COUNCIL OF THE CITY OF WINNIPEG
Wednesday September 28, 2005

The Council met at 9:33 a.m.

The Clerk advised the Speaker that a quorum was present.

The Speaker called the meeting to order.

The opening prayer was read by Councillor De Smedt.

ROLL CALL

Clerk: Mr. Speaker Councillor O'Shaughnessy, His Worship Mayor Katz, Councillors Eadie, Lazarenko, Benham, Clement, De Smedt, Gerbasi, Lubosch, Magnifico, Pagtakhan, Smith, Steeves, Swandel, Thomas and Wyatt.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: We have no pages this morning as our page program for the current year will commence next month.

MOTIONS

Mr. Speaker: We have a motion of condolence. Madam clerk.

Motion
Moved by Councillor O'Shaughnessy,
Seconded by Councillor Pagtakhan,

That Council place on record its profound sorrow at the death of Nick Lazarenko, brother of Councillor Harry Lazarenko which occurred on September 2nd, 2005.

Therefore be it resolved that Council extend its deepest sympathy and condolences to the members of the Lazarenko family in their bereavement.

Mr. Speaker: All rise for a moment of respectful silence please.

MINUTES

Councillor Lubosch moves the minutes of the meeting of July 27, 2005 be taken as read and confirmed.

All in favour? Contrary? Carried.

DELEGATIONS

Mr. Speaker: We have I believe, three delegations this morning. The first Mr. David Dandeneau in support of item 1, Standing Policy Committee on Property and Development dated December 12th. Welcome David.

Mr. David Dandeneau: Chers Conseiller/Chère Conseillère. Je m'appel David Dandeneau. Je demeure a 311 rue Dumoulin. Je suis président du Comité Provisoire des habits du centre communautaire Langevin. I come in support of the recommendation of the Standing Policy Committee on Property and Development to not de-list 210 Masson, the first normal school in the west.

The historical imperative to maintain this building stems from the role it played in the events of maintaining the language rights enshrined in the Manitoba Act. One has only to read Bishop Langevin's letters to Sir Wilfred Laurier during the negotiations with the then Premier Thomas Greenway, to understand the significance of this building in the survival of the French language in Manitoba. Si je parle le français. C'est grâce au Pionnier, les vues de cette époque qui on voulu conserver la langue.

The construction and operation of this facility was an important part of Bishop Langevin's strategy to give to the French minority of Manitoba the linguistic infrastructure to survive. The Laurier/Greenway compromise gave way in 1916 to the Thornton Act which abolished the use of French completely in the schools and in the courts.

It was the graduates of Ecole Normal at 210 Masson that continued the teaching of the French language in our schools, albeit illegally, and that at their own peril. It took a St. Boniface businessman enormous effort and personal sacrifice to bring the issue to the Supreme Court of Canada where Manitoba's 90 years of unilingual laws were declared invalid.

I would like to thank the various Standing Committees of the City for having

recognized the importance of this site. There is still a lot of support and work needed. I understand that it is sometimes difficult to put into perspective the significance of a particular building when there are so many buildings in Winnipeg that citizens find important.

I believe that more and more citizens recognize that the history of old St. Boniface is also part of the heritage of Winnipeg. It is therefore, my sincere hope that today by your decision, 210 Masson will continue to be among those buildings worthy of maintaining its heritage status. Merci beaucoup de votre attention. Thank you.

Mr. Speaker: Merci beaucoup. Also on the same subject and on the same side of the same matter, former metro Councillor, City Councillor and Deputy Mayor of Winnipeg, Bernie Wolfe. Welcome Bernie.

Mr. Bernie Wolfe: Good morning and first my congratulations to you and members of Council for the kind of leadership the City is receiving. And I must say that returning here you can sense the atmosphere of accomplishment. And I look around and see all those smiling faces, I'd like to know what you were up to, but that's okay. (Laughter) In that respect nothing has changed since I once occupied this spot right here to my left.

Let me first say that you are all to be congratulated because I think you have recognized the importance of preserving the history of this City as an example for the rest of Canada. More specifically in the case of Ecole Normal of St. Boniface, that is the living symbol of bilingualism, and the example that you have created in this Province for the rest of Canada, where you've officially recognized the importance of the two languages. Cette important de connaitre. C'est un pays bilingue.

And you do that not just by paying lip-service but by doing the positive thing, and I must say that all of you are to be congratulated for having taken that position.

It's much easier to demolish history and heritage because today the progress is measured in how much rubble you can take to the landfill site and that's not progress really. And I must say that you're fortunate in the attitude that's reflected by both the Mayor and the rest of Council in saying, no, we have something positive to offer the rest of Canada as an example.

Because it's not, as someone says, it's not just being old. No, it's being old and important, and that is the question of so much of Winnipeg's heritage. You realize this is where the west of Canada began right here. If you look at the impact of the green exchange on the economy of western Canada and Winnipeg was the very birth of this economy and this impact on the rest of Canada.

So Winnipeg has much to be proud of, much to remember, and many of its leaders, such as yourself, who contributed over the years through City Council and members of the Legislature to making this City the great City it is.

So that rather than, I didn't come to criticize, I came here to praise you as Caesar once said, but I think you're an example for the rest of Canada. And the fact that you're prepared to preserve that unique bilingualism factor that exists here, that's an example to the rest of Canada, and for that you are to be congratulated.

And once more continue on the path that you're on and because you're really accomplishing a great deal for this City, and if I didn't mean it I wouldn't say it because quite frankly, I sat here in this familiar spot right here to my left, when Steve Juba sat, where the Deputy Mayor now sits, and quite frankly the collective wisdom that was resident here. People don't appreciate the commitment and dedication of those of you that are prepared to put your name on a ballot and take the abuse, and you do from time to time, but also the good days when you know that you've accomplished something, so once more to all of you thanks for doing a great job for the City of Winnipeg and for the rest of Manitoba. Thank you.

Mr. Speaker: Thank you Bernie, very much.

Our final delegation this morning is Mr. Jack Harper on behalf of the Burton Cummings Theatre for the Performing Arts, report of, item 2 report of EPC of September 21st. Welcome.

Mr. Jack Harper: Thank you. Your Worship, members of Council, I'd like to thank you for inviting us to make this presentation to explain the proposal that we have submitted. We have circulated this morning several documents for your consideration. We've circulated a fact sheet which outlines some of the history and the development and the funding over the years that the Theatre has enjoyed. We've also supplied you with the 2003-2004 audited financial statements for the organization, and we've supplied you with a copy of our business plan that covers the period 2002 to 2007.

As I'm sure all of you are aware, the Burton Cummings Theatre is owned and operated by the Walker Theatre Performing Arts Group Inc. which is a registered charity and a non-profit organization that has been responsible for the operation of this Theatre since it was purchased in 1990.

It is both a national and a provincial historic site and a designated Grade I heritage building in the City of Winnipeg. It was purchased in 1990 for a cost of $750,000 dollars and approximately $3 million dollars in restoration was undertaken at that time. That project has yet to be completed.

The replacement costs, we estimate for this Theatre, is approximately $80 million dollars, and as all of you are aware it is a significant, both historical and cultural facility in the City of Winnipeg and sits at what we consider to be the gateway to the Exchange District.

Between 1991 and 2002 the Theatre operated without operating grants or public support. A combination of rising costs and fluctuating use and our accumulated $3.5 million dollar mortgage debt resulted in negative cash flow. The mortgage debt was a result of unpaid restoration costs and ongoing operating losses.

In 2002 the board developed a strategic plan with the objective of completing the historic restoration to the Theatre, be debt-free and self-sustaining by the year 2007, which is the 100th anniversary of the Burton Cummings Theatre.

To achieve these goals the Theatre engaged Mr. Burton Cummings who agreed to perform four gala concerts and donate his memorabilia as the anchor component of the development of a Western Canadian Music Hall of Fame at the Theatre and a proposed restoration and renovation project. Shortly thereafter the City of Winnipeg and The Winnipeg Foundation provided operating grants that allowed the theatre to continue its operation.

Accumulated debt remains a problem. Repeated attempts to secure both private donations and capital grants for programs such as the Millennium Grants Program, the Infrastructure Program and Cultural Spaces, to complete the restoration of the theatre were turned down due to outstanding mortgage debt. In 2004 the City and Province provided a matching $190,000 dollar grant to retire our conventional Sun Life mortgage, and this has allowed the Theatre to operate this year with a modest surplus.

However an accumulated private mortgage debt of $1.5 million remains and the holder who has gone unpaid for 12 years now would like to be paid. The Theatre board clearly is at a crossroads.

As a condition of the mortgage grant the City requested that the Theatre review the benefits of some form of integrated management with other downtown theatres and attempt to finalize a user agreement with the University of Winnipeg's theatre department.

It is our understanding that the University of Winnipeg has decided to pursue the development of its own theatre at this stage and both Pantages and the Burton Cummings Theatre did meet but realized

that there was minimal cost savings to an integrated management strategy given the modest operations that both theatres have.

Our proposal is part of a revised business plan that calls for four strategic initiatives to be undertaken, and we're asking each of the partners to contribute to this business plan. We've asked our mortgage holder to take a significant discount of more than a half of a million dollars on his outstanding mortgage.

We've asked Mr. Cummings to complete three gala concerts over the next four years and allow the proceeds from those concerts to go to operating debt rather than, to mortgage debt, rather than operating costs.

We've asked the Province to contribute an amount of $200,000 dollars and we've asked the City for a grant, an operating grant of $110,000 for the next two years and our operating surplus over that period of time would then go towards our mortgage debt.

We've made full disclosure of our operations and kept the City fully informed. Since 2002 we have met with Fiscal Issues Committee and Executive Policy Committee on several occasions and provided our audited financial statements, business plan, tax information, entertainment tax contributions and our capital development plan. We're hopeful that Council will support our proposal. Our business plan suggests that based on our current operating plan with 85 nights and a stable operating cost, the theatre can sustain itself without debt over the long term.

For 12 years, up until 2002, a board of volunteers served as the custodians of this national historic site without public operating support. We respectfully request that you consider our request today that we believe will allow us to sustain the theatre over the long term and retain this as a significant national historic site in our City. Thank you.

Mr. Speaker: Thank you Mr. Harper. Would you permit questions?

Mr. Jack Harper: Certainly.

Mr. Speaker: Councillor Smith.

Councillor Smith: Mr. Harper, through you Mr. Speaker, how many evenings were there performances last year at the theatre?

Mr. Jack Harper: Just a clarification, the audited financial statements that you have are for a fiscal year June to June, and so when we talk about the grants we've received from the City, they don't necessarily fall into our audited financial statement in the same sequence as the grants received from the City, so that's one point of clarification I think is important.

The second is that, this year up until June of this year, so our '05 operating season, we've had 85 nights of entertainment. The previous year we had 41, and over the last 12 years our average booked nights is approximately 75 to 80 nights a year.

Mr. Speaker: Thank you Councillor. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker and through you to Mr. Harper, thank you for your presentation Mr. Harper. How important is it, the motion we have before us calls for an additional $200,000 dollars to come from the Province of Manitoba. Later this morning we'll be considering whether that should be maintained as a condition or not. How important is that $200,000 dollars in your mind to the future of the Burton Cummings Theatre?

Mr. Jack Harper: The Provincial contribution would allow us to meet our objective of assembling a buyout offer for our mortgage of somewhere between $800,000 and a million dollars. If the Province is not forthcoming with a contribution toward this business plan, then we would go back to the drawing table, present an offer to the mortgage holder and it would be up to him to decide whether he would accept what's on the table or reject that.

In the event that that happens, the volunteer board would be required then to surrender the building to the mortgage holder who would make his own decision about how the Theatre would be operated in the future.

Mr. Speaker: Supplemental Councillor Benham.

Councillor Benham: An additional question, thank you Mr. Speaker. The information that you provided today, thank you very much Mr. Harper, for this information that we see on our desks today, but of course, this wasn't provided, normally this would have been part of a report process that would have gone on before today's Council meeting.

Mr. Speaker: No preamble please.

Councillor Benham: Is there any objection from the board of the Burton Cummings Theatre to this information being analyzed by our public service and a report being prepared, even though that might delay things a bit?

