DATE: 1/26/22</p>		<p>DATE: 1/26/22 DATE: 1/26/22</p>		<p>SIZE: <b>B</b> DRAWING NO: <b>MRI 10x20 CM DF Permit</b></p>	
<p>APPROVED: BASHIR HAMIS</p>		<p>DATE: 1/26/22</p>		<p>WORK ORDER NO: SCALE: 1:55 WEIGHT: lbs SHEET 1 OF 2</p>	



1-3/4" THICK BASEPLATE c/w  
(16) 1.531" Ø HOLES FOR (16)  
1-1/4" ANCHOR BOLTS



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ANGLES	± .1°
SURFACE ROUGHNESS	32 µ in

NOTES:  
1. MATERIAL: " THICK  
2. FINISH:  
3. COATING:

mediaresources  
...solutions for the sign industry.

CUSTOMER: MRI  
PROJECT: 9H x 18W RGB DF LED DISPLAY

DRAWN BY: R. YORK	DATE: 1/26/22
CHECKED BY: BASHIR HAMIS	DATE: 1/26/22
APPROVED BY: BASHIR HAMIS	DATE: 1/26/22

MEDIA RESOURCES INTERNATIONAL  
1387 CORNWALL ROAD OAKVILLE ONTARIO  
TEL: 1.800.667.4554 FAX: 1.905.337.9531

TITLE: **10' x 20' DIGITAL BILLBOARD  
DOUBLE FACE, CENTER MOUNT**

SIZE: <b>B</b>	DRAWING NO: <b>MRI 10x20 CM DF Permit</b>	REVISION:
WORK ORDER NO:	SCALE: 1:75	WEIGHT: lbs SHEET 2 OF 2



**TITLE:** Zoning Bylaw Amendment - Projections into Required Setbacks

**DATE:** **August 28, 2023**

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

1. That Bylaw No. 23 of 2023 be given 1<sup>st</sup> reading; and
2. That Administration be authorized to issue public notice.

**TOPIC & PURPOSE:**

The purpose of this report is to approve 1<sup>st</sup> reading of Bylaw No. 23 of 2023, which is a Zoning Bylaw amendment to allow decks that are located in a rear yard, greater than .6 metres or 2 feet in height from grade, project into a required rear yard setback.

**BACKGROUND:**

Setbacks

The City of Prince Albert Zoning Bylaw regulates the use of residential lots with a number of different regulations, some of which are setbacks. Setbacks are essentially a certain distance from a property line that cannot be used for different types of construction. They also work to achieve a few different things:

- they help establish the general spacing of homes between one another (and density) in a neighbourhood,
- they provide meaningful, sometimes vehicular access to the side and rear yard of properties,
- they help to establish a general sense of privacy between neighbours, and
- they help protect utilities and City easements that might be located in a back yard.

Rear Yard Setback Issue

In mid-August, the Building Division received a Building Permit application for the replacement of an existing deck – no change to its current design. Upon reviewing the plans and the Zoning Bylaw, it was noted that the deck, being greater than .6 metres or 2 feet in height from grade, projects into the required rear yard setback and no projection or encroachment is allowed. Therefore, in order to issue this permit, the deck would need to be completely redesigned.

Planning and Development Services receives a number of Building Permit applications per year for decks that cannot be approved as intended due to this particular conflict with the Zoning Bylaw. In some cases a minor change to the design of the deck can fix the issue. However, in some cases similar to the one noted above, there simply isn't enough space in the applicant's rear yard to accommodate the proposed structure at all and meet the necessary regulations.

For the sake of this proposed Zoning Bylaw amendment, it is important to note, too, that the properties or lots most likely to face this issue are irregular shaped lots, much like many found in the Crescent Acres and Southwood neighbourhoods, or those that are located on a corner on the end of a cul de sac. The image attached provides a visual representation of the issue.

### **PROPOSED APPROACH AND RATIONALE:**

In reviewing the waiting Building Permit application further and in completing an aerial image review of a number of streets within the neighbourhoods noted above, it was identified that there is a considerable number of properties that have a deck in the rear yard with the same issue, some to a lesser extent and some extreme. Additionally, based on the age of these neighbourhoods (homes constructed in the 1980s through to today), we can reasonably expect that:

- the number of Building Permit applications for decks will continue to increase, as most of these deck structures are likely to be well over 10 years old,
- there is going to be a significant number of decks constructed with no permit (in the past and into the future) that will have this issue if the bylaw isn't amended, and
- this particular lot design is an integral part of the current and popular style of neighbourhood design.

With this amendment in place, a considerable number of decks that exist in our community will be considered "conforming", to some extent at least, allowing property owners the ability to make structural repairs (not currently allowed) or completely replace the deck, so long as it does not project any further into the setback.

As well, in reviewing the aerial photo and the different distances indicated, Bylaw No. 23 of 2023 will allow the deck shown to be rebuilt as is; the bylaw will allow the deck to project into the required 6 metre setback up to 3.6 metres, but *not* get any closer than 3 metres to the rear property line (typical location of services and other related easements). In this and many other cases, the amendment meets both the intent of the bylaw, generally protecting the peace and privacy of neighbours while maintaining necessary physical spaces in the back yard, and the expectation of the property owner, which is to be able to fix their deck.

Ultimately, in order to address this issue in a way that allows residents the ability to continue to use their properties in a way that they would reasonably expect, while still ensuring that we maintain realistic regulations to manage privacy, etc., the attached Zoning Bylaw amendment has been proposed.

**CONSULTATIONS:**

For this bylaw amendment, Planning conducted an internal review of the proposed language and found no issues.

**COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once approved, the Zoning Bylaw and City website will be updated.

Additionally, once finalized, the Building Permit applicant will be notified so they can proceed with their deck project.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no privacy, policy or financial implications to consider, nor are there any options to the recommendation to consider with this report.

**STRATEGIC PLAN:**

A key feature in ensuring that the City's bylaws are understood, implemented and enforced are that they meet the needs of the community in a meaningful way. In this case, one of the City's Zoning Bylaw regulations requires an amendment in order to better accommodate our current form of residential neighbourhood design and the use of land.

**OFFICIAL COMMUNITY PLAN:**

The purpose of the Official Community Plan (OCP) is to provide the policy framework the City uses to build its bylaws, including the Zoning Bylaw. The OCP is also intended to be a guide book that brings the City into a new phase of physical development and it intends for the City to use indicators as a signal for review and change.

In this particular case the indicator is an increasing number of decks that are struggling to meet, or don't, the regulations in the Zoning Bylaw. The solution is to determine a root cause, which is a minor conflict between modern lot design (irregular lot shapes) and tried and true regulations. With some adjustment to the regulations and a long term reconsideration of the shape of lots we put on the market, it is reasonable to believe that both the City and the general public's expectations for how residential lots are used can be met.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

Upon approval of 1<sup>st</sup> reading of this bylaw, Administration will proceed with issuing the following public notice:

- Including public notice in an issue of the Prince Albert Daily Herald,
- Posting the public notice on the City's website, and
- Posting the public notice on the bulletin board at City Hall.



**ATTACHMENTS:**

1. Bylaw No. 23 of 2023
2. Public Notice - Bylaw No. 23 of 2023
3. Bylaw No. 23 of 2023 - Aerial Image

Written by: Kristina Karpluk, Planning Manager

Approved by: Director of Planning and Development Services & City Manager

# CITY OF PRINCE ALBERT BYLAW NO. 23 OF 2023

*A Bylaw of The City of Prince Albert to amend  
the Zoning Bylaw, being Bylaw No. 1 of 2019*

**WHEREAS** it is desirable to amend the City of Prince Albert Zoning Bylaw No. 1 of 2019;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. That the following subsection be added to Section 6.1.3  
  
“h) Notwithstanding Section 6.1.3(b) and 6.1.1(iv), unenclosed decks, patios or other similar structures with no maximum height may project up to 3.6 metres into a rear yard setback and shall be at least 3 metres from the rear property line.”
2. This Bylaw shall come into effect on the day of its final passing.

INTRODUCED AND READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

READ A THIRD TIME AND PASSED \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 .

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



# CITY OF PRINCE ALBERT PUBLIC NOTICE

## ZONING BYLAW AMENDMENT – BYLAW NO. 23 OF 2023

Public Notice is hereby given that the Council of the City of Prince Albert intends to consider Bylaw No. 23 of 2023 to amend Bylaw No. 1 of 2019, known as the City of Prince Albert Zoning Bylaw.

**Reason for the Amendment:** At the City Council meeting held on September 5<sup>th</sup>, 2023, first reading of Bylaw No. 23 of 2023 was given and Administration was authorized to provide Public Notification for a Public Hearing. Bylaw No. 23 of 2023 proposes to amend Section 6.1.3 of the City of Prince Albert Zoning Bylaw, Projections into Required Setbacks. The intention is to allow decks that are greater in height than .6 metres or 2 feet from grade project a certain distance into a required rear yard setback.

**Therefore, City Council, at its meeting to be held on September 25<sup>th</sup>, 2023 at 5:00 p.m., will consider all submissions both written and verbal respecting the Public Hearing for the above bylaw. If you would like your written submission reviewed by City Council PRIOR to the meeting, it would be preferable if it were provided by 4:45 p.m. on Tuesday, September 19<sup>th</sup>, 2023. In accordance with City Council's Procedure Bylaw No. 23 of 2021, any written submissions must be provided to the City Clerk. Verbal submissions shall be heard during the Public Hearing portion of the meeting.**

**INFORMATION** – Information regarding the proposed amendment may be directed to the following without charge

**Planning and Development Services  
City Hall, 1084 Central Avenue  
Prince Albert SK, S6V 7P3  
8:00 am to 4:45 pm – Monday to Friday (except holidays)  
Phone 306-953-4370**

Issued at the City of Prince Albert, this 28<sup>th</sup> day of August, 2023  
Terri Mercier, City Clerk



S-HZ

S-HZ

PLANNING & DEVELOPMENT

August 28, 2023

Subject Property Identified With A Bold Dashed Line



City of  
**Prince Albert**

**RPT 23-343**

**TITLE:** Tax Title Lands - Disposal of 163 29th Street East

**DATE:** August 24, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

1. That the tax title property located at 163 29<sup>th</sup> Street East, legally described as Lot 16, Block 12, Plan N3447 Ext 0, Lot 17, Block 12, Plan N3447 Ext 0 be offered for public tender; and,
2. That upon completion of the public notice and tender process, Administration forward a report to City Council for consideration with a recommendation regarding the results of the tender process and next steps.

**TOPIC & PURPOSE:**

The purpose of this report is to initiate the public tender process for the property at 163 29<sup>th</sup> Street East pursuant to *The Tax Enforcement Act*.

**BACKGROUND:**

In September, 2022, The City of Prince Albert acquired title to the property located at 163 29<sup>th</sup> Street East through tax enforcement.

In accordance with Section 31(1) and (3) of *The Tax Enforcement Act*, (the Act), unless taken into the City's land holdings with the Government of Saskatchewan being provided compensation for school taxes, or otherwise providing its consent, the tax title property must be offered for sale within one (1) year of the date of the City acquiring title by public auction or tender by sealed bid, following the issuance of public notice.

This property contains a vacant, single family home that has been deemed uninhabitable.