Mr. Jack Harper: I apologize. Was your question?

Councillor Benham: My question is would there be any objection from your board to a delay of a month in considering this matter so that our public service could analyze the information you've provided to Councillors this morning?

Mr. Jack Harper: If Council wishes we'd be happy to provide any additional supplemental information and delay the decision until such a time as everyone is comfortable with this decision. I must assure you that in my view we have made every effort to make members of Council aware of our situation over the years, but we'd be happy to meet either individually or collectively with any Councillors and supply any information you require.

Mr. Speaker: Thank you Mr. Harper. Thank you. We'll now move on to the report of the Executive Policy Committee of September 7th, Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 7, 2005**

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the report of September 7th and move adoption of Consent agenda item 1.

Mr. Speaker: All in favour? Contrary? Carried.

Report of September 14th Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 14, 2005**

Mayor Katz: I would like to introduce the report of September the 14th and move adoption of Consent agenda items 1 and 2.

Mr. Speaker: All in favour? Contrary? Carried.

Report of September 21st, we have amendments to clause 2. Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 21, 2005**

Mayor Katz: Yes we do, and I would like to introduce the report and move adoption of Consent agenda items 1, 3 and 4.

Councillor Benham: Number 1 Mr. Speaker.

Mr. Speaker: Number 1 has been asked to be stood down.

Vote by Consent adoption of items 3 and 4.

All in favour? Contrary? Carried.

Item 1, madam clerk.

**Item No. 1 - Municipal Rural Infrastructure Fund Application - September 2005
File S-7**

Mr. Speaker: Mr. Mayor do you wish to introduce the clause?

Mayor Katz: The clause basically endorses applications for funding. There are three that were endorsed. That would be the Corydon Avenue Business Improvement Zone, the YMCA/YWCA, the Asper Jewish Community Campus, The St. James Rods Football Club. The Enterprises Riel, as a matter of fact a letter from Norman Brousseau has requested that they step back and garner more information and to make a proposal down the line so that it would meet the time requirements. As well as the Crescentwood Community Club Centre, the recommendation is that that is referred to the GCWCC. So I would be more than happy to hear what Councillor Benham has to say.

Mr. Speaker: Councillor Benham.

Councillor Benham: Right, thank you, Mr. Speaker and I thank the Mayor for his presentation. This seems to me to fulfill all the prophecies that were made only a few short months ago about this process, about the process for this particular fund, Municipal Rural Infrastructure Fund applications.

At the time we moved a motion that asked that this process be open and transparent and that public officials be held accountable for the decisions that are made and that ward Councillors be kept not only informed in some sort of you get a memo when somebody applies type, but that the ward Councillors would be involved in this process and would be part of the process.

And instead Mr. Speaker what we have is a black box. Things go in. Sometimes we're told what's going in, if we can prove a direct connection to our ward, and then they get jumbled around inside. We're not very sure how because it's a black box, we can't see through it and then at the end comes forth a list. What isn't on the list, how do things get on the list, what's left off the list, how are these decisions made? Who is making those decisions? Who are they accountable to? How are we supposed to get at this when in fact it's simply presented to us as a fait accompli?

How can I speak to my volunteers at the Crescentwood Community Centre, who have a perfectly worthwhile project that they would like to see go forward, how do I explain why you got shuffled off to GCWCC, too bad you aren't one of the lucky ones. Too bad you're in clause 3 instead of in clause 1.

Why is that, they may well ask. I expect they will, and the answer is I don't know. I don't know I wasn't part of this process. This is not an open process. This is not a process in which the ward Councillor has a genuine contribution to make. This is not a process in which the volunteers who run our community centres on behalf of the City are included or made to feel as though they are a part of this. It's simply drop off the paperwork, we'll look after it. What's going to happen? Don't you worry.

That's not acceptable to me Mr. Speaker. This is a bad process and I don't understand why the City can't simply put forward a letter of support for a project like Crescentwood Community Club and some of the other projects we have before us that says go ahead and ask the Federal government and the Province for some money. Boy that's a tough thing to do Mr. Speaker. What's that cost, a nickel to spit out a letter like that?

Why can't we simply speed up that process and get this into the hands of Federal government which, on which the clock is ticking, as we all well know Mr. Speaker, and into the hands of the Provincial government.

I submit that the reason is so that all the control can be kept within Executive Policy Committee and perhaps within only a few small, a few members of Executive Policy Committee and in the hands of EPC Secretariat and the public service. Mr. Speaker that is not where it belongs, it belongs here on the Council floor with us as Councillors.

Therefore on the other hand, we are given the choice, this is exactly the Hobson's choice, the dilemma we are given. Do we want to vote against giving money to perfectly worthwhile projects in

order to make a point about the process? Well no, Mr. Speaker I suppose we probably won't. I suppose on reflection I will not do that, but isn't that exactly what this is about?

It's about not giving us a choice. It's about not ensuring that Councillors have the ability to make those distinctions and most importantly that Councillors are part of the decision making and debate before it is simply presented on this Council floor as a fait accompli. Thank you, Mr. Speaker.

Mr. Speaker: Thank you Councillor Benham. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. I've spoken on the MRIF issue before and I have some concerns with regards to the process as well. All these applications before us here today that we are endorsing, which is just that endorsing, we need to give City endorsement for this it doesn't mean it's finalized, of course it still has to go to the Provincial government and Federal government for final approval, are all very worthy projects and I'll be supporting this clause.

My concern, Mr. Speaker, is just with regards to the process and, and I just want to put on the record here, which is recorded, you know, the fact that it has been brought to the attention of EPC and the Mayor's office that we do have the opportunity before us with regards to MRIF, with regards to one road in particular that I've been, that I and my predecessor has been pushing for to get paved.

Council in 2001 actually adopted a motion of Council to support, through the Canada/ Manitoba Infrastructure Fund the paving of Gunn Road which is a heavily used road, artery in east Winnipeg and has become more heavily used. It's the equivalent of Wilkes. It's in deplorable condition, and in 2001 Council endorsed the project through the Canada/Manitoba Infrastructure Fund to be funded, and it was going to be a project whereby one-third, one-third, one-third, municipal, federal, provincial with the municipal share being divided in half between the R.M. of Springfield and Winnipeg.

So actually municipal costs to Winnipeg to pave a road that belongs to us was going to be one-sixth the cost, so it was quite a reasonable, very good deal back then in 2001. Unfortunately, Springfield decided to pull their application and so it didn't go forward at that time as part of their contribution through the Canada/Manitoba infrastructure Fund.

And I guess I'm telling Councillors all this just to give you a bit of an education, or be it background on it, I suppose, because I'm familiar with it. Since that time I've been working with the R.M. of Springfield, and they are prepared again in light of the fact that they did pull their application, they are still are prepared to come forward, even though they don't technically have to. It's not their road, it doesn't belong to them. Their community uses it a lot though and they realize that. But it's still our road. They're prepared to put up half the municipal cost which is slightly under $600,000 dollars. It's a $3.5 million dollar project, one-sixth, slightly under $600,000 dollars. They're still prepared to do that through the MRIF fund.

By not having this come forward now, what I've been told by, from our staff is that this has basically drained the remaining MRIF fund dollars and or there's not a lot left. I haven't heard the number yet, of what's left for Winnipeg's share of MRIF. And so that's a concern and I just wanted to bring it to the attention because I know EPC is responsible for bringing forth the Capital Budgets and is responsible for bringing forth what the priorities are that we do have $600,000 on the table from a rural municipality which, you know, whose relationship with Winnipeg has been good at times and other times bad at times. So it's not something that we should take for granted, towards paving one of our roads that we know we're going to have to pave sooner or later and probably sooner based on the kind of traffic volumes on that road.

Our administration has identified this as an issue that the road is in bad, bad shape that needs to be paved. They're in support. It's a question now of the political will from this chamber to make it happen and this is now going by the wayside. As I said I'm supporting the clause, but I'm just bringing it to the attention that I don't think that $600,000 will always be there from the R.M. of Springfield and it would be a darn shame if we lost that opportunity to see this road paved with it only costing one-sixth of the cost to us to do it through a tri-partite program.

So I would hope that this is on the minds of members of EPC and the chair of Finance or Fiscal Issues and the Mayor because this is something very important to the east side of the City, and I will continually be raising it so, thank you very much Mr. Speaker.

Mr. Speaker: Thank you Councillor Wyatt. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. Forgive me; I have a cold today so… I am I'm thankful that the Corydon Biz Project is recommended. I do appreciate that. Certainly for my community in Fort Rouge it's a very important project and it's much appreciated. So I'm certainly thankful for that.

I'm a little, as process has been talked about, and I know the media and Councillors and everybody is tired of hearing about us talk about process, so I'll try not to talk about it too much because it bores people, but it is part of our fundamental democratic process to have public participation. And, unfortunately, I had to call up the business, the volunteer business people who also have other jobs, who volunteer for our business improvement zone, I had to call them up on Sunday and tell them there's a report here that isn't very favourable for your project. And they had to rush around and come down and make a second presentation to us, and then halfway through the presentation they were told it's okay, we've moved a motion, we're supporting you. So, you know, it's nice that they are supporting them but I think the process has left people in the community wondering, you know, what kind of process is this.

I am grateful for the Corydon money. I'm concerned about the community centre. It's not in my ward but it's in our City and I'm concerned about all of our community centres and this precedent that this new *PUFS* policy, the offspring of the *PUFS* policy that has said that community centres have to jump through a number of hoops that other projects don't seem to have to move forward with any projects.

And this is a real serious concern that was raised when that policy was very quickly in a very bad process, because there wasn't time for public vetting of that process, and for us to really think about it before we put in a process for this long.

My point is that community centres can't just build a project. They have to take away some other recreational space or square footage before they can build their project. So here we have community centre volunteers who have to come up with a plan that takes away recreational space whereas other groups that are, you know, other more even elite facilities or other types of facilities that may not, may have all paid staff for all I know and maybe some volunteer component, they don't have to worry about that. They can just expand or whatever. And these people are also not asking for money even though it's our own facility. They are going to do fundraising, and they're volunteers.

And so I really wanted to make the point today that we have a problem with our policy. And what it is doing to these already exhausted volunteer boards of community centres. Why should they have to have these standards that elite private sports facilities, they don't count, they can expand as much as they want. Or even if they are not elite they are just simply a different kind of facility, they can do whatever they want, and our community centres are told wait, delay, go back and so on.

So I really urge Council to think about revisiting that aspect of a policy that has

one standard for community centres and then one, different rules for everybody else because they're already at a disadvantage. And I think we've made a mistake in this policy, and I think this is a very good example of it.

So I urge Council to think about this in future discussions. Again, I do appreciate the support. I think the Corydon project is going to be an excellent project and I really, I expect the other levels of government will be supportive too, and we'll see our jewel on Corydon getting even better. So I do thank you for that. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Gerbasi. Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. Over the years I've watched community centres in my area and all areas of the City apply for money for expansions and rebuilding, and when it's their turn they got it because the ward Councillor tried to help them out. It's his job to do that or her job to do that, and they want to win the next election so they try to help out their ward as best they can, and that's understandable.

Unfortunately, there's been millions of dollars spent on community clubs that over the years probably shouldn't have had that money spent there, but it was their turn. We needed a system in place to at least address whether or not these clubs are going to be part of the picture in the future.

This specific club is a great club. I know it well, and I'm sure it will be a part of our future but you can't pick and choose. We have to have a system that allows us to take care of the clubs that will be there for the future. To simply say this is just a recommendation and the Federal, Province, and the Province will give the money, well, what if it's going to a club that we don't want down the road?

Well why are we wasting these hundreds of thousands or millions of dollars on a club that the City of Winnipeg feels isn't part of the plan? That plan is necessary because of our extended communities, going out to the perimeter, inside the City, kids, the aging population. Things change, demographics change, and we have to change with it. Because just handing money out arbitrarily because it's their turn had to stop. And I certainly hope that Council understands that for the future. We have a safeguard here. Let's keep it in place.

Mr. Speaker: Thank you Councillor. Councillor Eadie followed by Councillor Smith.

Councillor Eadie: Mr. Speaker, just speaking, I'll try to speak briefly to the clause. The gist of the clause follows the policy process that was approved by this Council back in June with regard to MRIF applications. And one of those, well all of the criteria are there and what is happening is we are following our policy. It may not have been supported by all members of Council but it was approved by a majority of Council and we operate under that. So all of these four MRIF applications that are being recommended for endorsement are being recommended for endorsement because they meet the criteria established in the policy approved by this Council and I don't think anybody disagreed with the four applications that are before us.

The issue of Crescentwood Community Centre Mr. Speaker is one where two sets of policies I guess have taken place, or policy development has taken place, while this particular application was in the mill for processing.

I spoke with a representative of Crescentwood Community Centre last week before the Executive Policy Committee meeting because he was concerned about being lost in the shuffle. And I raised this at Executive Committee last Wednesday on behalf of Crescentwood Community Centre to indicate that they had a concern that they were going to be lost in the shuffle because in May we approved a facilities policy, a recreational facilities policy which, among other things, indicates and says in that policy that before we as a City government go ahead and approve capital expansions to our community

centres, they should be vetted by the General Council of Winnipeg Community Centres so that everybody is in the loop.

That particular policy Mr. Speaker was supported generally by our community centres before we passed it in May. This particular application sort of fell in between that particular policy approval in May and our MRIF policy approval in June, but I raised the issue on behalf of Crescentwood at EPC last week.

The CAO has assured me and assured EPC that Crescentwood was not going to be lost in the shuffle. They had to go through a process. Crescentwood, unlike the other four, Mr. Speaker, Crescentwood is owned by the City of Winnipeg. And whatever happens there, whether it's an expansion or not, it becomes eventually an onus and a liability on the City of Winnipeg. It is our facility. We end up through the budgetary process having to pay the costs and the costs of expansion if it should happen. So it only has to go through that particular process.

The CAO has assured me and was going to be contacting the people at Crescentwood to let them know that their application was not going to be lost in the shuffle. There would be an attempt to try and certainly get the General Council process done so that the MRIF application for Crescentwood can come forward in the next round. And that is all there is to it.

And by the way Mr. Speaker there is nothing in the Community Facilities policy that we passed in May that says if you're going to expand here, you have to take away there. That's a myth, and it's not in the policy. I think I've said that in the debate in May, and it was repeated here as, the myth was repeated here as though it's fact. It's not in the policy. It has nothing to do with anything Mr. Speaker. It's myth.

Mr. Speaker: Thank you, Councillor. Councillor Smith.

Councillor Smith: Yes, Mr. Speaker, I just heard Councillor Eadie say that that wasn't the policy. Let me tell you this, I've been at meetings where that's in effect it's been stated as the policy. So…

Mr. Speaker: Through the chair please Councillor Smith. Don't jump at the bait Councillor Eadie.

Councillor Smith: And when we look at expansion of community clubs we should look at the need. That's what the, you know, what does the community require? We should look at the general, the demographics. How many children and so forth inside if they need a better facility?

The idea though of deducting space, I'll tell you this, Councillor Eadie, the Isaac Brock Community Club definitely has been told they cannot have any additional space. They have to readjust what they have. So, you know, we'll take it up. Thank you.

Mr. Speaker: Thank you, Councillor Smith. Order, please. Summing up, Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker. To try and address the comments that were made by some of the Councillors. First of all, with Councillor Wyatt, I do very much appreciate the fact that he's been very passionate about this. He has reminded us on many occasions to not lose sight of this. We certainly heard the message loud and clear. He has said it again. I'm sure he does appreciate that this one is very unique, where all the other projects are coming forward by outside, this one was from the City of Winnipeg.

I know that there are many Councillors here who are looking for some improvements in their wards and we do have a Capital Budget that's being addressed, and I do concur with Councillor Wyatt that there is an opportunity here that may not exist in other situations, and this is something that should not be lost or forgotten. And I appreciate him making a presentation at EPC.

When Councillor Gerbasi mentioned the Corydon BIZ once again, the Corydon BIZ did have the opportunity to come forward

and I think they came forward on two occasions. I believe the Councillor actually made a representation on their behalf, and the only reason that we talked to them during their presentation, was in, to conserve time. They were making a presentation which was already approved and so we basically told them that and they were thankful, and we believe it is a good project.

Councillor Benham, first of all, let me assure you that the only black box that I know that exists sits on an airplane. There are no black boxes at City Council. This is very open and transparent. We are following the procedures put forward by City Council, and what really amazes me more than anything else; for God knows how many years, we had no money to put into our recreational facilities. We now finally have identified money.

But in addition to that Mr. Speaker, we had no policy which is why we got into the trouble we got into, and once again to verify quite often during elections whether it was an MLA, an MP, a City Councillor, monies were identified. And do you know what? That was great for the capital, but no one ever concerned themselves with sustainability.

I will make no apology for Council and administration being concerned about projects being sustainable. That's what this is all about. There is a policy in effect. The GCWCC is very close to finalizing it and when it comes to Crescentwood Community Club, unfortunately I don't recall a presentation being made by Councillor Benham. I happened to be chairing it. I don't recall him coming forward. I happen to be very intimately aware of Crescentwood Community Club. I was a former board member. I coached baseball and football there, and you know what? They are not being shuffled off. There's a policy coming forward and they will still have this opportunity. Thank you very much Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor.

Question on the clause. All in favour? Contrary? The clause is carried.

Clause 2. Mayor Katz did you wish to introduce clause 2?

Item No. 2 - The Burton Cummings Theatre for the Performing Arts – Funding for 2006 and 2007
File FG-1.1(B)

Mayor Katz: There's a motion I believe.

Mr. Speaker: No introduce, until the clause is on the floor there are no motions.

Mayor Katz: Okay. Mr. Speaker, clause 2 refers to an operating grant for the Burton Cummings Theatre. I believe, Mr. Jack Harper made his presentation this morning and Councillors did have the opportunity to ask questions.

I've looked through some of the material that sits here. I believe all the information is here. I look forward to hearing from Councillors, any questions or concerns, and I will certainly try to address them when that opportunity arises. Thank you.

Mr. Speaker: Next Councillor Steeves introducing Motion No. 2 in amendment.

Motion No. 2
Moved by Councillor Steeves,
Seconded by Councillor Pagtakhan,

WHEREAS the Burton Cummings Theatre is a national heritage site and a valuable asset to Winnipeg's architectural character and performing arts community;

AND WHEREAS the City of Winnipeg wishes to work cooperatively with the Province of Manitoba to determine if mutually agreeable terms can be reached to support the Burton Cummings Theatre;

THEREFORE BE IT RESOLVED THAT Item 2 of the Report of the Executive Policy Committee dated September 21, 2005, be amended by deleting Recommendation 1.D.

Councillor Steeves: Thank you Mr. Speaker. Both the motion and the amendment are fairly straightforward. Council is aware that by virtue of clause 1d the grant that we're purporting to advance under the original motion in the amount of $110,000 dollars be approved, and on the original motion the contingencies for that approval, item d states that, it's contingent upon the Theatre having raised an additional $200,000 from the Province, $200,000 dollars from the Province of Manitoba.

Mr. Speaker, the amendment as proposed by myself and Seconded by Councillor Pagtakhan states as can clearly be read that in item number 2, that clause, item number 1d be removed, so the original motion as presented would go ahead without item 1d, Mr. Speaker.

You've heard, just by simple explanation, you heard the delegation come forward. The question was asked by Councillor Benham I think quite fairly. The gist and understanding is that the Theatre is still going to try to raise that money from the Provincial government and our hopes, their hopes are that the Provincial government will in fact come forward with that funding.

Their preference, indeed hopefully Council's preference, is not to shackle at this stage our funding with that requirement. So it's just a release in hopes that it will happen in any event. But if it doesn't, Mr. Harper stated they have a contingency plan of approaching a mortgagee with an alternate plan if it can be arranged.

In essence what it does is to a certain extent, not entirely, but to a certain extent it removes the handcuffs and hopefully they can, they can move forward. But again, hopefully the Province will come to the table as it were on this one. Thank you Mr. Speaker.

Mr. Speaker: Thank you, Councillor. Next we have Councillor Gerbasi introducing Motion No. 1 which is a motion to refer with instructions.

Motion No. 1
Moved by Councillor Gerbasi,
Seconded by Councillor Smith,

WHEREAS a motion was walked on to EPC on September 21st, 2005 which resolved to grant the Burton Cummings Theatre for Performing Arts $110,000 per year in a two year agreement with no conditions in the first year and some in the second;

AND WHEREAS there has been no accompanying administrative financial analysis or documentation given to members of council or put on the public record;

AND WHEREAS such documentation was clearly provided by the administration for the Pantages Playhouse Theatre issue being considered at this same time;

THEREFORE BE IT RESOLVED that the EPC motion be referred back to the appropriate committee and that the administration provide a report supplying the appropriate documentation and administrative advice.

Councillor Gerbasi: Mr. Speaker just to clarify. Am I just introducing the motion and not speaking to the other motions now or how does this work?

Mr. Speaker: You're only speaking to reasons for referral.

Councillor Gerbasi: Reasons for referral. Okay the reason for referral here is that there was a walked-on motion that without an accompanying administrative report, whereas with other similar types of bailout situations, for example the Pantages, there was an administrative report, it went to the Downtown Standing Committee, it was a normal process where if the public wanted to appear in delegation they could do that if Councillors had access to that information.

In this case, and it seems strange to me, because it's for the year 2006 budget so it's not like there's a big hurry for this. Why can't we simply refer it back and have a proper administrative report and

the financial analysis? Now I understand the financial and that statements have been dumped on our desk this morning but frankly I'm not going to not listen to Bernie Wolfe speaking and our other delegations and not listen to the debate and try to analyze these financial statements.

I'm actually not an accountant and that's why we have a Finance department, to help us sift through these kind of documents and provide with some administrative, some comfort, that our esteemed and accomplished administration has evaluated this proposal and is saying whether it's reasonable or not. That's the kind of advice that we as Councillors should get to make $110,000 dollar decision or should I say $220,000 with taxpayers' money.

So I appreciate getting this information at the very last minute. It's better than not having it. I haven't had time to read it and yet we'll all be voting on this today unless we refer it back. So all I'm saying, I'm very supportive of the Burton Cummings Theatre. It's an historic building, it's an important venue. It's nothing to do with the Theatre itself. But why is this in such a hurry? Why is this, are we avoiding meaningful and informed debate, why are we avoiding having Councillors properly informed and that's simply a very simple request.

The delegation themselves stated they had no problem with a delay, so it's not like the Theatre is going to collapse. They have absolutely no problem with this. So it really doesn't make any sense why we would do a non-transparent process. I don't find it assuring that there's been private discussions between, you know, secret meetings between EPC members or the Mayor and this group. Like this should be public like every other theatre has to do and every other venue that comes for money has to do. And I don't see why this, all I'm asking is fair and equal treatment for everyone. And all I'm asking is a brief delay that the Theatre themselves said they had no problem with so we can have a proper administrative report.

Otherwise, I don't know why we have an administration. Let's just decide ourselves. We don't need a Finance department. We could save a lot of money getting rid of them and then we could just read all these business plans our self with no analysis, but I've never actually come across a City that does things that way and I don't think we should start doing things that way.

And all I'm saying is 30 days to have a proper report and proper process, so that not just Councillors who have to vote on this can have confidence in this decision, but that the public as well. This encourages cynicism and it encourages a lack of trust of our politicians with our public, if we don't have a very clear transparent process that's the same for everyone who comes to us.

And that's what I'm asking for is a mere 30 days that the Theatre itself has no problem with. I think it's very reasonable. I'm very supportive of the Theatre. I've supported them in the past. It's an important venue but that's not what this is about. So I urge Councillors to be reasonable and give us a little more time to make a fair decision here. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. I rise to…

Mr. Speaker: Just for a moment, on speaking, we'll be speaking to the motion to refer with instructions, the amendment by Councillor Steeves and the original clause. We'll have one round of debate. The floor is yours Councillor Benham.

Councillor Benham: Thank you Mr. Speaker and yes that was my understanding and I'll say clearly that I will be voting in favour of the motion to refer with instructions. I will vote against the amendment to the main motion, and I will vote against the original motion. Again just to clarify, not because I do not support the Burton Cummings Theatre, quite the contrary Mr. Speaker, and in fact I was there when Mr. Cummings gave the

one performance he's given so far to support the Theatre and it was a terrific one, and I look forward to that kind of entertainment in that venue in the future, along with other opportunities.