Administration is in the process of demolishing this structure to prepare the property for sale.

Administration is also in the process of consolidating the property as it consists of two lots. This will simplify the sale process as a consolidation would be a condition of sale.

### **PROPOSED APPROACH AND RATIONALE:**

In order to meet the legislation noted above, Administration is recommending that the disposal process be initiated and that this property be offered for public tender. It is important to note the following sections of the Act:

- a. Section 32(4): Upon issuing the public tender for this property, City Council is not obligated to accept any bids that are not sufficient to recover the outstanding taxes, penalties and costs (which will be the minimum bid set for the tender process, and will be detailed further in a future report) and sell the property on the open market; and,
- b. Section 32(5): City Council may accept the highest bid offered, even if it is not sufficient to cover all outstanding taxes, penalties, and costs

Upon completion of the public notice and tender process, Administration will forward a follow up report to City Council for consideration with a recommendation regarding the results of the tender process and next steps.

### **CONSULTATIONS:**

Planning and Development Services has consulted the Financial Services Department in regards to the acquisition and disposition of this property.

Planning and Development Services has consulted the City Solicitor in order to mitigate issues arising in terms of process.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once approved, Administration will proceed with the public notice and tender process in coordination with the Purchasing Division.

Upon completion of the tender process, Administration will prepare a follow up report for City Council.

### **FINANCIAL IMPLICATIONS:**

If the property sells within one (1) year of taking title, all of the City's outstanding costs will be deducted from the proceeds prior to providing a pay-out to the applicable school board or former property owner, if there are sufficient funds to do so. If the property sells after the one

(1) year mark, the City may retain all sales proceeds as per Section 31(7) of the the Act.

The costs for demolition and consolidation will be added to the balance owing for this property.

Once the tender process has been completed, Administration will be able to compile information on the outstanding taxes, fees, costs, etc., which will be provided as part of the follow up report to City Council.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There is no policy or privacy implications or other considerations.

**STRATEGIC PLAN:**

A strategic priority that is being used to guide this tender process, as outlined in the City of Prince Albert Strategic Plan, 2023-2025 is Building a Robust Economy; as the specific area of focus, "Population Growth" is being utilized to "Create a wide range of property and housing options to accommodate people who choose to relocate to Prince Albert."

**OFFICIAL COMMUNITY PLAN:**

Section 14.1 of the Official Community Plan discusses policies, which support the suggested recommendation.

"Goals:

- i. Appropriately balance revenue limitations with expenditures and investments to meet community needs over the long-term.
- ii. Maintain effective management, efficiencies and accountability of the City's fiscal budgets and operations."

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

If approved, Public Notice will be published in a newspaper, pursuant to Section 31.3(a) of the Tax Enforcement Act, as part of the public tender process.

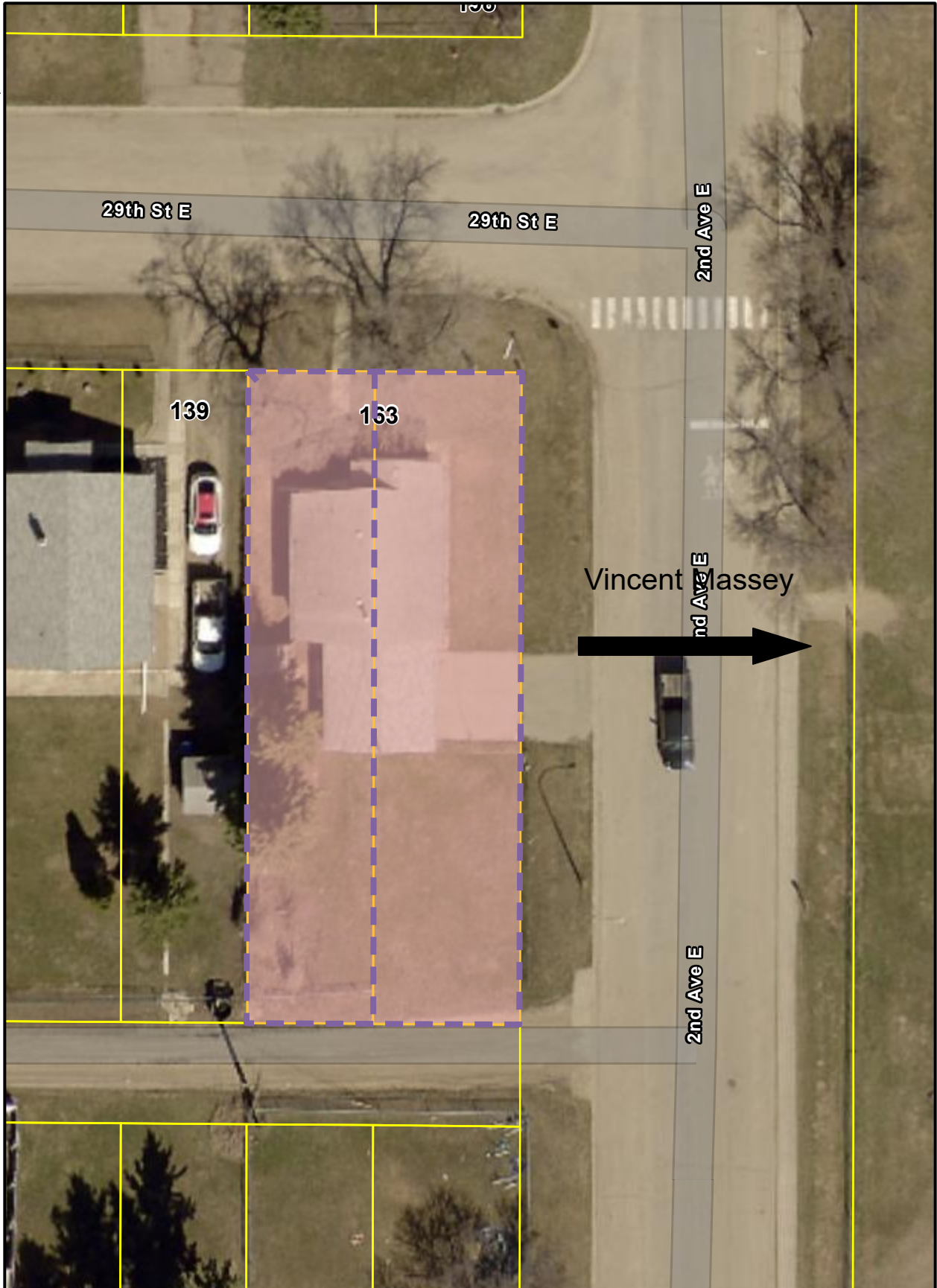
**ATTACHMENTS:**

1. Location Plan

Written by: Tanner Cantin, Development Coordinator

Approved by: Director of Planning and Development Services & City Manager





CS-1Z

CS-1Z

PLANNING & DEVELOPMENT

August 16, 2023

Subject Property Identified With A Bold Dashed Line



**RPT 23-246**

**TITLE:** Updated Lapel Pin Distribution Policy

**DATE:** June 13, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

---

**RECOMMENDATION:**

That the updated Lapel Pin Distribution Policy, as attached to this report, be approved.

**TOPIC & PURPOSE:**

The purpose of this report is to approve an updated Lapel Pin Distribution Policy.

**BACKGROUND:**

At its July 14, 2014 City Council meeting, Council approved Policy No. 22.1, The Pin Policy, which replaced The Pin Policy No. 22 dated September 8, 2008.

As the last updates to the City's Pin Policy were made in 2014, it has become outdated and does not address the current procedures and responsibilities of distributing City lapel pins.

**PROPOSED APPROACH AND RATIONALE:**

The updated Pin Distribution Policy has been simplified so that it is clear and easy to understand for members of the public and, as well, within the organization.

The City of Prince Albert is an innovative, welcoming, diverse, and healthy City of opportunity. We are the 3<sup>rd</sup> largest City in the Province of Saskatchewan and are recognized as a major event hosting destination. As such, the City strives to develop ways to effectively promote Prince Albert as a vibrant and diverse City. One such way is by offering a free City of Prince Albert souvenir lapel pin.

The City lapel pin features our Coat of Arms, which is a pictorial history of the City of Prince Albert.

It is offered free of charge to individuals, clubs, groups and organizations that represent the City to out of town visitors and who are travelling to events, conferences and conventions in other cities or countries. To be eligible for up to 150 free lapel pins, an individual, club, group and/or organization must be involved in an activity which promotes the City of Prince Albert.

A City Pin Request Form is to be completed and submitted to the Mayor's Office for consideration. If the request exceeds the allotted amount, additional City pins can be purchased at cost of \$1.00 per pin (including tax) at the Tourism Building.

#### **CONSULTATIONS:**

The writer has consulted with the City Manager's Office, Director of Planning & Development, Director of Corporate Services, Director of Finance and City Clerk in the preparation of this report.

#### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once approved, the City's website will be updated to include the new Pin Distribution Policy and an online City Pin Request Form.

#### **FINANCIAL IMPLICATIONS:**

Offering City lapel pins for purchase at the Tourism Building will promote the City of Prince Albert and boost Prince Albert pride to out of town visitors. The majority of pins will be given away for free as promotional items, however some costs will be recovered through the sale of pins at the Tourism Building for \$1.00 per pin (including tax).

#### **OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no Policy, Privacy or Official Community Plan Implications.

#### **STRATEGIC PLAN:**

**ECONOMIC GROWTH** – The City supports a stable and resilient economy. Introducing City lapel pins at Prince Albert Tourism is one small way we can promote Prince Albert. This is an area ripe for growth and in future the City can consider the sale of other promotional items at that location, and other municipal facilities, as well.

#### **OPTIONS TO RECOMMENDATION:**

Do not update Lapel Distribution Policy – NOT RECOMMENDED. Offering free City lapel pins is a way the City can show its support and pride for the many individuals and community partners who are coordinating and/or attending events that promote Prince Albert as a vibrant and diverse City.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. 2014 Pin Policy
2. 2023 Lapel Pin Distribution Policy

Written by: Renee Horn, Executive Assistant

Approved by: City Manager

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
Department:	Planning and Development Services	Policy No.	<b>22.1</b>
Section:	Economic Development	Issued:	August 13, 2001
Subject:	<b>Pin Policy</b>	Policy Effective:	July 14, 2014
Council Resolution # and Date:	Council Resolution No. 0491 dated July 14, 2014	Page:	1 of 6
		Replaces:	Policy No. 22
Issued by:	Heather Greier, Economic Development Coordinator	Dated:	September 8, 2008
Approved by:	Rick Stuckenberg, Director of Planning and Development Services	Procedure Amendment:	

## **1. POLICY**

- 1.1. The Coat of Arms City Pins will be given out on a basis of up to 50 per individual or organization that is attending an out-of-the-city conference or event; or up to 150 pins for a local event being hosted in the City where each individual attendee is given a pin.
- 1.2. If an individual or organization requires an amount in excess of 50 pins, a completed application must be submitted to the Mayor's Office. Any additional pins in excess of 50 will be sold to the individual or organization at the cost of 25¢ per pin.
- 1.3. If an excess of 150 pins is required for a local event, a completed application must be submitted to the Mayor's Office. Any additional pins in excess of 150 will be sold to the event organizer at the cost of 25¢ per pin.

## **2. PURPOSE**

- 2.1. This policy helps to ensure that measures are in place to control the amount of City Pins being handed out while supporting those who are promoting our City, as well as preventing abuse of the system.
- 2.2. This policy helps track the amount of pins being requested, given, and purchased.
- 2.3. This policy helps track who is requesting the City Pins and what events they are being handed out at.

## **3. SCOPE**

- 3.1. The Pin Policy will affect all those that wish to give out City Pins as a promotional item. This is more specifically designed for local events, sports

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teams, scouts/guides, individuals travelling outside the country, etc.

#### **4. RESPONSIBILITY**

##### 4.1. Planning & Development Services

- 4.1.1. Maintaining the Pin Policy.
- 4.1.2. Developing the Pin Request Application.
- 4.1.3. Ordering the City Pins through the Purchasing Department.
- 4.1.4. Allocating City Pins to the Mayor's Office.
- 4.1.5. Allocating City Pins to the Prince Albert Tourism and Marketing Bureau Inc. office.
- 4.1.6. Maintaining the Pin Request Log between requests made in the Mayor's Office and the Prince Albert Tourism and Marketing Bureau Inc. office.
- 4.1.7. Creating an invoice request template to be used when Pin Requests over the allotted amounts are approved.

##### 4.2. Mayor's Office

- 4.2.1. Requesting City Pins from the Planning & Development Services to maintain the Mayor's Office supply.
- 4.2.2. The distribution of City Pins for requests within the allotted amounts of 50 or less for individuals or organizations and 150 or less for local events.

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
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Approved by:	Rick Stuckenberg, Director of Planning and Development Services	Procedure Amendment:	

4.2.3. Receive and approve or deny the Pin Request Applications for requests over the allotted amounts of 50 or less for individuals or organizations and 150 or less for local events.

4.2.4. Complete an Invoice Request for any approved Pin Requests over the allotted amounts

4.2.5. The distribution of City Pins for approved requests over the allotted amounts.

4.2.6. Maintaining a log of the amount of City Pins handed out and who they were given to.

4.2.7. Sending the log for the City Pins to Planning & Development Services for consolidation, if requested throughout the year by Planning & Development Services and at the beginning of each calendar year to get the previous year's count.

#### 4.3. The Mayor

4.3.1. The Mayor has the ability to waive the fees for a request over the allotted amount at his/her discretion.

#### 4.4. Prince Albert Tourism and Marketing Bureau Inc.

4.4.1. The distribution of City Pins for requests within the allotted amounts of 50 or less for individuals or organizations and 150 or less for local events.

4.4.2. Requesting more City Pins from Planning & Development Services when the Prince Albert Tourism and Marketing Bureau Inc. office

<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
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Council Resolution # and Date:	Council Resolution No. 0491 dated July 14, 2014	Page:	4 of 6
		Replaces:	Policy No. 22
Issued by:	Heather Greier, Economic Development Coordinator	Dated:	September 8, 2008
Approved by:	Rick Stuckenberg, Director of Planning and Development Services	Procedure Amendment:	

supply runs low.

4.4.3. Maintaining a log of the amount of City Pins handed out by the Prince Albert Tourism and Marketing Bureau Inc. office and who the City Pins were given to.

4.4.4. Sending the log for the City Pins to Planning & Development Services for consolidation, if requested throughout the year by Planning & Development Services and at the beginning of each calendar year to get the previous year's count.

#### 4.5. The Purchasing Department

4.5.1. Storing the City Pins.

4.5.2. Monitoring the City Pin supply and ordering additional stock when inventory is low.

#### 4.6. Individuals or Organizations

4.6.1. The in-person pick-up of the City Pins at the location where the request was made.

4.6.1.1. The Mayor's Office  
2<sup>nd</sup> Floor  
City Hall  
1084 Central Avenue  
Prince Albert, SK S6V 7P3

OR

Prince Albert Tourism and Marketing Bureau Inc.



<b>City of Prince Albert Statement of POLICY and PROCEDURE</b>			
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Council Resolution # and Date:	Council Resolution No. 0491 dated July 14, 2014	Page:	5 of 6
		Replaces:	Policy No. 22
Issued by:	Heather Greier, Economic Development Coordinator	Dated:	September 8, 2008
Approved by:	Rick Stuckenberg, Director of Planning and Development Services	Procedure Amendment:	

3700 2<sup>nd</sup> Avenue West  
Prince Albert, SK S6W 1A2

- 4.6.2. For any mail requests, a postage-paid, padded envelope of an appropriate size must be supplied.
- 4.6.3. The completion and submission of the Pin Request Application to the Mayor's Office if requesting more than 50 City Pins.

#### 4.7. Event Organizers

- 4.7.1. The in-person pick-up of the City Pins at the location where the request was made.
- 4.7.2. For any mail requests, a postage-paid, padded envelope of an appropriate size must be supplied.
- 4.7.3. The completion and submission of the Pin Request Application to the Mayor's Office if requesting more than 150 City Pins.

### 5. DEFINITIONS

N/A

### 6. REFERENCES & RELATED STATEMENTS OF POLICY & PROCEDURE

N/A

### 7. PROCEDURE

- 7.1. For City Pins in the amount of 50 or less per individual or organization and in

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Approved by:	Rick Stuckenberg, Director of Planning and Development Services	Procedure Amendment:	

the amount of 150 or less for a local event:

- 7.1.1. Requests for City Pins can be made to the Mayor's Office or the Prince Albert Tourism and Marketing Bureau Inc. office.
- 7.1.2. Pins must be picked up in person or a postage-paid, padded envelope of an appropriate size must be supplied.

7.2. For City Pins in excess of 50 per individual or organization and in excess of 150 for a local event:

- 7.2.1. A Pin Request Application must be completed and submitted to the Mayor's Office.
- 7.2.2. If the Pin Request Application is approved, the Mayor's Office will complete an invoice request for Financial Services. The applicant will be forwarded to the Financial Services Cashier to pay the amount.
- 7.2.3. Once payment for the City Pins has been received, the applicant will be forwarded back to Mayor's Office to receive the City Pins.



<b>Statement of Policy and Procedure</b>			
Department:	City Manager's Office	Policy No.	
Section:	Mayor's Office	Issued:	
Subject:	<b>Lapel Pin Distribution</b>	Effective:	
Council Resolution # and Date:		Replaces:	22.1
Issued by:	Renee Horn, Executive Assistant	Dated:	July 14, 2014
Approved by:	Sherry Person, City Manager		

## **1 POLICY**

- 1.01 To establish guidelines for fair and cost effective distribution of City lapel pins.

## **2 PURPOSE**

- 2.01 To control the cost of lapel pins.
- 2.02 To outline the guidelines for the distribution of lapel pins.
- 2.03 To provide general guidance for staff in regard to the distribution of City lapel pins.

## **3 SCOPE**

- 3.01 The City of Prince Albert has a vast representation of individuals, clubs, groups and organizations that represent the City at events, conferences, and conventions, including but not limited to sports, arts and culture, education, and tourism.
- 3.02 The City wishes to acknowledge the accomplishments of residents that represent the City and recognizes that individuals, clubs, groups, and organizations usually trade a memento of their community with others.
- 3.03 To be eligible for free lapel pins, an individual, club, group or organization must be involved in an activity which promotes the City of Prince Albert.

- (a) An individual, club, group or organization attending an out-of-city event may receive up to 50 lapel pins;

- (b) A club, group or organization hosting an in-city event may receive up to 150 lapel pins, or other amount as approved by the Mayor's Office;
- (c) If a request exceeds the allotted amount, additional pins can be purchased at a cost of \$1.00 per pin (tax included) at the Tourism Building.

#### **4 RESPONSIBILITY**

- 4.01 City lapel pins are ordered by the Purchasing Manager.
- 4.02 City lapel pins are stored by the City Clerk.
- 4.03 The Mayor's Office will review the request and duly authorize or decline.
- 4.04 City lapel pins are dispersed by the Mayor's Office.
- 4.05 City lapel pins are available for purchase at a cost of \$1.00 per pin (including tax) at the Tourism Building.

#### **5 DEFINITIONS**

- 5.01 Lapel Pin – is a small pin worn on clothing, often on the lapel of a jacket, attached to a bag, or displayed on a piece of fabric. Lapel pins can be ornamental or can indicate the wearer's affiliation with an organization or cause.

#### **6 REFERENCES AND RELATED STATEMENTS OF POLICY AND PROCEDURE**

- 6.01 The City of Prince Albert has a Coat of Arms lapel pin which is a pictorial history of the City of Prince Albert. The shield with the beaver and three sheaves of wheat represent the fur trade and our agricultural industry of the early days. The white spruce depicts our lumber industry. The North West Mounted Police Constable reflects the connection between the Force and the City which has existed since the Riel uprising of 1885. The Plains Cree Indian in full regalia represents the First Nations people who inhabited this area when Prince Albert was founded in 1866. The emblem at the top of the sheaf depicts a portion of the Coat of Arms of Prince Albert, the Prince Consort and husband of Queen Victoria. Royal permission was granted for such usage.
- 6.02 The City of Prince Albert Coat of Arms was modernized in 2015 in consultation with the Canadian Heraldic Authority and the Saskatchewan

Indian Cultural Centre.

## **7 PROCEDURE**

7.01 Requests for lapel pins are to be submitted two (2) weeks prior to the event online or in-person:

7.01.1 If online:

The City's website is [www.citypa.com](http://www.citypa.com); or

7.01.2 If in-person:

The Mayor's Office is located on the 2<sup>nd</sup> Floor of City Hall, 1084 Central Avenue, Prince Albert, SK.



City of  
**Prince Albert**

**RPT 23-345**

**TITLE:** Pumper Fire Engine Tender 24/23

**DATE:** August 25, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

1. That the approved cost for the purchase of a new Pumper Fire Engine from Westvac Industrial LTD. be increased by \$40,000 for a total amount of \$1,403,788 including all applicable taxes to replace the specified and now unavailable Cummins L9 engine with a Cummins X12 engine and compatible transmission.
2. That the Mayor and City Manager be authorized to execute any applicable documents on behalf of the City.

**TOPIC & PURPOSE:**

To provide Council with Administration's recommendations to revise the purchase price of a Pumper Fire Engine from Westvac Industrial Ltd at a cost of \$1,403,788. This being an increased cost of \$40,000.00 above Westvac's tender bid.

**BACKGROUND:**

City Council considered and approved the purchase of a Pumper Fire Engine from Westvac Industries Ltd. at a total cost of \$ 1,361,788.05 at the June 12, 2023 City Council meeting. During administrations verbal report, administration identified that the manufacturer had provided notice that the specified engine identified in Tender 24/23 may no longer be available as Cummins had over sold their build slots for the Cummins L9 engine.

Upon receiving approval from City Council to award Tender 24/23 which included the specified Cummins L9 engine, Administration contacted Westvac Industrial Ltd. to determine the availability of the Cummins L9 engine. It was determined that the Cummins L9 was no longer available. Our only option was to install a Cummins X12 with its compatible transmission.

Upon speaking with other suppliers administration estimates that the total cost between the specified engine and transmission to the available Cummins X12 and compatible transmission would be approximate \$100,000. Westvac Industrial Ltd. has committed to cover any additional increases above \$40,000 that may be associated with this build.