I'll say very briefly, I'll keep my contributions to the debate very quick, because it is simply to quote Mr. Harper from the Theatre board who answered and replied to my two questions that without the $200,000 dollars, that if Councillors support the motion introduced by Councillor Steeves and Councillor Pagtakhan, and that is to remove this requirement that the Province of Manitoba chip in with $200,000 dollars before the City chips in, a very reasonable condition and something that this Council often makes a pre-condition of financial support is that the Province come to the table as well. And for some reason, I'm not sure because Councillor Steeves really did not adequately present it in debate if I may say so Mr. Speaker, I do not understand why this Council would let the Province off the hook when we have the clear warning from Mr. Harper that if the Province does not come to the table with that $200,000 dollars, the mortgage holder is free to take over the Theatre and do whatever he wants with it.

So Mr. Speaker, we are seriously contemplating, if we pass Councillor Steeves' amendment and the main motion, we are seriously contemplating pouring more than $100,000 dollars and potentially $200,000 dollars into a venue that would no longer exist.

Now does that, is that a smart business decision on the part of Councillors? No Mr. Speaker, I maintain it isn't, and therefore I maintain that the amendment to the main motion should definitely be defeated. I still don't understand why it's there and certainly given the clear warning from Mr. Harper of what could happen it would be simply irresponsible of Councillors to support the motion by Councillor Steeves and Councillor Pagtakhan.

Mr. Harper also said that he would be happy, he would be happy and the board would be happy, to take whatever additional time is necessary to meet with Councillors, to go over these figures, to go over any analysis provided by our public service and to discuss those with us "until we are satisfied. I am happy to meet with Councillors and provide that information. I am happy to delay this until everyone is comfortable with the information." That's what I took down from Mr. Harper a few moments ago.

So why would we support the main motion? Why would we then say yes, Mr. Harper, it's okay. We will do away with our processes on City Council. You want money you just come to EPC, you ask for it that morning and you get it that morning. No analysis, no paper, nothing from our public service to tell us what to do. How come? Not what to do but to analyze the situation and to give us options. How come Mr. Speaker? How come that process is completely thrown out the window on this particular instance?

Well I didn't hear anyone in proposing the motion suggest why we have to do this with such unseemly haste. I haven't had anyone suggest that Mr. Harper is wrong in wanting to ensure that all Councillors have all information necessary. Nobody has been able to say that our public service shouldn't analyze this and shouldn't provide us with the information.

So Mr. Speaker, the only sensible votes on these motions before us, is to vote yes to referring this so we can get more information. And I believe if we do so then we won't even have to vote on the amendment in the motion, but if it does come to the amendment, defeat the amendment and at least don't throw bad, good money down the toilet in the Walker Theatre without some guarantee from the Province.

So this process is bad Mr. Speaker. The amendment is bad. Let's take at least a month. Let's take some time out and consider it seriously on behalf of the taxpayers. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Benham. Councillor Wyatt. Are there

any other speakers? Thank you. Ah Councillor Swandel.

Councillor Wyatt: Yeah Mr. Speaker, I don't have any administrative report here with regards to this. There might be a very good reason for providing the $110,000 dollars with regards to this this year and next year. I think we just do our due diligence. We've had debates in the Council chamber here in the last three years where we've had a report and we've had an extensive debate and fight over $10,000 going to musical instruments out of the community incentive grant that have taken up a greater part of our day here, and that was attached with a report. Here we, we're allocating $220,000 dollars over two years without any administrative report. I don't think it's a lot to ask to have this referred back to Committee and it comes back a month from now.

Mr. Harper, I know Mr. Harper he's an honourable man. I appreciate him receiving or passing us these reports here today. He's indicating that you know, we can, that a month would not be a lot to ask for us to do due diligence and I think that's more than appropriate.

So, I would encourage Council to support the motion to refer and send it back for one month, so we can have a report coming back and if it's warranted we can then grant the monies at that time. Thank you.

Mr. Speaker: Councillor Swandel, followed by Councillor Smith.

Councillor Swandel: Sorry I just have to say that I will be supporting the recommendation to refer this back. I'd asked for some information yesterday and received, sort of an informal financial statement and today it arrived on my desk a full, fully audited statement, so my assumption is that the decision at EPC was made with only an unaudited and informal, which is I believe was a ten-month financial statement. So there's obviously some work to be done in order to properly understand this particular item. And in hearing Mr. Harper speak this morning it's clear that there is no rush and this would be an item that can be discussed over the next month for sure and probably in context priorities of the 2006 budget. So for those reasons I will be supporting the motion to refer.

Mr. Speaker: Thank you Councillor Swandel. Councillor Smith followed by Councillor Lubosch.

Councillor Smith: Yes, Mr. Speaker I definitely will be supporting the motion to refer. That fact is we, we've heard today about the University of Winnipeg wanting to build a theatre. We have the Metropolitan development theatre proposal. We have the, we have an abundance of places, venues for performances and I really think we need administrative report to look at this and have some semblance of knowing what we're doing.

It seems to me to go just on the spur of the moment having a deal with the Mayor and going to EPC and, you know, that's not the way to do business. We should have an administrative report. We should know exactly what we're going to be doing. We're going to have other requests and where are we going to go with them? We need to know. We need to plan. We need an administrative report and it should have gone to Fiscal Issues. Thank you.

Mr. Speaker: Thank you Councilor Smith. Councillor Lubosch.

Councillor Lubosch: Yes thank you Mr. Speaker. While I'm also very supportive of the Burton Cummings Theatre and the former Walker Theatre, I also believe that we need the administration to provide some due diligence, work on both the strategic development plan and the financial analysis.

Getting, letting the Province off the hook Mr. Speaker, sets a dangerous precedent. We're trying to work in cooperation with both the Province and the Federal government on a number of fronts and certainly to excuse their presence or to go forward without even a consultation with them doesn't to me make a whole lost sense. And it ultimately implicates the City not to

$110,000 dollars a year but potentially to over $400,000 dollars should the Province opt out of this very important and worthwhile project.

So we've heard from the chairperson of the board of the Theatre. There's no reason for us to rush to judgment here and I think we'll all feel a lot better about it if it comes back with a positive recommendation from our administration and the accompanying due diligence that it deserves. Thank you.

Mr. Speaker: Thank you. Okay. No further Speakers. We will call the question on the motion to refer, and then the mover of the first amendment and the mover of the motion should it not be referred will get an opportunity to sum up.

So on the motion to refer.

Councillor Gerbasi: A recorded vote.

Mr. Speaker: Recorded vote has been called for. I'm sorry.

(Point of Order)

Councillor Gerbasi: We don't sum up on our motions Mr. Speaker? Point of Order.

Mr. Speaker: Not to refer I don't think. Do you? Oh because of the instructions, yes you do and I apologize. Councillor Gerbasi, the floor is yours.

Councillor Gerbasi: I certainly will just be…oh, excuse me.

Mr. Speaker: One moment if I may. Stop the clock please. Councillor Steeves, on your feet please.

Councillor Steeves: On the motion to refer, may I speak on that issue? Without summing up on my motion. I just want to be clear. I'm not 100% clear.

Mr. Speaker: You could of but debate was closed and I asked if there were any more Speakers and you decided not to.

Councillor Steeves: Okay, well thought I might have a chance to a...

Mr. Speaker: As kind a person as I am and Councillor Gerbasi being such a supporter of the democratic process I'm sure we could give you a brief opportunity…

Councillor Gerbasi: Sure, I certainly don't… I respect your ruling.

Mr. Speaker: Thank you. Councillor Steeves the floor is yours.

Councillor Steeves: Just to, on the motion to refer, I mean I guess people have to make up their own mind on that, and I respect that Mr. Speaker. I guess there's been a couple of comments, and I probably should address those and, again, I'm, I heard Mr. Harper's comments as well. I don't know that he, I don't know if he did himself necessarily a great service by indicating that there could be a delay on that. That could be a perilous thing to say in this chamber and he doesn't realize that.

But, our administration has been around this file for a very, very long time. So if Councillors are genuinely concerned that administration doesn't know what's going on or is somehow not aware of the circumstances, I think I can offer this Council the assurance that that is not in fact the case. Annitta Stenning of course, who is our CAO, sits at the table with EPC and acts as a representative for administration, and this motion came forward last week at Executive Policy Committee and some concerns were addressed and some concerns were discussed.

But, you know, people will vote how they are going to vote on the motion to refer, and I'm not going to get all excited about it either way to be honest with you, but the fact is administration does know what's going on here. My distinct impression is that they can live with this although there's no written report to accompany it. I'll just offer that up as, well, I hear Councillor Gerbasi cackling, and so perhaps I'll address her.

Councillor Gerbasi: Point of personal privilege. Could you have Councillor Steeves withdraw that comment please?

Mr. Speaker: I hope I can.

Councillor Steeves: Okay, maybe cackling is the wrong word, laughing.

Mr. Speaker: Maybe.

Councillor Steeves: Yes, I mean I should say Mr. Speaker, I hear a constant stream from Councillor Gerbasi when I'm speaking. It is a bit distracting. In any event I don't do that to her but if she wants to do that to me, that's fine. I can live with it.

The other thing of course that probably should be mentioned is that this matter has been now on the books publicly for a week. And the opportunity did exist I suppose at that time, for people to come forward and ask the Burton Cummings Theatre throughout the course of the last week what their status was, what things might exist, what the issues were, what's going on here? I haven't heard from anybody regarding this motion to refer that that happened.

I haven't heard that anybody actually contacted the Burton Cummings Theatre and actually contacted them to see what was going on and that invitation was certainly extended by Mr. Harper on behalf of the Burton Cummings Theatre.

So I guess in the future, if we're doing, dealing with motions to refer, that come up on Council floor, it would be helpful for me as a Councillor to hear from Councillors they've contacted the representative parties and they have attempted to get that information. I hear Councillor Smith saying and whispering to me that he did.

Mr. Speaker: For (In Audible) ears. Through the chair please.

Councillor Steeves: Okay, but I didn't hear that coming forward and that's a valuable piece of information to have. I mean, so we should really, if we're going to talk about things coming to a black box, maybe not enough disclosure, I mean I don't know what comfort I can necessarily take in the fact that they want to delay this for another month but nothing's happened over the last week. I mean, perhaps someone will now contact somebody that's it's been formally referred, but there has been an opportunity to actually do that.

The, I mean, so the motion with respect to the $200,000 dollars I suppose and that particular issue the motion to refer. I mean, I thought my comments were reasonably clear on that, in that the idea is that this Theatre has some trouble financially. They are going to have to make some adjustments and the idea was rather than force them into the very, very sort of specific box of having to raise $200,000 dollars from the Provincial government, we'll take that clause out to give them a little more freedom.

I mean, what if a private benefactor was to come forward and give them $200,000 dollars? Then I guess that would meet their needs operatively, but procedurally under this clause they would still be handcuffed. That's the last thing we want to do to this Theatre. It's not a nefarious attempt to throw anybody off kilter or to surprise anybody.

Just upon reflection perhaps while they might well be searching at the Provincial government level for additional funding, while we might well be helping them do that, why not give them some leeway to maybe move forward with a little bit more freedom so alternatives could be explored.

That's the idea. That's the whole idea behind it. It's not an attempt to it's not an attempt to let anybody off the hook. It's an attempt to I guess give this Theatre that needs that leeway give them that leeway to do things a bit differently if the case may arise.

If you read, if you read the clause in this case it is pretty prescriptive and upon further reflection probably isn't the greatest idea. So that's all that's behind this. It still may happen exactly as written but that's not the original intent. Okay.

People will vote as they will vote on the motion to refer. I have to tell you I worry about those sorts of things because when we talk about, you know, pursuing

different things, it might be nice if they were going to go to different people that they had the assurance that this funding was coming from the City of Winnipeg because we all know how it works. You approach different people. You approach different governments and they say the same thing we say. Well, who is in, who is committed? And if it comes out, I suppose, this motion has now been referred that maybe this Council is waffling a little bit on this proposal, although it's been very, very positive words put forward, it might affect their ability to get funding.