The GST for the purchase of the new pumper will be recovered. The GST for this Pumper amounts to \$66,847.00

There is no PST on Fire Equipment.

### **PROPOSED APPROACH AND RATIONALE:**

If council were to approve the \$40,000 increase, it guarantees the Pumper Fire Engine cost to be \$1,403,788 and a projected delivery date in 2026. If council were to reject the increase, and in turn reject the current tender, we would have to retender the Pumper Fire Engine. Any new tender received would have the full estimated \$100,000 addition for the X12 engine added, and delay the construction start, and subsequent delivery dates to likely 2027 or later.

### **CONSULTATIONS:**

Fire Administration and Fleet Manager have meet on the revised specifications and requirements for the Pumper Truck.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once Council has approved this report, the Purchasing Manager will issue the successful supplier a revised purchase order.

### **FINANCIAL IMPLICATIONS:**

With the additional increase caused by the unavailability of the specified engine and transmission, this Pumper Fire Engine will be over budget by \$ 36,941.00 excluding GST.

At the end of 2023 the Fire Equipment Reserve balance is estimated to be \$519,493.00.

### **OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no other considerations for; Policy implications, Privacy Implications, Official Community Plan or Options to Recommendations or Presentation.

**STRATEGIC PLAN:**

The timely replacement of Fleet equipment supports the City's Strategic Priority of investing in infrastructure to support sustainable services. It is estimated that this Engine will not be delivered until 2026.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. Cummins L9 Engine Availability

Written by: Kris Olsen, Fire Chief

Approved by: Fire Chief and City Manager





**DATE** June 7, 2023  
**FROM** Chris McClung, VP, Global Sales & Marketing  
**TO** REV Fire Group Dealers

## Cummins L9 Engine Availability

Due to a recent increase in demand for Cummins L9 engines, Cummins has over sold their build slots and has placed all fire truck manufacturers on an allocation for L9 engines, effective immediately. This is an industry wide issue and REV Fire Group is working diligently to mitigate the impacts and de-risk our backlog.

To maintain our build rates and continue to deliver products to our customers, **REV Fire Group will identify trucks on order with an L9 starting at week 12 and request these units be converted to an X12 engine. It is critical that actions are taken immediately so we can maintain build slots and mitigate the impacts.**

### NEXT STEPS

1. Dealer Principals will receive a list of impacted trucks currently on order that will include an estimated cost to change from an L9 to an X12 (including additional impacts such as axles, etc.)
2. Communicate to the customers the situation and potential impacts to their order and request they change to an X12. The Director of Sales and Regional Sales Managers are available to support with these conversations where needed.
  - a. **IMPACTS OF NOT MAKING THE CHANGE**
    - i. We **cannot guarantee** the production slot or delivery time frame of any L9 unit. Our production schedule will be shifting to favor the X12 specified units starting immediately.
    - ii. **Risk of not getting an L9 engine at all** and being forced to move to the X10 engine and incur additional costs.
3. If you are currently working on quotes that include an L9, we ask you make the switch to the X12 now.
4. Effective June 1, 2023, the L9 option has been suspended in the quoting tool until all impacts of this allocation can be completely understood.
5. Please contact your Director of Sales or Regional Sales Managers with confirmation of each conversion. Once notified, a Change Order will be sent for immediate signature.

We appreciate your quick and diligent response to this situation. Please contact us immediately if you have questions or concerns.

**RPT 23-355**

**TITLE:** Legal Fees Consideration - Evert Botha v. Councillor Dawn Kilmer and City of Prince Albert

**DATE:** August 31, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

THAT Council authorize payment in the amount of \$3,271.54 to cover the balance of legal costs incurred personally by Councillor Dawn Kilmer in successfully refuting and defending the public allegations made against her in the lawsuit commenced by Evert Botha against Councillor Kilmer and the City of Prince Albert, in consideration of the principles for protection of City officials in sections 124(1) and 318(2) of *The Cities Act*.

**TOPIC & PURPOSE:**

Consideration of payment of a City Councillor's legal fees personally incurred by reason of her having to refute and defend groundless allegations made against her by a member of the public in the context of a legal action initiated on the basis that she is serving the citizens of Prince Albert in public office.

**BACKGROUND:**

Mr. Evert Botha, a former City Councillor defeated in the last municipal election in 2020, commenced a legal action on November 28, 2022 naming Councillor Dawn Kilmer and the City of Prince Albert as party Respondents. His legal action asked the Court to:

1. Consider declaring Councillor Kilmer disqualified as a City Councillor on the basis of Mr. Botha's sworn allegations that in the process of running and serving as a City Councillor she had not reported her involvement as a volunteer director of the Prince Albert Raiders Hockey Club (a position from which she had in fact resigned immediately upon being elected to City Council);

2. Consider having the City conduct a bi-election (at a cost to taxpayers of approximately \$75,000);
3. Consider having Councillor Kilmer and/or the City responsible for Mr. Botha's legal costs.

Notwithstanding that Mr. Botha very publicly commenced and announced his Court proceedings and allegations, he later abandoned and discontinued his court action in the following circumstances without public explanation or attention.

Mr. Botha's court action was initiated and framed on the basis that Councillor Kilmer was serving the public as a City Councillor. Upon initiating the lawsuit, Mr. Botha made comments publicly in regard to his very specific allegations directed at Councillor Kilmer's personal and ethical integrity, focused on her service as a volunteer director of the Prince Albert Raiders Hockey Club. Mr. Botha did not contact the City or Councillor Kilmer to verify accuracy of various statements contained in his sworn Affidavit.

The City Solicitor upon receiving the Court Application immediately provided Mr. Botha's Regina-based lawyer copies of documents demonstrating that Councillor Kilmer had immediately upon her election in November of 2020 resigned from her volunteer director's position on the Board of the Prince Albert Raiders Hockey Club, demonstrating that the principal allegation upon which Mr. Botha's legal action purported to be based was not true.

Notwithstanding, Mr. Botha did not accept the invitation to discontinue his lawsuit before Councillor Kilmer and the City each incurred legal costs to file evidence contradicting Mr. Botha's public allegation. Nor did Mr. Botha retract or correct his public allegations or comments concerning Councillor Kilmer's integrity and ethics.

As a result, Councillor Kilmer was advised that it would be appropriate for her to engage independent legal counsel separate and apart from the City's legal counsel. The City Solicitor and Councillor Kilmer's lawyer then each independently prepared documents for filing with the Court, responding to Mr. Botha's allegations and clarifying for the Court true and actual relevant facts.

The City Solicitor filed in evidence a sworn Affidavit of the City Clerk, a copy of which is attached to this Report. Affidavit evidence was also prepared and directly filed on behalf of Councillor Kilmer by her lawyer.

Upon the evidence of the City Clerk and Councillor Kilmer being filed with the Court, Mr. Botha's lawyer discontinued his Court action without public notice or attention.

Councillor Kilmer incurred personal costs of \$7,500.00 in successfully refuting and defending Mr. Botha's allegations and legal action.

Mr. Botha has been held accountable to pay, and has paid, the equivalent of awardable court costs due to Councillor Kilmer and to the City in the combined amount of \$4,228.46. In the circumstances, and under discretion afforded in subsection 29(1) of *The Administration Bylaw*, the City Solicitor has directed these awarded costs to Councillor Kilmer's credit, leaving her incurred legal costs net at \$3,271.54.

## **PROPOSED APPROACH AND RATIONALE:**

*The Cities Act* contains principles specific to coverage of legal costs personally incurred by City officials in an application such as Mr. Botha's that are determined to be without merit and are unsuccessful, in the context of an unsuccessful court application seeking councillor disqualification, and generally in the context of an unsuccessful civil action commenced against a City official. The principles are based in a recognition that persons accepting public responsibilities can be particularly and unfairly exposed to personal litigious attack, and that protections are warranted. Relevant sections of the Act are subsections 124(1) and 318(2), which read as follows:

### ***PART VIII Disqualification of Members of Council Reimbursement***

*124(1) The council may reimburse the person with respect to whom an application pursuant to this Part was made for any costs and expenses that the council considers reasonable, other than costs that have already been awarded to the person by the judge, if:*

- (a) the application is dismissed; or*
- (b) order is issued declaring the person able to remain a mayor or councillor.*

### ***Acts of members of city bodies, city officers, volunteers, etc.***

*318 (2) The city shall pay the cost of:*

- (a) defending an action or proceeding against a city officer, volunteer worker or agent of the city claiming liability on the part of that person for acts or omissions done or made by the person in the course of his or her duties or paying any sum required to settle the action or proceeding;*

While it is noted that Mr. Botha's Court action was discontinued and withdrawn before a Court adjudicated and passed decision on the merits of Mr. Botha's action and allegations, the voluntary discontinuance of his action ultimately concludes the matter in favour of Councillor Kilmer and the City, as Mr. Botha's payment of court costs underscores. In any event, in that the evidence establishes that Councillor Kilmer clearly resigned her volunteer position as a director of the Raiders Hockey Club in ethical performance and consideration of her *duties* as a newly elected City Councillor (contrary to the sworn allegation of Mr. Botha), s. 318(2)(a) is applicable to her situation.

The Recommendation is that these principles of protection for City officials from exposure to unfair reputational attack by public legal action be considered and applied by City Council in covering the balance of Council Kilmer's legal costs incurred in successfully refuting and defending the allegations made against her in Mr. Botha's public litigation.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**ATTACHMENTS:**

1. Affidavit of City Clerk, filed with the Court of King's Bench

Written by: Mitchell Holash, K.C., City Solicitor

Approved by: City Manager

COURT FILE NUMBER: KBG-PA-00165-2022  
COURT OF QUEEN’S BENCH FOR SASKATCHEWAN  
JUDICIAL CENTRE PRINCE ALBERT  
APPLICANT EVERT BOTHA  
RESPONDENTS DAWN KILMER and CITY OF PRINCE ALBERT

**AFFIDAVIT OF TERRI MERCIER, CITY CLERK**

I, Terri Mercier, of the City of Prince Albert, Saskatchewan, hereby solemnly affirm as follows:

1. I am the City Clerk for The City of Prince Albert (sometimes herein referred to as “**the City**”), appointed by City Council to that position pursuant to section 85 of *The Cities Act*, Statutes of Saskatchewan, Chapter C -11.1, as amended (sometimes herein referred to as “**the Act**”).

2. The City of Prince Albert has been named as a party Respondent in the Application of Evert Botha in these Court proceedings. The City of Prince Albert is a municipal corporation incorporated pursuant to the Act.

3. I commenced employment with the City in the City Clerk’s office in 1997. I served as Deputy City Clerk 2015 - 2022, and during the relevant period in 2020 referred to in the Affidavit of Evert Botha in these proceedings. I was appointed City Clerk in 2022.

4. As City Clerk, I perform the roles and responsibilities as are legislated in section 85 and otherwise in the Act, as are delineated in the City of Prince Albert Job Description for the position of City Clerk, and as are assigned by City Council. Amongst my duties, I manage the City Clerk’s office and staff in maintaining the formal records and documents of and for City Council, its Committees and for City

Administration, including the approved recorded Agendas, Reports and Minutes for the Meetings of City Council and its Committees, and records pertaining to decision items considered and/or decided at such meetings. I oversee the maintenance and control of all such municipal records within the responsibility of the City Clerk's office.

5. Also within my role as City Clerk, I am responsible to maintain records and documents that are and have been submitted to the municipal corporation by candidates seeking election to Council, and that are submitted by elected officials, as these persons address legislated requirements applicable to and incumbent upon them personally, pursuant to the Act and City bylaws and procedures.

6. As part of those responsibilities, I maintain records that Council candidates and elected Council members submit to the municipal corporation in relation to their respective statutory duties for conflict, financial interest and public disclosure under Part VII of the Act.

7. Within the scope of duties assigned to Prince Albert's City Clerk, I also carry responsibilities as the Chief Elections Officer for the City of Prince Albert, and am responsible for all matters involved in the planning, organization, resourcing, implementation, administration and reporting for all municipal elections or bi-elections.

8. I note that while the City of Prince Albert has been named as a party Respondent to this Application, there is no specific relief claimed against the City by Mr. Botha.

#### **Costs of a bi-election if Council seat vacated**

9. In recognizing that, the City has an meaningful interest in the proceedings, in that any need for a bi-election to fill a Council position vacated by disqualification, as is sought by Mr. Botha, or vacated otherwise mid-term, would involve an unbudgeted bi-election. A bi-election so required would be no small undertaking for the municipal corporation, and would involve significant reallocation of municipal resources and unbudgeted mid-term costs expected to exceed \$75,000.00.

### **Clarifications appropriate to Mr. Botha's evidence**

10. I have reviewed the Application and Affidavit of Evert Botha served on the City of Prince Albert in this proceeding and in relation to these general matters, and I depose this Affidavit to clarify and respond to certain points of evidence and assertion offered by him therein.

11. Regarding paragraph 3 of Mr. Botha's Affidavit, Mr. Botha served as an elected member of Prince Albert City Council for Ward 3 for one term from 2016 – 2020. Mr. Botha stood for re-election in Ward 3 in the 2020 election, but was not re-elected to City Council.

12. Regarding paragraphs 5 - 22 of Mr. Botha's Affidavit, he refers to two Applications for project funding advanced by City Administration in 2019 for the construction of new ice-surface arenas and aquatics facilities for Prince Albert, for which I would respectfully suggest the Court would benefit from some clarification and correction.

### **Three identified capital needs for Prince Albert**

13. The City of Prince Albert's facility needs, as identified over the years by City Administration, include (but are not limited to) three distinctive needs:

- (a) An aquatics facility/pool;
- (b) New and replacement community ice-arena facilities for minor and recreational hockey, and for youth and community skating training and programming;
- (c) A major arena project that would be utilized as an enhanced community events centre, a WHL-sanctioned home-base arena for the Prince Albert Raiders Hockey team, and in supplement to the City's community-based ice-arena programming.



### **Aquatics Facility**

14. The City of Prince Albert, unlike most Canadian municipalities, does not own an aquatics or pool facility. City Administration has for some years identified this deficiency as a capital need for the City.

### **Renewal of Community Ice-Arena Facilities**

15. City Administration has also identified the need to renew specific ice-arena facilities dedicated to minor league and recreational hockey, and to youth and community skating training and programming. The retiring of certain aged ice-arena facilities and the construction of new ice-arena facilities to accommodate these community uses have been identified for some years by City Administration as a capital need for the City.

### **Major Events Centre/WHL Arena Concept**

16. The Prince Albert Raiders Hockey team for more than 50 years has provided the community and surrounding area with a local Saskatchewan Junior Hockey League team, and since the 1980's, with a Western Hockey League ("**WHL**") team. The team is organized as a community-owned not-for-profit corporation (sometimes herein referred to as "**the Raiders Club**"), and has been and is governed and operated with significant community volunteer effort.

17. For more than 50 years, the Raiders Club has practiced and played its home games in a wood-constructed arena that was in or about 1970 originally constructed and paid for by community volunteers and patrons of the Raiders Club, through a non-profit charitable community corporation known as the Civics Facilities Association Inc.

18. Upon completion of that arena in or about 1970 (initially known as "the Communiplex"), ownership was ceded to the City of Prince Albert. The City has since operated this arena (more recently renamed in or about 2006 the "Art Hauser Centre")

as one of its several arena facilities in support of the community's minor and recreational hockey and skating training programming, and as a special events centre.

19. The City also since 1970 has facilitated the use of this arena (Communiplex/Art Hauser Centre) by the Raiders Club through agreements that operate through community and volunteer partnerships.

20. The Communiplex/Art Hauser Centre does not meet WHL League facilities requirements. The Raiders Club and City Administration have over several years discussed as a concept or potential project the feasibility and need for a new facility that could be used as a major events centre, a WHL-sanctioned home-base arena by the Raiders Club, and in supplement to the City's community ice-arena needs

### **Exploring Available Funding for Different Project Concepts**

21. City Administration has explored various funding plans and options to address one or more of these three (3) referenced capital needs identified. In 2019, a federal-provincial infrastructure funding program was identified as available, and City Administration applied in April of 2019 for funding of a project concept that envisioned all three identified needs being addressed in one major project (ie. an aquatics facility, multiple community-use ice surfaces, and a major event centre arena compatible for WHL use by the Raiders Club).

22. The "ICIP Application" for partnered senior government funding under date of April 26, 2019 advanced by City Administration (Exhibit 1.2 to Mr. Botha's Affidavit) therefore reflected a project concept proposed to address all three of these identified needs.

23. The City's April 26, 2019 ICIP Application for the project concept envisioning an aquatics facility, multiple community ice-surfaces, and a new events centre/WHL arena was considered, but ultimately denied on the basis that the ICIP funding could not under its scope fund construction of a WHL arena.

## The Revised Project Concept

24. In City Administration's dealings with the ICIP Program officials, it was identified that the senior government funding program could potentially be available to fund a more limited construction project concept that related only to the first two of these identified needs (ie. the aquatics facility and the multiple community-use ice-surface renewal).

25. On this basis, City Administration submitted to the ICIP Program under date of August 14, 2019 a funding application for a project concept that did not include the major event centre/WHL arena, but rather proposed an aquatics/arena project limited to the construction of a multi-purpose facility for an aquatics centre/pool and replacement of community-use ice-surfaces (the first two identified needs).

26. Major senior government funding contribution for this particular reduced-scope project applied for was approved through the ICIP Program in the approximate amount of \$44 Million ("**the Funded Project**").

27. On the basis of this \$44 Million senior-government funding contribution that is available only for this particular Funded Project, City Council has considered and approved by Resolution architects and a conceptual design for the Funded Project, has purchased lands and have authorized construction of the Funded Project.

28. The decision and Resolutions of Council for the Funded Project have not related to or approved anything in relation to a commitment to construct an events centre or arena for WHL/Raiders Club use.

29. City Council has at no time considered or provided formal approval to construct or fund the construction of an events centre or arena for WHL/Raiders Club use.

30. To the extent that Mr. Botha's Affidavit is read to infer or suggest that Council has to date considered or made any decision to approve a construction project for an arena for Raiders Club use, such an inference or suggestion is not accurate or correct.

31. To the best of my knowledge and inquiry, Mr. Botha at no time contacted City Administration to check whether his understandings or interpretations leading to his contrary assertions were unreasonable or incorrect.

### **The City of Prince Albert's Duties re Candidate/Councillor Disclosures**

32. In response to paragraphs 35 and 36 of Mr. Botha's Affidavit, his allegation that the City has made "a false statement" to the Ministry of Government Relations is untrue, inaccurate and reflects a mis-statement of the duties incumbent upon the City of Prince Albert as a municipal corporation receiving disclosure statements from its elected officials pursuant to the Act and the City's bylaws.

33. There was no false statement made by or on behalf of the City in relation to the requirements of the Municipal Revenue Sharing Declaration of Eligibility cited in paragraphs 35 and 36 of Mr. Botha's Affidavit.

34. The actual form that the City Clerk's Office has responded to, as referred to by Mr. Botha, is a form prepared and provided by the Provincial Government Ministry itself. The question asked is whether the Council members have completed and filled in their Disclosure Statement with the Clerk as required by legislation. This was accurately and truthfully responded to in the affirmative. This statement is and cannot be a representation on behalf of the municipal corporation that a Disclosure Statement from an elected Councillor has been investigated to ensure its accuracy. Rather, it represents only that the Disclosure Statement, sworn or affirmed by the Councillor, has been completed and submitted to the Clerk's Office.

35. The phrase in the referenced form “as required by legislation”, references the requirements under Sections 116(1), (3) and (4) of *The Cities Act*. Those requirements relate exclusively to members of Council. There is absolutely no obligation or duty created in *The Cities Act* for City Administration or the City Clerk to resource an investigation to ensure that a Councillor’s statements are true and correct. The obligation imposed by the legislation is incumbent upon the member of Council signing and declaring.

### **Clarification of Council Resolutions**

36. In response to paragraph 39 of Mr. Botha’s Affidavit, Mr. Botha’s assertion is inaccurate insofar as he suggests City Council Resolution No. 0015 on January 25, 2021 engaged MNP LLP as auditors for the City. Rather, this January 2021 Resolution related to the City’s 2020 annual audit engagement letter. In fact, it was during Mr. Botha’s tenure on City Council in 2017 when MNP LLP was by Council Resolution No. 0085/2017 appointed as the City’s auditors for the fiscal years 2017 - 2021.

37. In any event, there is no known conflict of interest created by MNP LLP serving as auditors for two separate clients, the City of Prince Albert and the Raiders Club.

38. In response to paragraphs 41 of Mr. Botha’s Affidavit, Resolution 0031 dated February, 2021 addressed approval of the City’s General Fund. The General Fund Budget is a very detailed, omnibus document covering all planned expenditures of the City. For practical purposes and to ensure quorum when the General Fund Budget comes to point of requiring approval by Council, conflicts of interest are declared and exclusions undertaken by Councillors, where appropriate, during the discussion and decision making on particular funding issues through Budget Committee deliberations.

## **Councillor Dawn Kilmer's 2020 Resignation**

39. Councillor Kilmer reported to City Administration in November 2020 that upon her election to City Council she did effective November 23, 2020 fully resign her directorship with the Prince Albert Raiders Board of Directors.

40. Upon receiving service of Mr. Botha's Application and Affidavit in these proceedings, I am advised by the City Solicitor, Mr. Mitchell Holash, K.C., that he made same-day inquires of Councillor Kilmer and the Raiders Club and was immediately provided with a copy of Councillor Kilmer's resignation from the Board effective November 23, 2020 following her election to Council, and a copy of the December 1, 2020 Raiders Board meeting Minutes confirming her resignation from the Board.

## **Consideration on Issue of Costs**

41. I am advised by Mr. Holash that he sent by email to Mr. Botha's lawyer on Tuesday November 29, 2022 copies of these documents in order to determine whether Mr. Botha was prepared to retract his Application before unnecessary costs were incurred. Attached hereto and marked as Exhibit "A" to this my Affidavit is that which Mr. Holash advises me is a true copy of that email exchange with attachments.


42. Mr. Holash reports that Mr. Botha's legal counsel did not have instructions to withdraw Mr. Botha's Application upon reviewing the 2020 resignation and Board Minutes.