And with respect, I think Mr. Harper was trying to be conciliatory and he was trying to offer benefits to this Council and he was trying to work with Council. But I am concerned that if we do lose a month here it's going to seriously affect this Theatre's ability to get the funding that they ultimately need. So I will not be voting for the motion to refer but I understand if other people do.

Mr. Speaker: Thank you Councillor. Councillor Magnifico. I have reopened the speaker's list.

Councillor Magnifico: Mr. Speaker, I've researched it a little bit myself this project, as Mr., Councillor Steeves had indicated that some of us should do, and I think it's worthwhile.

The one question I have is this motion that Mr. Steeves has put forward. If in fact it isn't about the government funding it would it be fair to say then a clause that would indicate $200,000 dollars from any source be a prerequisite?

Would that fall into the guidelines and maybe answer Mr. Steeves' problem of pigeonholing it into the Provincial government because something like that would be something I could live with. And I don't know if that's possible to do but I throw it on the table.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. Well, first of all, I, the information that we require is we've received a lot of information from the Theatre already. We have it sitting on our desk. But the information that we require is our, in administrative analysis, and that's what we're, the motion is asking for in the report. So meeting with Mr. Harper, I mean, that may be a good idea, but that's sort of irrelevant to what the request is today. It's to have our administration analyze this financial data that we've received from the Theatre. So that doesn't make a lot of sense to me to not do that.

In terms of the, actually getting Provincial funding, I don't really understand how we're moving a requirement is going to make it more likely for the Province to want to give money. They usually require some kind of pressure and usually this is how we do it is by putting those kinds of requirements in, and I heard them say that they would be in real trouble if they didn't get that Provincial contribution. So I don't see why we would take it out and I didn't get chance to mention that earlier.

And I'd also like the administration in this report, if Council approves asking for it, I'd like them to comment on the issue of Provincial funding and what approach they'd recommend in asking for it and what they think about taking out the Provincial requirement and what impact that would have on this request. So it's all the more reason that motion makes me want to have some expert analysis from our administration and the Finance department on this.

So I think it's really quite straightforward. And the other thing that's been referred to is that, about the process, walking on a motion and how that doesn't really matter. There's been lots of time. There's been a week. Well, even if something is on an agenda it's difficult for the public in their everyday life to come down and register, to know what's on the agenda, to find it on the internet and figure out that there's a meeting about something that they care about. It's hard enough for them to participate. Well, if something is just walked on, I mean, even, you know, Councillors don't even know that it's there until they are sitting in the room, so how

can, you know, so it's just not a good process.

It's understandable that occasionally you have to walk something on because there's a huge time crunch and there's no other way and we don't want to let the bureaucracy slow things down and so on, but there's no time crunch here whatsoever. That's what we've heard from the Theatre itself. We're asking for a reasonable delay to get the information we need to make a fair, reasoned decision on behalf of the people we represent. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Gerbasi.

Question on the motion to refer with instructions. A recorded vote has been called for. All in favour of the referral please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Benham, Gerbasi, Lubosch, Smith, Swandel, Thomas and Wyatt.

Nays

His Worship Mayor Katz, Councillors Eadie, Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Mr. Speaker Councillor O'Shaughnessy.

City Clerk: The vote Mr. Speaker, Yeas 7, Nays 9.

Mr. Speaker: The motion to refer is lost.

Councillor Steeves summing up if you wish on the motion, your amendment Motion 2.

Councillor Steeves: I'll be very brief. I touched on a lot of the points just a moment ago. Again, now that the motion to refer has been defeated and we have to deal with the substance and the amendment, speaking just purely to the amendment again.

I understand the concern as raised by Councillor Gerbasi. It's a fair concern, the concern that we would be letting the Province off the hook. But two things, Mr. Speaker. First, we want to be very, very certain and very, very clear here. The Province is still going to be approached. The Province is still a big piece of this puzzle and hopefully it will happen.

The problem again is that with respect to the wording and the specific amount, I mean, for example Mr. Speaker, what if the Province said listen, we have $180,000 dollars for you or $195,000 dollars for you. It wouldn't meet the, it wouldn't meet the criteria as outlined in the, as outlined in the original motion.

With respect to Councillor Magnifico's point which is a good point. What if the, what if we left the, left the condition in the motion that required them raise an additional $200,000 dollars from alternate sources. That's a reasonable thing to ask but you heard Mr. Harper say that they are going to try to get what they can get.

We're giving $110,000. They are going to try to get what they can get from the Province or potentially from somebody else. At this stage we would prefer not to put in either a body or an organization or a particular amount. Again the same issue could arise.

What if they were to go to a private body instead of the Province, somehow some crown corporation or arm's length subsidiary, whatever, was to come forward with something less than $200,000 dollars? Certainly the Theatre could make a go of it and Mr. Harper was quite clear regardless of what variation of funding combination comes forward at the end of the day they feel that they have the flexibility to go to the person that holds the paper and say to them this is what we had in mind. What do you think?

That's what we're trying to protect here for the Burton Cummings Theatre. Again, it's not, it's not some grand secret vision. We just understand the Burton Cummings Theatre, and I want to emphasize, has been doing in my estimation a pretty decent job with its finances and a pretty

decent job of running that Theatre over the course of time.

This is not a theatre that in my estimation falls in the category of some other venues in the City that are really in trouble. This place in my estimation - pretty healthy. This place has shown that it can do the job. It's shown that it's got some abilities and some real competencies that exist within the organization. We want to unleash those competencies and let these folks do what they have to do.

The amendment is merely to take off a set of those cuffs that we feel exist and might prevent them from doing the job and getting what they want to achieve actually done at the end of the day. That's all it is and I think it's a good amendment and I think it makes sense for this Council and I think it makes sense for the Theatre.

Mr. Speaker: Thank you Councillor Steeves.

Councillor Gerbasi: A recorded vote please.

Mr. Speaker: Mr. Mayor did you wish to sum up on the clause?

Mayor Katz: Mr. Speaker I believe at this stage of the game there's been good positive debate and I think probably just have a recorded vote and let it release with their vote at this stage.

Mr. Speaker: Thank you Mr. Mayor.

We'll be voting on Motion No. 2, the amendment moved by Councillor Steeves. A recorded vote has been asked for. All in favour of Motion No. 2 please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Eadie, Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, Thomas, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors Benham, Gerbasi, Lubosch, Smith and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 11, Nays 5.

Mr. Speaker: The amending motion is passed.

We'll now vote on the original motion as amended. All in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Eadie, Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, Thomas, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors Benham, Gerbasi, Lubosch, Smith and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 11, Nays 5.

Mr. Speaker: The clause is carried. We move along…As amended.

We move along to EPC Notice of Motion. The motion of Councillor Lazarenko, Seconded by Councillor Smith.

EXECUTIVE POLICY COMMITTEE
NOTICE OF MOTION

Motion
Moved by Councillor Lazarenko,
Seconded by Councillor Smith,

WHEREAS, on October 29, 1997, Council adopted Clause 1 of the Report of the Executive Policy Committee dated October 24, 1997, regarding the George B. Cuff – Organizational Review and Performance Assessment Report dated October 22, 1997, as amended, and passed By-law No. 7100/97, a by-law of the City of Winnipeg to establish the governance and administrative structure of the City and to delegate certain powers and responsibilities from City Council to Executive Policy Committee, the Standing Committees and the Chief Administrative Officer;

AND WHEREAS, since that time, now under the third Mayor in the eight intervening years, City government and administration have changed considerably;

THEREFORE BE IT RESOLVED THAT Council review the current governance and administrative structure in comparison with that adopted in October 1997.

Mr. Speaker: We have an amendment motion by Councillor Eadie, Seconded by the original mover Councillor Lazarenko, purpose of which to clarify the intent of the original motion.

Motion No. 4
Moved by Councillor Eadie,
Seconded by Councillor Lazarenko,

THAT the motion be amended by deleting all the words after the word "THAT" in the resolved clause and substitute with the following:

"The City Clerk's Office provide a status update report to all Members of Council on the approved recommendations of the Cuff Report."

Mr. Speaker: Any discussion? Councillor Lazarenko.

We're voting actually, I must offer the opportunity to Councillor Eadie first because it's his amendment. Did you wish to introduce the amendment?

Councillor Eadie: He has to introduce the motion.

Mr. Speaker: What's before us is stood as notice. The amendment would be…

Councillor Eadie: So he has to introduce it first.

Mr. Speaker: As you wish. As you wish. Councillor Lazarenko.

Councillor Lazarenko: Thank, thank you Mr. Speaker. On the notice of motion that is before us here today, the original motion that I have moved, Seconded by Councillor Smith, was to review what was passed by this Council back in 1997 of October, when we had put in a by-law with the City of Winnipeg to establish the governance and administrative structure of the City and to delegate certain powers and responsibilities from the City Council to the Executive Policy Committee, to Standing Committees and Chief Administrative Officer.

And now since, this has been eight years since this was done and under three, under this is the third Mayor, I have wanted to move that motion. It is time for us to review and take a look and ask for a status report. I did not include the status report. I'm glad that Councillor Eadie had raised it, brought that to my attention.

Mr. Speaker, when we were dealing with the issue that is before us today, the decision that was made by Council dealing with the question of providing better government, government services to the citizens of Winnipeg. *Reshaping our City Government* which identified the need for significant changes to achieve affordable government set directions for contracting out, cost reductions, restructuring, alternative service delivery, cost recovery and provided for an independent organizational review.

That in itself Mr. Chairman is time because we have done some contracting

out already. The report I would like to see it come back is to say we've got, how's our staff standing with the administration, because we know what has happened with the other departments that have been contracted out.

The *New Directions* were to identify success and failures, required corrections and adjustments. Now this I'm sure that we'd like to know what successes and what failures we've had within the last eight years. Operational audit and performances assessment of the City administration. The assessment of the effective degree of control over administration available to the elected City Council and Executive Policy Committee.

Fine-tuning no doubt has to take place Mr. Speaker after eight years. This will give us an opportunity to, once that report is brought back to Council, each member of Council will have a chance to review it and make recommendations as they see fit.

The annual Council meeting to discuss priorities, Mr. Speaker that is something that we have not, I'm not alluding now to the present Mayor, just a little over year since he held his position, but in the past. When the *Cuff Report* was presented and passed by Council with Mayor Susan Thompson, that consideration took some time because we had a flood in 1997. We were held back by about two to three months, but the *Cuff Report* was presented, it was discussed fully by all members of Council. It went to the general public. Discussions were held with various people, levels, Chamber of Commerce, and also with administrators. The concerns they had and what they wanted to see, the changes, those changes, recommendations came to us, and we had proceeded to approve that.

Mr. Speaker the issue that is before us or will be before us is we have to seriously take a look at how do we govern ourselves here in the chambers. How do we govern ourselves to provide the best services we can in a cost effective, the least cost effective way of doing it.

We've gone into that direction now for a number of years. We have been successful in most issues, but in some cases we have not been that successful. We've had confusion. We've had misunderstanding. We've had the union's participation. We're not aware of we did not listen to much but this way in itself when we talked about contracting out.

The, George Cuff when he was meeting before us and also when we did the *Reshaping of Our City Government* prior to the George Cuff report being presented and passed by Council, we talked about special operating services. We talked about various departments of how can we proceed to provide the best services and for the best dollar that the taxpayers are paying for those services.

For us to proceed now, I know that the administration back in 1995, or personally I presented a motion back in 1990, that to take a look at the administrative structure with the WAPSO the "M" series and WAPSO Exempt. We had close to 1,000 managers and directors and WAPSO Exempt for a cost, the line budget was $53 and-a-half million dollars.

In 1994, when then Mayor Susan Thompson proceeded to go into that direction take a look at this. But in 1990 I did not have a business plan Mr. Speaker and what happened, it came before Council and I was lambasted by the union of WAPSO of which rightfully they had a right to do that because there was no business plan to say well how do you cut the number of jobs and how do you delete positions, and how do you say that we are going to saving a $5 million dollars a year.