43. I note that Mr. Botha's Application is brought as a "voter" pursuant to Section 121(2)(b), and that pursuant to Section 121(3)(b) that it is mandatory for him to pay into Court the sum of \$500.00 as security for costs in order to proceed with his Application.

44. I am advised by the City Solicitor that upon inquiry to the Court of King's Bench, he received confirmation from the Registrar's office that is attached as Exhibit "B" to this my Affidavit that Mr. Botha did not meet that requirement.

45. I make this Affidavit in response to the Application of Mr. Botha, as City Clerk for the City of Prince Albert, in that the City has been named as a party Respondent, and for no improper purpose.

AFFIRMED BEFORE ME  
at Prince Albert, Saskatchewan,  
this 14 day of December, 2022.

  
\_\_\_\_\_  
Commissioner for Oaths  
for Saskatchewan,  
Being a Lawyer.

  
\_\_\_\_\_  
**TERRI MERCIER**

## Adreanna Boucher

---

**From:** Mitchell Holash, K.C.  
**Sent:** Tuesday, November 29, 2022 5:46 PM  
**To:** Louis Browne - WWOBLLP  
**Cc:** Holash Executive Assistant  
**Subject:** Botha v Kilmer and PA  
**Attachments:** Resignation from Raiders Board - Councillor Dawn Kilmer (ward7@citypa (00433223xA03EF).docx; Raiders Resignation Minutes (00433355xA03EF).pdf

Thanks Louis for your return call this evening. This will confirm that I have contacted you as City Solicitor for the City of Prince Albert, following service late yesterday of the Application naming the City of Prince Albert as a party Respondent.

As I indicated in our call I would immediately do following my very preliminary review of the matter, I will share with you relevant documents were readily obtained. Please find attached a copy of the resignation of Dawn Kilmer from the Raiders Board dated November 23, 2020, and a copy of the Minutes provided me from the Raiders Board of Director meeting December 1, 2020.

I appreciate you sharing that your client has in its Application relied on an ISC registration that was apparently delinquent in reflecting that resignation, but it would appear that the evidence will establish that ISC registration to be incorrect and that Councillor Kilmer has not been a Director on the Raider Board since her election in November of 2020.

Please advise if this documented evidence changes Mr Botha's approach to this Application. We would be interested to know that before further expense is incurred in responding to the Application.

I appreciate as well your acknowledgement that there is no relief claimed as against the City of Prince Albert in the Application. In the circumstances, legal representation for the City and of Councillor Kilmer will be sorted out relative to my involvement, and we will advise you when that is determined in the context of considerations relevant to section 317 of *The Cities Act*.

Best regards,  
Mitch

Mitchell J. Holash, K.C.

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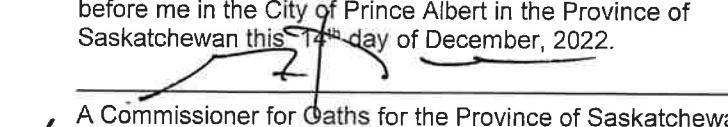
### NOVUS LAW GROUP

Wilcox Holash McCullagh  
1200 Central Avenue  
PRINCE ALBERT, SK S6V 4V8  
Telephone: 306.922.4700  
Fax: 306.922.0633

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This is Exhibit "A" of the Affidavit of Terri Mercier affirmed before me in the City of Prince Albert in the Province of Saskatchewan this 14<sup>th</sup> day of December, 2022.

  
A Commissioner for Oaths for the Province of Saskatchewan.  
~~My Commission expires~~  
~~on Being a Solicitor.~~



**From:** Louis Browne - WWOBLLP <lbrowne@wwobllp.com>  
**Sent:** Tuesday, November 29, 2022 5:06 PM  
**To:** Mitchell Holash, K.C. <mholash@novuslaw.ca>  
**Subject:** [EXT]FW: New voicemail from 306-961-3182

Hi Mitch,

Thanks for your below voicemail.

You may email me here.

Take care,

**Louis A. Browne**  
**Partner**  
**Willows Wellsch Orr & Brundige LLP**  
**Barristers, Solicitors & Notaries**  
Direct Line: 306.565.4817

This communication (and any attachments) is directed in confidence to the addressee(s) listed above, and may not otherwise be distributed, copied or used. The contents of this communication may also be subject to lawyer-client privilege, and all rights to that privilege are expressly claimed and not waived. If you have received this communication in error, please notify us by reply e-mail or by telephone and delete this communication (and any attachments) without making a copy.

**From:** SaskTel Voice Mail [<mailto:noreply@msging.sasktel.net>]  
**Sent:** November 29, 2022 4:23 PM  
**To:** Louis Browne - WWOBLLP <lbrowne@wwobllp.com>  
**Subject:** New voicemail from 306-961-3182

A new message has arrived in your 3065654817 mailbox.

## **New message from: 3069613182**

---

"Yes hello this is Mitchell Lash calling. I'm six Lester with Prince Albert and I was forwarded to this number I guess by your receptionist at the office. I think I'm contacting Louise Brown at this number. Louie your name is on an application for a client your client Edward Bosa that name is the City of Prince Albert and one of our counsellors Don Kilmer. I have a couple of the documents that I want to share with you by email you can have an email address I'll check your website the same(?) ... from Don Kilmer to the Prince Albert Raider board of directors back in in 2020. As well as the minutes of the writers meeting which should resigned so that also want to forward to you and we can discuss how the matter needs to proceed after after that. I'm at 306-922-4700 tomorrow at today I'm at 306-961-3182. Thank you."

Log in to SaskTel Voice Mail Centre [here](#)

Note: The voicemail message has been attached for your convenience.

Copyright © 2018 SaskTel • All Rights Reserved

-----Original Message-----

From: Councillor Dawn Kilmer <[ward7@citypa.com](mailto:ward7@citypa.com)>

Sent: Monday, November 23, 2020 6:13 PM

To: Gord Broda <[Gord.Broda@sasktel.net](mailto:Gord.Broda@sasktel.net)>

Subject: Resignation

Hi Gord

Please accept this email as my formal resignation from the Prince Albert Raider Board.

I have enjoyed my tenure with this Board and wish the organization well.

#GoRaidersGo

Thank you

Dawn Kilmer

Sent from my iPhone

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the City of Prince Albert. Finally, the recipient should check this email and any attachments for the presence of viruses. The City of Prince Albert accepts no liability for any damage caused by any virus transmitted by this email. COPA\_Email\_Disclaimer

**Prince Albert Raiders Hockey Club Inc**  
**Minutes of the Board of Directors Meeting**  
**Dec 1, 2020**

**In attendance:**

Gord Broda (President)  
Brad Toporowski (Vice-President) - Zoom  
Brent Spademan (Treasurer)  
Gord Thompson (Director) - Zoom  
Mike Lypchuk (Director)  
Trevor Rumpel (Director) - Zoom  
Curtis Lemieux (Director)  
Dawn Kilmer (Director)  
Colin Fraser (Director) - Zoom  
Mark Doell (Director)  
Brent Macdonald (Director)  
Cory Crawford (Director) - Zoom  
Curtis Hunt (General Manager)  
Michael Scissons (Business Manager)

**Absent**

N/A

1. Gord Broda called the meeting to order at 12:34 pm
2. Approval of Agenda.
  - B. Toporowski asked to have an update on discussions with corporate partners that are taking place regarding shortened season, lack of fans, etc...
  - Motion to accept agenda by Colin Fraser, seconded by Curtis Lemieux. CARRIED
3. Approval of minutes from board meeting on Oct 7, 2020
  - Motion to accept minutes by Mark Doell, seconded by Gord Thompson. CARRIED
4. General Manager Report – Curtis Hunt
  - Update on players playing location
  - updated on current return to play protocol
  - update on schedule process
  - Where we were a year ago.
5. Business Operations Report – Mike Scissons
  - Update on Hockey Harvest Lottery.
  - Update on Financial Situation
  - Discussion on emergency covid line of credit for \$150,000 from the Conexus Credit Union. Understanding that this line of credit would come with a different interest rate than our current \$150,000 line with Conexus.

- Motion by Brent MacDonald to secure additional \$150,000 emergency covid line of credit with Conexus Credit Union in Prince Albert. Seconded by Brent Spademan. CARRIED.

- Team will be selling cardboard cutouts of fans for the 2020-21 season. These sales will come with a WHL Live home/away package.

- Signed 3 year agreement with Fannex – interactive fan platform.

**6. Governors Report – Gord Broda**

- Update on potential government funding requests

- Weekly calls both on governors and executive committee with WHL

- Dawn Kilmer has tendered her resignation from the Board of Directors

**7. Executive Election**

a) **President** – Gord Broda lets his name stand, no other nominations, Gord Broda remains as President of Board of Directors

b) **Vice-President** – Brad Toporowski lets his name stand, no other nominations, Brad Toporowski remains as Vice President of Board of Directors

c) **Treasurer** – Brent Spademan lets his name stand, no other nominations, Brent Spademan remains as Treasurer of Board of Directors

d) **Executive Members** – Brent MacDonald and Trevor Rumpel let their names stand, no other nominations, Brent MacDonald and Trevor Rumpel will remain as members of the Executive Committee of the Board of Directors.

**8. Adjournment** – Motion to adjourn by Brent MacDonald at 1:41

**Adreanna Boucher**

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**From:** Mitchell Holash, K.C.  
**Sent:** Wednesday, December 07, 2022 3:42 PM  
**To:** 'Beckett, Ryan JU'  
**Cc:** Holash Executive Assistant  
**Subject:** KBG-PA-00165-2022

Thank you for confirming, Ryan.

Best regards,  
Mitch

Mitchell J. Holash, K.C.

---

**NOVUS LAW GROUP**  
**Wilcox Holash McCullagh**  
1200 Central Avenue  
PRINCE ALBERT, SK S6V 4V8  
Telephone: 306.922.4700  
Fax: 306.922.0633

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**From:** Beckett, Ryan JU <ryan.beckett2@gov.sk.ca>  
**Sent:** Wednesday, December 07, 2022 3:37 PM  
**To:** Mitchell Holash, K.C. <mholash@novuslaw.ca>  
**Subject:** [EXT]KBG-PA-00165-2022

KBG-PA-00165-2022  
*Evert Botha v. Dawn Kilmer and City of Prince Albert.*

Good day Michell Holash.

This is an email to let you know that there is NO 500.00 security costs in our trust for the above noted file.

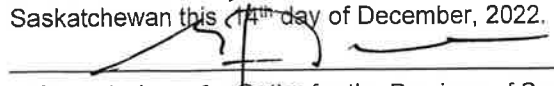
Thanks.

**Ryan  
Beckett**

---

Government of Saskatchewan  
Deputy Local Registrar  
Prince Albert Court of King's Bench, Ministry of Justice

This is Exhibit "B" of the Affidavit of Terri Mercier affirmed before me in the City of Prince Albert in the Province of Saskatchewan this 14<sup>th</sup> day of December, 2022.

  
A Commissioner for Oaths for the Province of Saskatchewan.  
~~My Commission expires~~  
~~of~~ Being a Solicitor.