What happened in 1994 when we proceeded to make those changes, I was the mover of the motion to provide with the WAPSO group that the jobs that were going to be made redundant a package which was considered as a volunteer early retirement option package. At which that was passed by Council later on it was followed by a short period for CUPE members to proceed. We went to the direction and I felt at that time Mr. Speaker it was the best and most humane way possible of trying to downsize and reach a, our government.

But then we had restructured the administration. With the administration of close to 1,000, I understand now Mr. Speaker, it's around 750 or 748 positions. We have downsized and I'm sure that the clerk will be able to present a report to Council with consultation of the Chief Administrative Officer and, to see what we have before us.

What we have to take a look at Mr. Speaker, is that for us to go back and to the governance for the citizens of Winnipeg, this Council, to get together more often, talk about priorities, to see that we don't have anything walk down to the floor like what we did with the former Mayor, we had issues that came to the floor of Council that caused so much confusion, such as the garbage fee. Garbage fee increases, no one talked, it was no simply, we never discussed it and all of a sudden the Mayor dreamt of this to say we are going to be making a lot of money and to proceed to go in that direction which failed.

The second one was dealing with rapid transit. That too, Mr. Speaker was walked onto the floor of Council. We didn't have too many seminars and what happened, it was railroaded down a different track.

So now it's, it will be before us but to see that we would have a Council that would be meeting on a regular basis to talk about priorities. What would a member of Council from the north end, the south end, the east end, the west end, would want as a priority and give that to all members of Council. Members of Council then in fact would send it on to the administration for a report back to see which would be, what priorities would take place.

Also what I'd like to see Mr. Speaker, is that the Chief Administrative Officer be delegated to give us an overview, a yearly overview, what has the department done up to the present. To give us an overview. Not the Council or Mayor but the Chief Administrative Officer should do, that's the responsibility of that position, is to give us an overview. Here's what we've done up to present and here's what we foresee and what we would suggest that we should be doing commencing for the next year.

Sure, we work with the capital, we work with the five year and we work with the current but this does not give us the atmosphere effect like we had after 1992 with the election of a new Mayor, with Susan Thompson. You know she was able to orchestrate these, we used to sit in these chambers more than once, the administration used to put up a screen and therefore we had an opportunity to take a look and to see exactly what direction we wanted to go to with suggestions and recommendations from our administration.

But at that time it started failing because there was too many Councillors were grandstanding to a point of trying to raise issues and go against, so then all of a sudden that was dropped because other members of Council were losing interest. I as one of them.

And Mr. Speaker, this is the, this I hope Council will consider and once again I want to thank Councillor Eadie, because this was my intent, the first time when the motion was made. And I had made a note on the original motion that is before us here to say that the status report. But Councillor Eadie brought it to my attention and I spoke with the Mayor yesterday on this issue, as to, as to have something that is positive now. It will be in black and white to say with a status report to be presented to Council. And I know that we have due diligence with all of our departments, the City Clerk's office, no doubt, will be working on this as soon as this is passed by Council and they in fact will be presenting a report to us in the near future.

Mr. Speaker: Thank you Councillor. Councillor Eadie do you have any pearls of wisdom to add?

Councillor Eadie: Mr. Speaker in simply moving my amendment, Councillor Lazarenko indicated at the beginning and at the end of his oration that that had been the intent of the original motion, except it didn't say that. So the amendment which Councillor Lazarenko

has agreed to directs that the administration provide a status report on the Cuff recommendations which would come back to members of Council.

That was his intent. Pass the amendment, pass the motion as amended and that work can be done and Councillors will have a report probably within weeks.

Mr. Speaker: Thank you Councillor Eadie. Speakers? Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. And I just, I'm not, obviously when the mover of the motion accepts the amendment and supports it, it's difficult to get up and oppose it but I like the overall approach in the original motion that Council review the current governance and administrative structure in comparison with that adopted in October 1997.

So I wouldn't, I mean I really have no choice in voting but I hope that we don't lose the spirit that is contained in the original motion because I think an update would be a useful first step but I think the points that Councillor Lazarenko have been making and we our self know have been the case are far more general and broad-reaching. A simple status update will simply tell us what is and what exists.

What I think is being got at in this motion and originally intended by Councillor Lazarenko and Councillor Smith, is that we look at what should be, is this right? How closely are we following the blueprint that was laid out in Council's will at the time and what effect has that had on our governance and our administrative structure? Are there any unintended consequences or negative consequences and therefore should we be taking about any reform either internally or by approaching the Province with regards to *The City of Winnipeg Charter*?

So I will support, I will reluctantly support the amendment, I will certainly support the main motion, unfortunately then as amended. But I support the spirit of the initial motion and I hope that Councillor Lazarenko will take the bit in his teeth and simply view this as a first step and come back to us with further proposals as to how to pursue this very worthwhile intent which is for us to have some real, really serious thinking about how we govern ourselves and how best to achieve our aims. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Benham.

Question on the amendment.

All in favour? Contrary? Carried.

On the clause as amended.

All in favour. Contrary. Carried.

That of course being the motion as amended.

EXECUTIVE POLICY COMMITTEE MOTIONS

Motion No. 3
Moved by Councillor Gerbasi,
Seconded by Councillor Benham,

WHEREAS the Mayor, City Council and Winnipeggers desire to maintain and enhance the value of Assiniboine Park;

AND WHEREAS on July 21st of 2004 Council approved the following resolution:

> *"That the Assiniboine Park Framework Plan be received as information with the understanding that Administration will, through business case analysis, test the feasibility, sustainability, capital requirements and fundraising potential of the Plan and present final recommendations for Council consideration."*

AND WHEREAS there has been no report forthcoming to date;

THEREFORE BE IT RESOLVED that a council seminar be held as soon as possible to update Members of Council on the status of this business plan;

AND FURTHER BE IT RESOLVED that a report from the administration as

requested by Council in July of 2004 come forward to Executive Policy Committee and Council within 30 days.

Required to stand as Notice of Motion in accordance with Rule 17.1 of the Procedure By-law

We have a notice of motion Councillor Gerbasi, Seconded by Councillor Benham this will be on the agenda for debate at your next meeting, please take note.

And, I was going to welcome another former Councillor who was in our audience but I think we have bored her to the point that she has left.

That takes care of motions. Bylaws, Mr. Mayor.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: Thank you Mr. Speaker. I would move the following By-laws be read a first time. By-law No. 164/2005, By-law No. 172/2005 and By-law No. 178/2005.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 164/2005, 172/2005 and 178/2005.

Mr. Speaker: Mr. Mayor.

Mayor Katz: I would move that By-laws No. 164/2005, 172/2005 and 178/2005 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 164/2005, 172/2005 and 178/2005.

Mayor Katz: And Mr. Speaker I move that the rule be suspended and By-laws numbered 164/2005, 172/2005 and 178/2005 be read a third time and that same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Mr. Speaker: Question Period. Councillor Gerbasi, Councillor Benham.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Councillor Gerbasi: Okay, thank you, thank you Mr. Speaker. My first question is, on July 21st of 2004, Council approved the following resolution: *The Assiniboine Park Framework Plan* be received as information with the understanding that the administration will through business case analysis, test the feasibility, sustainability, capital requirements and fundraising potential of the plan and present final recommendations to Council for consideration. Will the Mayor please advise as to when these recommendations will be coming forward to Council?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Thank you Councillor Gerbasi. I am not in a position at this point in time to advise when but I can certainly tell you I would like it to be as soon as possible. And if there is anything within my power I can do to speed up that process I will certainly endeavour to do so because I feel it's very important that that come forward a.s.a.p.

Mr. Speaker: Thank you Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker.

Mr. Speaker: Could I ask that the clerk start the clock, the Question Period time. Put it on fast mode if there is one. Councillor Gerbasi supplemental. No or yes?

Councillor Gerbasi: Well, I don't… That's a very clear answer and I appreciate it and I'm very glad to hear it. I'll just move on to some other questions then. I'm wondering the Rapid Transit Task Force report will be…

Mr. Speaker: Without preamble on supplementals please.

Councillor Gerbasi: Oh I'm sorry. Will the Rapid Transit Task Force once it's

made public, will the report be brought to an EPC meeting at the first opportunity in October?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I believe the process that we are going through right now would be a Council seminar which will be taking place later this week so everybody is brought up to snuff and then we will be moving that through posthaste as normal procedure would take. Keeping in mind of course there may be thoughts or concerns and also keeping in mind that no matter what the issue is, okay, no matter what Committee it goes through, it's Council that is supreme. Not any individual. Not any Committee. It's always Council that is supreme.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Gerbasi.

Councillor Gerbasi: Is the Mayor considering, will the recommendations of this report, will they be considered in the Mayor's negotiations with the Federal government that are currently going on regarding the gas tax?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I can tell you that in every conversation or meeting whether it's Minister Godfrey, or Minister Alcock, or with Premier Doer, that a rapid transit, transit is always discussed and has always been part of the equation.

Mr. Speaker: Thank you Mr. Mayor. I want to take this opportunity to ask you to join me in welcoming former Councillor Shirley Timm-Rudolph who has joined us this morning. Welcome Councillor.

Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker the Mayor has proposed building condos at Assiniboine Park on the same spot the Zoological Society of Manitoba has proposed creating an entrance and gift shop to raise money for the zoo. Mr. Speaker why in the name of raising revenue for the zoo has the Mayor proposed taking away the zoo's prime opportunity to earn greater revenue?

Mr. Speaker: Councillor. Mr. Mayor.

Mayor Katz: Thank you Councillor Benham. Mr. Speaker I can tell you that I put forward an idea that consisted of potentially looking at either condos or apartments. The focus has been obviously on the condos but that was my original proposal.

I can also tell you that in the last 10 days, because of my actions, that the park and the zoo have had more thought and more exposure then in the last 10 years and I have been inundated with all sorts of suggestions. And as I said once before, the proposal that came forward was basically a preliminary plan, okay. There was nothing there etched in stone and I'm assuming that Councillor Benham has obviously seen that plan and saw that there was a significantly tall building to be going potentially on that site. But as I say that was preliminary. It was conceptual and anything that is conceptual can obviously be changed if the parties believe it's better and it will accomplish a better end result. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Do you have supplemental Councillor Benham?

Councillor Benham: Thank you so much Mr. Speaker. Mr. Speaker was the Mayor aware that the parking lot is used for major events such as Boo at the Zoo, The Teddy Bears Picnic and Canada Day, when on-street parking in Assiniboine Park is at capacity? Where will people park for major events?

Mr. Speaker: That was two questions Councillor Benham. Which one do you want asked or will they be both here (In Audible)?

Councillor Benham: Where will people park for major events Mr. Speaker? Thank you.

Mr. Speaker: Thank you. Mr. Mayor.

Mayor Katz: Mr. Speaker not only am I aware, I attend both of those events. And if Councillor Benham has ever attended either of those events he would realize that number one that parking lot is filled up almost immediately. And when you read the reports of 40,000, 50,000, 60,000, 70,000 people attending these events, you can rest assured they are not parking in the lot. They are finding alternative places to park or they are walking or whatever the case may be because those parking lots provide minimal parking to those four or five events during the year. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Benham.

Councillor Benham: Thank you Mr. Speaker on a new topic without a preamble. Was Councillor Steeves speaking on behalf of the Mayor and Executive Policy Committee in August when he called publicly for a review of the amalgamation of Fire and Paramedic Services?

Mr. Speaker: Thank you Councillor.

Councillor Benham: Mr. Speaker.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker could I just hear that question one more time please?

Mr. Speaker: I'm sure you could.

Councillor Benham: Yep, thank you Mr. Speaker. Was Councillor Steeves speaking on behalf of the Mayor and Executive Policy Committee in August when he called publicly for a review of the amalgamation of Fire and Paramedic Services?

Mr. Speaker: Mr. Mayor.

Mayor Katz: It's very difficult for me to speak on behalf of Councillor Steeves who is chair of the Committee and I'm assuming he was speaking on his own behalf as chair of that Committee. But in order to get a specific answer one would have to ask the person who spoke. But he certainly was not speaking on behalf of the Mayor. If he has a question of me I'd be happy to answer that question of me.

(Point of Order)

Councillor Steeves: Mr. Speaker maybe on a point of order. I don't know what the procedure is but I don't know if Mr. Benham, Councillor…

Mr. Speaker: He has plenty of opportunity to ask you that question later this morning if Councillor Benham wishes. It wasn't asked of him and we're done. Councillor Wyatt.

Councillor Wyatt: Mr. Speaker, Mr. Speaker as you are aware I have a lot of very good ideas but I definitely don't have the monopoly on good ideas. My question comes from actually an idea raised by my predecessor who is here in the gallery today Councillor, former Councillor Shirley Timm-Rudolph, and so I put it to the Mayor.

The idea is in light of the fact of what's happening with Katrina down in New Orleans and the damage and the problems that have been occurring there and the plan or the lack of a plan or a lack of a good plan that they've had there. Would it be possible to organize a, and maybe I realize it might not be directly responsible, this might be a Standing Committee chairperson, but in reality when a disaster comes the Mayor usually becomes the spokesperson.

Would it be possible to organize a seminar for Councillors to give us an update on our emergency plans? I know we have them in place but I think a good refresher. It would be good for all of us to get a refresher on it and what the emergency plans are for Council, are for the City in the event of any kind of emergency. And I realize Council seminars are usually…

Mr. Speaker: Councillor Wyatt you've had a preamble you're now into a post-ramble.

Councillor Wyatt: Okay I apologize, I'll make it quickly Mr., Mr., I just was going to make this a quick one, thank you Mr.

Speaker, for reminding me of that. That normally Council seminars are private or you know closed door, I would suggest that if it can be done to open up so that the public is also educated about what our emergency plans are as well? So, it's an idea.

Mr. Speaker: Thank you. Thank you. Mr. Mayor.

Mayor Katz: Thank you Councillor Wyatt, I can confirm to you that during some interviews with the media, whenever these catastrophes happen it's always our impression, not us somebody else, not here somewhere else. And I think a lot of people took to heart what took place and are asking the question are we ready? And I certainly made that comment before and I think the suggestion has a great deal of merit and I would be happy to serve to make that become a reality.

Mr. Speaker: Thank you Mr. Mayor. That's good. Thank you Councillor Wyatt. Councillor Smith.

Councillor Smith: Yes, Mr. Speaker to the Mayor. You know the, we have a COO, Chief Operating Officer of Assiniboine Park. We hired her to oversee the development of Assiniboine Park Enterprise, as well as the overall governance and leadership of Assiniboine Park, including the zoo, conservatory, the Assiniboine Forest, park infrastructures as well as park amenities such as the Leo Mol Sculpture Gardens and partnerships endeavours such as the pavilion restaurant, the Lyric Band Shelter, etcetera. Have you talked to her about your condominium proposal before you made it?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: The specific, I'm aware of the fact that we have that. I'm also aware of the fact that Partners in the Park, I've had meetings with those organizations. I actually was on site and had a tour with Mark Lubosch. And the specific question that you asked me, no, I did not discuss that idea with the COO. This is only an idea that's being explored. This is not something that is reality tomorrow as we all know and there are many ideas that are brought forward. But the answer specifically is, no I did not.

Mr. Speaker: Thank you Mr. Mayor. Supplemental Councillor Smith.

Councillor Smith: Don't you think it would be a good idea to talk to her because you know she has…

Mr. Speaker: Thank you Councillor, that's your question.

Councillor Smith: Okay.

Mr. Speaker: You can't get the big guy. Mr. Mayor.

Mayor Katz: Put it this way. I would say it would not be a bad idea, but the realities are a conversation can always be had at any point in time. We have lots of time for dialogue. The key thing and I'll repeat it again for Councillor Smith, as a result of my actions there is more emphasis on the park and the zoo today than there ever has been in many, many years. And that should be what you should be excited about. For the first time the people are looking and recognizing there's a problem because it's being ignored year after year after year. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Okay, thank you Councillor. Councillor Lubosch.

Councillor Lubosch: I'm very pleased to hear that the zoo is getting all this and Assiniboine Park is getting all this attention. Would the Mayor be prepared to engage Councillors in a seminar in the next 30 to 60 days to discuss the Assiniboine Park Enterprise and the zoo?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Thank you. Thank you Councillor Lubosch. I think the answer to that would be there is a motion that's been brought forward. I think what we probably do is get that information, if it comes place, and then it would make

sense to have a Council seminar. So at least we know what if anything has taken place in the last year. I know specifically Councillor Gerbasi has made reference to it. I think it's an excellent idea. I think we get that information and I think then a Council seminar makes a lot of sense. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Councillor Lubosch. Any further questioners? Councillor Magnifico.

Councillor Magnifico: Mr. Speaker, last Council meeting I had asked the Mayor about Councillors and/or Mayoral candidates who did not supply audited statements by the prescribed time and the penalties that were suppose to incur and none have ever been charged, and I just ask the Mayor if we are progressing with that and where that's at?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Thank you Councillor Magnifico. It's so nice to have someone to remind you all the time what took place at the previous Council meeting. The answer to the question is we have been in communication with the Province and they have indicated to us that they're looking at proceeding at taking action for those who have not complied with the by-laws and potentially prosecuting. So that's the update as of this particular point in time.

Mr. Speaker: Thank you Mr. Mayor. Any other questioners? None. We'll proceed to a second round of questions. Councillor Gerbasi followed by Councillor Benham.

Councillor Gerbasi: Thank you Mr. Speaker. Would the Mayor please indicate his view on whether or not he supports the current Public Art Policy and program that was unanimously approved by Council in 2003?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Mr. Speaker at this particular point in time we have approximately $3.7 million dollars which we provide as operating, approximately another $500,000 dollars that we put in as capital. And the scenario that exists in; a situation where if you have the monies it's an easy thing to do. If you don't have the monies it's much more difficult and you have to look at priorities. And I can tell you that at that particular point in time it made a lot of sense and obviously I did support that public art.

By the same token, I'll continue and answer the question that Councillor Gerbasi is really getting at, is that, if there is a situation that requires a difficult decision I have no problem with making changes if one has to. Thank you very much.

Mr. Speaker: Thank you Mr. Mayor. Any further questions Councillor? Supplemental.

Councillor Gerbasi: One further question. Would the Mayor please give Council some information about how the discussions are going with the Humane Society so that we have some understanding of why they decided not to have a September 1st deadline to stop taking trapped cats and what made that happen? So I'd just like to know more about that situation.

Mr. Speaker: Thank you. Mr. Mayor.

Mayor Katz: Thank you Councillor Gerbasi. As I've said before there has been ongoing dialogue with the board and employees of the Humane Society. I've also said before that I don't believe that the Mayor of Council should respond to deadlines and you can call them anything you want. I think target dates are terrific and that was their target date.

I believe that you can assume that there's been some good conversation because obviously the target date has been changed. I can also tell you that at this particular point in time we are waiting for a final report which I believe, I would have hoped it would have come forward a little sooner, but I believe it will be here very shortly and that on the next Council meeting that this will be on the agenda and going forward.

Mr. Speaker: Thank you Mr. Mayor. Final Supplemental Councillor Gerbasi.

Councillor Gerbasi: Thank you. Is it your, through you to the Mayor Mr. Speaker, is it the view of the Mayor that there will be something within that report that will address the issue of euthanasia of too many cats and something about the problems we're facing? Can you enlighten us in anyway about what your personal view is or your political view is of what we should be really doing with this issue?

Mr. Speaker: That's two questions. Which one would you like answered? The latter or the former?

Councillor Gerbasi: The former.

Mr. Speaker: The former.

Councillor Gerbasi: Which one was that?

Mr. Speaker: Not his personal view. Is there anything in the report?

Councillor Gerbasi: Yes, yes Mr. Mayor.

Mayor Katz: I can tell you that the key issues are one funding and spaying and neutering. And I believe that both those issues have to be addressed with a long-term plan when it comes to spaying and neutering.

Mr. Speaker: Thank you Mr. Mayor. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker the Mayor stated publicly with the Federal Minister Reg Alcock at his side more than two weeks ago, that a deal was near on Federal gas tax revenues. Why is Winnipeg the only major city in western Canada not to have signed a gas tax deal?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I guess the simple question is, if you've ever followed sports Mr. Speaker you would realize someone's first, someone's second, someone's third and someone is last. It doesn't mean anything but the reality is, is that Winnipeg has always stated okay, it has different needs than other cities. Unfortunately a policy came forward by a bureaucrat in Ottawa that put us in a very unique situation when they came up with the situation of a population of over, under 500,000 would not qualify, and so those talks have taken a little longer.

But the facts of life are both the Minister that was appointed and both myself believe that we are very close and I still say that today. Keeping in mind that in the world of politics very close does not mean tomorrow, it can be a few weeks or it can be a month. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Supplemental Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker what percentage of the gas tax money that we are talking about does the Mayor believe should go to public transit needs?

Mr. Speaker: Thank you Councillor Benham. Mr. Mayor.

Mayor Katz: I can tell you that what has been discussed is that with a formula that 10% of that money should be allocated for gas, for transit. So if you take, and this is something that has been consistent. Back when I attended the FCM meeting there was a conversation of 25% but as you know we have to work with our neighbours in the Capital Region and there have been discussions that 10% is something that would make sense for all and that is something that we are working towards becoming a reality. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Final Supplemental Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. On a new topic Mr. Speaker without preamble, what steps has the Mayor taken to ensure that in the future the City is not fined $20,000 dollars for withholding information from an arbitration hearing with its own employees?

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Thank you. Councillor Benham I can tell you at this particular point in time that no decisions on that issue have been made. It is something that we are looking into and of course we need to address it to make sure it does not happen again. But as we sit here today nothing final has been concluded. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Moving on to the report of the Standing Policy Committee on Property and Development. The report of September 12th, Councillor De Smedt.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED SEPTEMBER 12, 2005

Councillor De Smedt: Mr. Speaker I'm very pleased to move the report of September 13th and that would be, I'm sorry, it is number 12, and items 1 to 16 as Consent.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Number 1 please.

Mr. Speaker: Number 1.

All in favour of items 2 through 16 as Consent? Contrary? Carried.

Item 1.

Councillor De Smedt: Thank you very much Mr. Speaker.

Mr. Speaker: To be introduced by the clerk first.

Item No. 1 - Request to De-list Former St. Boniface Normal School (Residence Langevin) – 210, rue Masson File G-3.1.1

Mr. Speaker: Thank you. Councillor De Smedt.

Councillor De Smedt: Thank you Mr. Speaker. Just reporting to Council that it was the recommendation of the Policy Committee to not to de-list at this time the former St. Boniface Normal School. I'm not sure if there are some questions that the Councillor has, she asked to have it stood down so I would wait for those. Thank you.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I just wanted to very briefly just put a couple of comments on the record. I think this is actually a very significant issue. I want to thank the Standing Committee for their decision not to de-list this building. It was definitely the right decision and the Councillor for the area who supported it in the end.

I think that it was originally kind of a challenging process because it was suddenly happening and there was a rezoning and all sorts of complexities happening in the community, was given a couple of months to mobilize and they certainly did that. And I also, I just want to acknowledge the many community members that got together and tried to put together a plan on short notice over the summer and were successful in convincing the Committee that there was potential for this building.

The other comment, and I speak as chair of Historic Buildings Committee for six years, so I have been dealing with a number of these types of issues over the years and I just want to bring to Council's attention that these types of issues, you know, it takes time to restore historic buildings. They, they, you can't give somebody two months over the summer and expect to have a finalized plan and have them ready to go.

It takes time to deal with the building you don't own or even if you do own it and we have had buildings stand empty for 10 years and then come to life. I mean look at the Met Theatre right now it's being looked at. The Fort Garry Hotel was boarded-up and could have been torn down, I mean for a period of time.

And those of you have, many of you have served on Historic Buildings Committee

know this and many of you have made some of these difficult decisions. So I thank you for giving this building some time and I hope it is not a short term. I hope you are going to, that this Committee and this Council is going to reaffirm this de-listing today and I hope we are going to take that to heart and give not just give them a very short time window.

There is time once these buildings are lost, they can never be retrieved again, they're gone. And I just think it is important to make that point and to thank the community for all their hard work in bringing forward, showing the potential of this building to the Committee and I want to thank the Committee for listening to that. So thank you Mr. Speaker.