1800 Central Avenue  
Prince Albert, SK  
Bus: 306-953-3200  
Fax: 306-953-3210  
Email: [ryan.beckett2@gov.sk.ca](mailto:ryan.beckett2@gov.sk.ca)

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**Form 12-3**  
(Subrule 12-3(1))

COURT FILE NUMBER    **KBG-PA-00165-2022**

COURT OF KINGS'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE        **PRINCE ALBERT**

APPLICANT                **EVERT BOTHA**

RESPONDENTS            **DAWN KILMER**  
                                  **CITY OF PRINCE ALBERT**

**ACKNOWLEDGEMENT OF SERVICE**

You are asked to fill out and sign this form without delay, and to return it by fax to Mitchell J. Holash, K.C. of Novus Law Group at **306-922-0633**. If you do not return this signed and completed Acknowledgement of Service without delay, you may not receive notice of any further proceedings or any documents may be personally served on you and you will be required to pay the costs of service.

I acknowledge service on me of a copy of the following documents:

1. Affidavit of Terri Mercier sworn December 14, 2022; and
2. Acknowledgment of Service.

I am:

(select one)

- a party in this action.
- Authorized to accept service on behalf of \_\_\_\_\_ (name of party),  
being a \_\_\_\_\_ ( e.g. lawyer, officer of corporation, power of  
attorney).

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date of service)

My name is: Louis A. Browne  
My address for service is: Willows Wellsch Orr & Brundige LLP  
401, 1916 Dewdney Avenue  
Regina, SK  
S4R 1G9  
My telephone number is: 306-525-2191  
My fax number is (optional): 306-757-8138  
My e-mail address is (See Notice): lbrowne@wwobllp.com

**NOTICE**

(1) You must include an address in Canada where documents may be mailed to or left for you if you wish to receive notice of subsequent proceedings in this matter. Your address for service must include an e-mail address if you are represented by a lawyer or if your address for service is located outside Saskatchewan. Otherwise, including an e-mail address is optional. It is also optional to include a fax number.

(2) When an e-mail address or a fax number is included in your address for service, documents may be served on you by email or fax.

(3) The address, fax number or e-mail address that you give on this form will be used to serve you with documents until you serve on the other parties and file with the court written notice of a new address for service.

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

**If prepared by a lawyer for the party:**

Name of firm: Novus Law Group  
Name of lawyer in charge of file: Mitchell J. Holash, K.C.  
Address of legal firms: 1200 Central Avenue, Prince Albert, SK S6V 4V8  
Telephone number: 306-922-4700  
Fax number (if any): 306-922-0633  
E-mail address (if any): [mholash@novuslaw.ca](mailto:mholash@novuslaw.ca)



**Form 12-3**  
(Subrule 12-3(1))

COURT FILE NUMBER    **KBG-PA-00165-2022**  
COURT OF KINGS'S BENCH FOR SASKATCHEWAN  
JUDICIAL CENTRE        **PRINCE ALBERT**  
APPLICANT                **EVERT BOTHA**  
RESPONDENTS            **DAWN KILMER**  
                                  **CITY OF PRINCE ALBERT**

**ACKNOWLEDGEMENT OF SERVICE**

You are asked to fill out and sign this form without delay, and to return it by fax to Mitchell J. Holash, K.C. of Novus Law Group at **306-922-0633**. If you do not return this signed and completed Acknowledgement of Service without delay, you may not receive notice of any further proceedings or any documents may be personally served on you and you will be required to pay the costs of service.

I acknowledge service on me of a copy of the following documents:

1. Affidavit of Terri Mercier sworn December 14, 2022; and
2. Acknowledgment of Service.

I am:

(select one)

- a party in this action.
- Authorized to accept service on behalf of \_\_\_\_\_ (name of party),  
being a \_\_\_\_\_ ( e.g. lawyer, officer of corporation, power of  
attorney).

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date of service)

My name is: Victoria Elliott-Erickson  
My address for service is: Veritas Law Group LLP  
142 12<sup>th</sup> Street East  
Prince Albert, SK  
S6v 1B6  
My telephone number is: 306-922-9730  
My fax number is (optional): 306-764-7677  
My e-mail address is (See Notice): victoria.elliott Erickson@gmail.com

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(2) When an e-mail address or a fax number is included in your address for service, documents may be served on you by email or fax.

(3) The address, fax number or e-mail address that you give on this form will be used to serve you with documents until you serve on the other parties and file with the court written notice of a new address for service.

**CONTACT INFORMATION AND ADDRESS FOR SERVICE**

**If prepared by a lawyer for the party:**

Name of firm: Novus Law Group  
Name of lawyer in charge of file: Mitchell J. Holash, K.C.  
Address of legal firms: 1200 Central Avenue, Prince Albert, SK S6V 4V8  
Telephone number: 306-922-4700  
Fax number (if any): 306-922-0633  
E-mail address (if any): [mholash@novuslaw.ca](mailto:mholash@novuslaw.ca)



**RPT 23-334**

**TITLE:** Destination Marketing Fund Grant Application Form 2023 Northern Lights Casino Thanksgiving Pow Wow

**DATE:** August 23, 2023

**TO:** City Council

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

1. That the Event Retention Destination Marketing Fund Grant Application from the 2023 Northern Lights Casino Thanksgiving Pow Wow Committee for funding the 2023 Northern Lights Casino Thanksgiving Pow Wow scheduled for October 6 – 8, 2023, in the amount of \$30,000, be approved;
2. That \$30,000 be funded from the Destination Marketing Levy Reserve; and,
3. That the Mayor and City Clerk be authorized to execute the Funding Agreement on behalf of The City, once prepared.

**ATTACHMENTS:**

1. Destination Marketing Fund Grant Application Form 2023 Northern Lights Casino Thanksgiving Pow Wow (RPT 23-325)

Written by: Destination Marketing Levy Advisory Committee



**RPT 23-325**

**TITLE:** Destination Marketing Fund Grant Application Form-2023 Northern Lights Casino Thanksgiving Pow Wow

**DATE:** August 14, 2023

**TO:** Destination Marketing Levy Advisory Committee

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That the following report be approved to receive DMF Funding from the City of Prince Albert as follows:

1. That the Event Retention Destination Marketing Fund Grant Application from the 2023 Northern Lights Casino Thanksgiving Pow Wow Committee for funding the 2023 Northern Lights Casino Thanksgiving Pow Wow scheduled for October 6 – October 8, 2023, in the amount of \$30,000, be approved;
2. That \$30,000 be funded from the Destination Marketing Levy Reserve; and,
3. That the Mayor and City Clerk be authorized to execute the Funding Agreement on behalf of The City, once prepared.

**TOPIC & PURPOSE:**

To obtain approval for funding in the amount of \$30,000 for the 2023 Northern Lights Casino Thanksgiving Pow Wow scheduled for October 6 – October 8 2023.

**BACKGROUND:**

City Council, at its meeting of June 13, 2022, considered an updated Destination Marketing Levy Policy – Amended as Per Executive Committee.

Council approved the following motion:

*“That the Destination Marketing Levy Policy No. 89.3, as attached to RPT 22-242, be approved.”*

The updated Destination Marketing Levy Policy updated the approval of DMF Funding Grants and Final Reports.

The attached DMF Application is requesting approval for grant funding in the amount of \$30,000 as per the Destination Market Levy Policy.

The Application states: *“The celebration will attract over 7000 Cultural Dancers and spectators from across Saskatchewan, Canada, and North America who will travel to participate and watch the dancers and drum groups and experience First Nations hospitality that NLC and the organization have to offer. With the celebration now being 3 days, this will result in travelers arriving to the city 1-2 days earlier and will increase revenue for many local businesses.”*

As per the Destination Marketing Levy Policy, this Application needs to be approved by the Destination Marketing Levy Advisory Committee **and forwarded to City Council for final approval:**

#### 4.05 City Council

- a) *Consider recommendations submitted by the Destination Marketing Levy Advisory Committee regarding applications for request of funding over the amount of \$10,000.*
- b) Approve applications over the amount of \$10,000.**
- c) *Authorize the Mayor and City Clerk to sign all Funding Agreements with the Applicant once a decision has been rendered by City Council regarding an approved request over \$10,000.*
- d) *May, as required, instruct that the Administrator attach conditions to the approval of assistance under this policy which will require the recipient to perform certain activities or provide additional information in connection with the event receiving funding.*

The amount of \$30,000 requires City Council approval.

#### Funding Model for Grants

Destination Marketing Levy Funds will be funded as a Grant to Host Committees as per the confirmed hotel accommodations for the Event.

The grant to be funded will be based on the following ratio criteria:

<b>City Council Approval - Grants for Funding over \$10,000.</b>	
<b>Hotel Rooms</b>	<b>Maximum DMF Levy Funding</b>
901-1,000	\$15,000
1,001-1,200	\$25,000
<b>1,201-1,500</b>	<b>\$30,000</b>
1,501-1,999	\$35,000

**The criteria for hotel rooms for DMF funding in the amount of \$30,000 is 1,201 to 1,500 confirmed hotel rooms.**

In their Application Form, they had estimated approximately 1459 room nights.

The application states: *"Used the estimated numbers from the 2018 application." This number is based on the final report from the last Pow Wow in 2018.*

#### **CONSULTATIONS:**

The Grant Application has been reviewed internally by Administration.

#### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Once a decision has been rendered by the Destination Marketing Levy Advisory Committee, the Administrator will report back to the Host Committee.

Once the funding is approved, a Funding Agreement will be forwarded for signing.

#### **POLICY IMPLICATIONS:**

This Grant Application is from the approved Destination Marketing Levy Policy

#### **FINANCIAL IMPLICATIONS:**

As per approved Policy, the Destination Marketing Levy Advisory Committee can approve applications up to \$10,000. Over the funding request amount of \$10,000, a recommendation will go to City Council to approve the application.

A recommendation will need to be forwarded to City Council for approval of grant funding if the committee agrees to consider the original request amount, which is over \$10,000.

With the approval of the Destination Marketing Levy Fund Grants to date, including the requests to the Committee at this time, and the 2023 Levy Revenue credited to the Reserve, the projected Reserve Balance to date is approximately **(\$1,138,531.64)**.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no official community plan or privacy implications.

**STRATEGIC PLAN:**

Acting and Caring Community – The Destination Marketing Levy Policy was approved for attracting events to the City of Prince Albert; attract visitors to the City of Prince Albert, and in so doing, generate significant economic benefit for the community.

This Event provides great economic benefit to our community

The 2023 Northern Lights Casino Pow Wow

***“The Pow Wow is a positive boost to the tourism economy in PA as many local businesses thrive during the weekend with out-of-town visitors shopping, dining, using accommodations, and overall enjoying what PA has to offer. The Pow Wow is held to welcome and honor others and is a valuable and fascinating cultural experience for Non-First Nations people unfamiliar with the Culture.”***

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:**

Verbal Presentation by the DMF Administrator

**ATTACHMENTS:**

1. Destination Marketing Fund Grant Application Form-2023 Northern Lights Casino Thanksgiving Pow Wow

Written by: Trina Bell, Tourism Coordinator

Approved by: Director of Planning and Development Services & City Manager

## Event Retention Destination Marketing Fund Grant Application

Application Date: **August 1, 2023**

Please select the type of application being submitted.

- Event Viability Application (event is struggling)
- Competitive Bid received Application

Amount of Destination Marketing Grant Fund Requested: **\$ 30,000.00**

### **Organization Information:**

Name of Organization requesting funding: **2023 Northern Lights Casino Thanksgiving Pow Wow Committee**

Contact Person: **Richard Ahenakew-General Manager**

Phone: **306-765-3223** Email: [richard.ahenakew@siga.sk.ca](mailto:richard.ahenakew@siga.sk.ca) or [teiya.ermine@siga.sk.ca](mailto:teiya.ermine@siga.sk.ca)

Mailing Address including postal code: **44 Marquis Road West, Prince Albert, SK S6V 7Y5**

Type of Organization (please select one)

- Private                       Not-for-Profit                       Other

If Other, explain: **Click here to enter explanation.**



Name of Organization that the Destination Marketing Fund Grant, if approved, should be made payable to: Northern Lights Casino

Brief description of organization requesting funding:

Organization's annual budget: \$ Please see attached Projected Budget for 2023 event

**Event Information:**

Name of Event: 2023 Northern Lights Casino Thanksgiving Pow Wow

Duration of event: Start date: Oct. 6, 23 End date: Oct. 8, 23

Describe the event: The Northern Lights Casino Thanksgiving Pow Wow will be held at the Art Hauser Centre in Prince Albert Octobert 6th, 7th and 8th, 2023. The additions to this celebration include: added dance specials, meals for the spectators, larger prize money to attract dancers and drummers, a new youth special dance, increased drum payout to generate more drummers. With the celebration now being 3 days, this will result in travellers arriving to the city 1-2 days earlier and will increase revenue for many local businesses. NLC is currently corresponding with many communities by letter, radio/TV advertising, posters and social media to ensure this celebration will repeat attendess and newcomers to the celebration. The celebration will attract over 7000 Cultural Dancers and spectators from across Saskatchewan, Canada and North America who will travel to participate and watch the dancers and drumm groups and experience First Nations hospitality that NLC and the organizers have to offer. This celebration will be enjoyed by the Prince Albert residents and a chance to showcase First Nations song and Dance in a safe and substance-free environment. The Pow Wow is open to everyone with no admission fee and keeping with tradition, the celebration will offer complimentary stew and bannock on day one and soup and bannock for days two and three for attendees. The Pow Wow is a positive boost to the tourism economy in PA as many local businesses thrive during this weekend with out of town visitors shopping, dining, using accomodations and overall enjoying what PA has to offer. The Pow Wow is held to welcome and honour others and is a valuable and fascinating cultural experience for Non-First Nations people unfamiliar with the

**culture. Our competition Pow Wow has significant prize money available for the dancers and drum groups who compete for prize money. This Pow Wow is the largest in this district - it just fits Prince Albert and all that it has to offer.**

**Accommodations:**

Estimated number of room nights generated from event: **1459**  
(Room nights limited to hotel/motel rooms, B&B rooms)

What method did you use to estimate the number of room nights generated for this event: **Used the estimated numbers from the 2018 application.**

What local facilities other than accommodations will be used: **We have booked the Art Hauser Centre at the cost to NC of \$17,210.00. The concession at the Art Hauser Centre is the main source of food for the spectators and generates a high revenue during the celebration for the City of Prince Albert.**

**Event Attendance:**

Estimated participants, officials and staff:	<b><u>1500</u></b>
Estimated spectators – non-residents (80 km or more away from Prince Albert)	<b><u>4000</u></b>
Estimated spectators – City residents	<b><u>3000</u></b>
Total estimated spectators	<b><u>7000</u></b>

**This event is** (please select one)

Local     Provincial     Regional     National     International

**Media exposure** (please select one)

Local     Provincial     Regional     National     International

**Event History:**

How long has this event been held in Prince Albert? **Since 1999**

Frequency of the event being hosted in Prince Albert (annually, every second year, etc.)? **Originally it was every year - although in 2016 it was decided due to budget restrictions it will now be held every 2 years. Due to COVID-19 we didn't have a Pow Wow in 2020 or 2022.**

Does hosting this event in Prince Albert result in other events being hosted in Prince Albert or could other events be hosted in Prince Albert as a result of this event?     Yes     No

Please explain: Cultural tradeshows, additional Pow Wows. It is perceived that once the attendees experience Prince Albert an see the multitudine of services and hotels, that they will consider Prince Albert for future meetings, symposiums and sporting events.

Briefly summarize the experience of your organization related to hosting this or other events:

**The Committee consists of 40 people that are Volunteers made up of NLC Employees, Managers, Local Elders, Cultural Advisors, Youth and we start the planning early in the year and hold 3-5 planning meetings at the Days INN to discuss protocol, budget, arena items, roles the committee will take. We have attached a few of our meeting minutes for your viewing so you can get a sense of how our committee operates. The vision of the committee is to plan and hold a Traditional First Nations celebration that is Drug and Alcohol free in a safe environment for all to attend. There is round the clock security, first aid, and city police on site for the 3 days. In the past many Non-First Nations residents of Prince Albert phone to see if they can attend and we are so pleased to be able to share the culture within a city that is considered diverse. The Pow Wow is a bridge to bringing people together and our biggest obstacle is budget and not having enough funds to hold this celebration each year. In the past we have counted on the generosity of the business community, Northern Lights Community Development Corporation and are hoping the City of Prince Albert will recognize the importance of the Pow Wow and onboard as a supporter of our celebration. This is the second year we have approached the City of Prince Albert and appreciate the consideration.**

**Assessing Need:**

Please provide as much supporting information as possible to aid in assessing your application. The strength of information provided is the basis from which funding recommendations will be made. Please pay special attention to describing the items outlined below to the best of your ability.

Why is the event in jeopardy of not being held in Prince Albert or of its duration being reduced? How crucial is the Event Retention Destination Marketing Fund Grant? **N/A - discussed previously**

Please describe efforts made by the organizing committee to retain this event in Prince Albert: **Efforts are developed as a yearly event to showcase First Nation's hospitality, song, and dance as well as provide Northern Saskatchewan with a positive, drug and alcohol free celebration. With this said, Prince Albert is the only location that can support this size of celebration.**

Should an Event Retention Destination Marketing Fund Grant be approved, what plans have been put in place to ensure the event is sustainable moving forward?

(Possible information to include is your business plan including marketing plans and a demonstration of what is planned to ensure ongoing sustainability of the event)

**The Pow Wow Committee works hard at sustaining a cost effective First Nation celebration that can continue on to the foreseeable future. We also use the celebration to develop First Nations singers, dancers, and other support personnel. This gives us the tools to continue on to the future.**

If a competitive bid from another community to host the event in their community has been received please include details with your funding application.

(These details should include items such as: was the bid solicited by your organization or unsolicited, have the appropriate decision makers indicated a willingness to relocate the event, how does the organization benefit from moving the event, etc.)

**At this time, SIGA has reduced the 7 Pow Wow's in the past to one in Saskatoon and this one in Prince Albert which will continue on based on funding for the celebration.**

**Please ensure the following items accompany your application:**

- Budget for the event.
- Supporting information if applicable.

*\* Please provide the most current year-end financial statements or best equivalency if available.*

### **Privacy Policy Statement and Application Certification**

The City of Prince Albert is governed by *The Cities Act* and designated as a Local Authority pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*. Therefore, all information collected for the Destination Marketing Fund Grant Application process, including final executed Contracts and Agreements will be subject to public disclosure either through a Freedom of Information and Access Request in accordance with those regulations or Public Agenda.

Section 91(1)(a) of the Cities Act states the following:

*“91(1) Any person is entitled at any time during regular business hours to inspect and obtain copies of:*

*(a) Any contract approved by the council, any bylaw or resolution and any account paid by the Council relating to the City”*

This Grant Application with all supporting documents can be saved and emailed to [destinationlevy@citypa.com](mailto:destinationlevy@citypa.com) or printed and mailed or dropped off to City Hall, City Manager’s Office, 2<sup>nd</sup> Floor, 1084 Central Avenue, Prince Albert, SK S6V 7P3.



City of  
**Prince Albert**

*INQ 23-8*

**MOTION:**

Be received as information and filed.

**ATTACHMENTS:**

1. August 8, 2023 Inquiry Responses

Written by: Sherry Person, City Manager



To: City Council  
From: City Manager

August 8, 2023 - City Council Inquiries

Councillor	Inquiry #	Inquiry	Dep't Sent to	Date Responded	Response
Councillor Ogrodnick	INQ#23-08	What is the update on the La Colle Falls Project, as a report was supposed to come back to Council and a Tour of the site be scheduled.	Community Services	17-Aug	The Director of Community Services:  Following the La Colle Falls Tour and a subsequent meeting held this week, it was agreed that a draft report will be prepared within the next month. After consultation and feedback is considered, the report is anticipated for review by members of Council at the October 3, 2023 Executive Committee meeting.
Mayor Dionne	INQ#23-10	When is the entrance way to McDonalds going to be open?	Public Works	16-Aug	The Director of Public Works:  Public Works understands that the Developer is currently finishing up a development plan for the extended parking lot required for the use of the new entrance into the McDonalds on Marquis Road with the intent to have the work completed this construction season. Once construction is complete, Public Works would be opening the new entrance.
Councillor Miller	INQ#23-11	Could Community Services review the trees growing out of the curbs on 17th Street West, 16th Avenue West and 91 MacArthur Drive?	Community Services	24-Aug	The Director of Community Services:  The forestry crew took care of the elm seeded trees on August 14, 2023.
Councillor Miller	INQ#23-12	Could Public Works repair the concrete sidewalk at 404 – 10th Street East?	Public Works	17-Aug	The Director of Public Works:  Public Works has reviewed the condition of the concrete sidewalk at 404 – 10th Street East and, while it is showing signs of deterioration, it does not currently warrant inclusion on the list of maintenance work for the 2023 construction season. The Roadways Manager does have this location noted should something through the construction season change with our existing list of maintenance concrete work.
Councillor Miller	INQ#23-13	Is there a plan for a Covid-19 Memorial Park?	City Manager's Office	28-Aug	The City Manager:  Administration has reviewed all City records, including correspondence forwarded to Executive Committee and Council meetings, and have no requests or approvals for a Covid-19 Memorial Park.

To: City Council  
From: City Manager

August 8, 2023 - City Council Inquiries

Councillor	Inquiry #	Inquiry	Dep't Sent to	Date Responded	Response
Councillor Kilmer	INQ#23-14	When is the anticipated completion date of 5th Avenue East?	Public Works	16-Aug	<p>The Director of Public Works:</p> <p>The completion of the paving work on 5th Avenue East is awaiting the completion of two water and sewer projects. The City is having a section of water main between 24th and 25th Street East relined and our crews are also installing a backflow preventer in the storm manhole at the same location. City crews will be installing the backflow preventer once the relining contractor's work is done and both items should be complete before August 25th.</p> <p>Once these work items are complete, the second lift of asphalt should be completed within a 2 week time span, depending on the list of paving projects underway, Public Works anticipates that the paving will be completed by the first full week of September.</p>



City of  
**Prince Albert**

*MOT 23-8*

**MOTION:**

“That Administration prepare a report on the cost of installing a sprinkler system for irrigation along sections of the river bank that encompass our downtown area for consideration in the 2024 Budget.”

Written by: Councillor Edwards