Mr. Speaker: Thank you, Councillor Gerbasi. Councillor Magnifico.

Councillor Magnifico: I would like to just acknowledge that this building in my ward that we are talking about, that has been saved, and it's been left on the historic list which I believe is correct, the right thing to do, is not the Met and it's not the Fort Garry Hotel. It's in the middle of a residential neighbourhood.

I agree with Councillor Gerbasi that we should try and save this building and I have offered the proponents an opportunity to do that and as our Committee did. All I ask is that it progresses, in the right direction, albeit slowly, I don't care, but it better progress in the right direction cause I don't want a derelict building in the middle of my residential area of St. Boniface and I want that very clear. And I think they know that and we've discussed it. But just to make it clear here we're not talking about a building downtown that maybe you can board-up for a while. It is in the middle of a residential area and as I say I want to save it, we are doing everything we can to do it, but there are differences.

Mr. Speaker: Thank you, Councillor. Councillor De Smedt did you wish to sum up?

Councillor De Smedt: Thank you very much Mr. Speaker. And just for the information of Council this was a, this was a process that took place over the summer. It started in late spring and the Committee heard very clearly that there is a division in the community. On the one side there are those that are passionate that this building is a historic building in all its, in all its entities and that therefore it ought to be saved, almost at all costs.

And then on the other hand there is a private sector proponent which was faith-based driven that was offering to put in, in a residential area, an apartment complex that would serve the needs also of the community.

And so you had the two sides. They were not able to come together and I think the Committee heard very clearly that there is opportunity for the St. Boniface community as an entity to try and come together and decide what is in the best interests of themselves to either save this building and allow other uses to take place that would be in congruence with the residential area.

I think the Councillor of the area, Councillor Magnifico, has spoken briefly on this matter this morning to indicate that I think we all would like to save old buildings if they're possible. And so the Committee was of the view that I think it made sense to allow the St. Boniface Committee themselves to get together as a community and to see what can be done and I'm confident that this is underway and that they will come forth with a plan in some form of harmony. Because it is owned by a private sector entity and it is up to them to make sense of what the historic aspects are and what the opportunities might present itself to regenerate and reconstruct this building.

So we're of the view that it needs more time and that's why the recommendation is not to de-list. I think there is opportunity that ought to take place and so that's what I indicated in my very opening remark if somebody was listening carefully, that it is the recommendation that for now we not de-list this building and allow things to unfold. So I will move the clause.

Mr. Speaker: Thank you Councillor.

All in favour of clause 1. Contrary? Clause is carried.

Report of September 19th.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED SEPTEMBER 19, 2005

Councillor De Smedt: I would move the report of September 19th, and the Committee is recommending that we would allow a, we would recommend to Council that a public hearing take place. All in favour?

Mr. Speaker: All in favour? All in favour? Contrary? Carried.

Motions none. By-laws first reading only. Councillor De Smedt.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT CONSIDERATION OF BY-LAWS

Councillor De Smedt: I would move Mr. Speaker that By-law No. 158/2005 and 163/2005 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Bylaws, Councillor De Smedt.

Councillor De Smedt: I would move Mr. Speaker that the following By-laws be read a first time. By-law No. 159/2005, 160/2005, 161/2005, 162/2005, 170/2005 and 171/2005.

Mr. Speaker: How about, and one more? 176/2005.

Councillor De Smedt: I'm sorry, 176/2005.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 159/2005, 160/2005, 161/2005, 162/2005, 170/2005, 171/2005 and 176/2005.

Mr. Speaker: All in, oops sorry. Councillor De Smedt.

Councillor De Smedt: I would move Mr. Speaker that By-laws No. 159/2005 to 162/2005 both inclusive and 170/2005, 171/2005, 176/2005 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 159/2005 to 162/2005 both inclusive and 170/2005, 171/2005 and 176/2005.

Councillor De Smedt: I'd move that the rule be suspended and By-laws No. 159/2005 to 162/2005 both inclusive and 170/2005, 171/2005, 176/2005 be read a third time and that the same be passed in order to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

I point out to the clerk that our condensed agenda at the top of our screens shows By-law No. 160 being of 2004. We can have that error corrected.

Questions?

Councillor De Smedt: Thank you.

Mr. Speaker: No questions of the Chair? Councillor Swandel.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT QUESTION PERIOD

Councillor Swandel: Mr. Speaker through you to the chair of Property and Development. As both of us are probably aware a recent decision by the Court of Queens Bench I believe, has caused some backlog in our, in permits and approvals. The decision specifically is it references the requirement of an architect stamping plans in order for them to proceed. It seems that the decision is technically correct in that there is no provision in the Act, the statute which is a Provincial piece of legislation.

I would like to ask the chair if there is any indication of whether or not the City will be seeking to have the ruling suspended while it's in appeal, if it is going to be appealed. If we are going to seek to have it suspended or what other actions we may be able to take to ensure that matters are moving through our Property and Development department?

Mr. Speaker: Thank you Councillor. Councillor De Smedt.

Councillor De Smedt: Thank you very much Mr. Speaker and I'm sure most of you are aware that the ruling has of course, had an impact on permits that have to be issued and so for those that are outside the criteria of 400 square metres there are going to be some architectural signatures required.

The answer to the question specifically, the department is working with Legal Services to see if the City ought to be taking a position to appeal. I can't of course take any further action on this. We'll have to allow that particular process to work.

Mr. Speaker: Thank you Councillor. Supplemental Councillor Swandel.

Councillor Swandel: Quick Supplemental. Mr. Speaker, this is a piece of Provincial legislation. Is the chair aware of any work being done with the Province to see if the appropriated correction to the Acts that existing, existence of reciprocity and the exemption for overlapping scope of practice provisions in the Engineers Act which isn't in the Architects Act?

Mr. Speaker: Thank you Councillor. Councillor De Smedt.

Councillor De Smedt: Thank you Mr. Speaker. I think the best way to answer that would be to indicate that while the Legal department in concentration with our PP & D department, the administration let us say, is reviewing the decision to appeal. I think that particular notion would probably come forward whether one ought to make a case in representation to the Province. It's really wonderful that we are trying to reconcile two very professional groups together. It's not my job, the Judge tried to do that and there has been a ruling which regrettably makes it very difficult for a lot of these permits to go ahead in a timely way right now. And the administration is advising people that have, that have applications in have to go and get an architect. They have to follow the law as has been stated recently. So it is having some impact. There's no question about it. Thank you.

Mr. Speaker: Thank you Councillor. Thank you Councillor Swandel.

Mr. Speaker: Report of the Standing Policy Committee on Protection and Community Services. Report of September 12th, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED SEPTEMBER 12, 2005

Councillor Steeves: Thank you Mr. Speaker. Regarding that report I'll introduce the report and move adoption of Consent items 1 to 4.

Mr. Speaker: All in favour?

Councillor Wyatt: Item 2.

Mr. Speaker: Item 2 has been asked to be stood down.

Consent on items 1, 3 and 4.

All in favour? Contrary? Carried.

Madam clerk.

Item No. 2 - Waiver of Fees for Rental of Sherbrook Pool - Sherbrook Shark Swim Club
File PR-2.10

Mr. Speaker: Councillor Steeves, did you wish to introduce the clause?

Councillor Steeves: Only to state Mr. Speaker, I believe this is the same procedure that has been followed with respect to this matter for the last at least a

few years. It doesn't represent a change in tack from our administration. I'm certain it enjoys the support of the entire Protection and Community Services Committee as well as the entire Executive Policy Committee. And Councillor Smith is the ward Councillor and I believe it enjoys his support. I'll wait for comments.

Mr. Speaker: Thank you. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. The reason why I stand this down is I am supportive of it as well. Just as a, to point out that having been on the Standing Committee before of Protection and Community Services, that sometime ago about two years ago, three years ago, the Standing Committee requested administration come forward with policy with regards to waiving these fees so that we're consistent with all groups coming forward.

The reason why I say this is because I know of one group that came forward to the Standing Committee. If my memory serves me right it was Mr. David Kovnats and he was involved with an organization through the Shaarey Zedek Synagogue. Hasidic Jewish children who were using a pool, or pools for camp programs, and a lot of them come from new families, new Canadian families who don't have a lot of money and they were asking for a waiver and the Committee at the time. You were not the chair at that time, we had a different chair at that time who is no longer a Councillor, you know, basically was of the mind no, we're doing Sherbrook, we've done Sherbrook, but there were no other exceptions.

But we were working on bringing the policy forward. So it's my hope Mr. Speaker, I stand this down as way that is just a friendly reminder that we could bring a policy forward so we could treat all groups equally when they come forward for a waiver of fees. Thank you.

Mr. Speaker: Thank you Councillor.

Question on the clause.

All in favour? Contrary? Carried.

Motions none. Bylaws none. Questions? Councillor Benham.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
QUESTION PERIOD

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker I would like to table the following document which is an excerpt from *The Winnipeg Sun* on August 20th, 2005, because I will be referring to it. In my question to Councillor Steeves, in this article Councillor Steeves said that the amalgamation has been far from a smooth ride.

Mr. Speaker: Excuse me.

Councillor Benham: Yes.

Mr. Speaker: The newspaper reported Councillor Steeves as saying.

Councillor Benham: Certainly, thank you Mr. Speaker.

Mr. Speaker: Quite often there's (in audible).

Councillor Benham: And that's fine, that's fine. The newspaper reported Councillor Steeves as saying the amalgamation has been far from a smooth ride. And Steeves, head of City Hall's Protection Committee told the *Sun* it could be time after three years of backbiting to look at whether the merger can continue. Maybe that is the case, I'm not sure said Steeves, I just wanted, so everyone can walk with their heads held high, I just want to change it to whatever makes sense. We want a strong Fire Service. We want a strong Paramedic Service.

Thank you Mr. Chairperson, I'm only putting that on the record because Mr. Steeves, Councillor Steeves indicated he wasn't sure where I was getting this. So it is tabled now. It is before Council. And my question to Councillor Steeves is does he believe then that amalgamation should be reviewed?

Mr. Speaker: Thank you Councillor. Councillor Steeves.

Councillor Steeves: Well I guess I'll begin my answer by stating that the question originally as stated to the Mayor, I suppose that, that was just read into the record, I'm making the assumption Councillor Benham was making, he was referring to that being the comments where I issued to quote his words "that was my formal public statement that amalgamation should be reviewed." I mean I don't read it that way at all. I guess people can take it any way they want. I'll stand by the comments as they were read. They seem fairly reported to me.

The question of integration I suppose, to coin a proper term, should it be reviewed? I'm sorry just for clarification that was the question? Should integration be reviewed? Is that my position?

Mr. Speaker: Yes.

Councillor Steeves: Okay. I mean the policy of this City Council is that we're going with the integrated model at this stage. There has been no deviation from that model. There has been no either Standing Committee motion, or no EPC motion, or no Council motion stating that we are going to deviate from that. I certainly don't see it as my role to personally stand up and say I want to disintegrate any policy decision that has been made by Council at any stage.

So to answer the question, no I will not be personally moving forward with an agenda that is going to in some way alter the policy that has been duly voted upon by this Council. If this Council as a whole wants to move in a different direction in this very, very important issue, then I will certainly be part of those discussions. But I, as for me spearheading it as a singular Councillor, no.

Mr. Speaker: Thank you Councillor, very clear. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. I wonder then why Councillor Steeves said, he says that he is being quoted correctly, when he said "I just want to change it to …"

Mr. Speaker: You are into preamble once again.

Councillor Benham: Fine Mr. Speaker. What did Councillor Steeves mean when he said "I just want to change it to whatever makes sense? We want a strong Fire Service. We want a strong Paramedic Service." Referring to two separate services?

Mr. Speaker: Thank you Councillor.

Councillor Benham: Thank you Mr. Speaker.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Okay. I'm not exactly sure what I am answering here precise but I will do my best.

Mr. Speaker: What did you mean?

Councillor Steeves: Okay, what did I mean by that? We are in constant discussion. We're in constant discussion with our administration on this issue. Be it the CAO's office, be it our Fire Paramedic Chief, whomever. We hear from people in the field. We hear from their representatives. We can make changes potentially to help ease everybody's burden in the service. I mean that could be done. Maybe there's things, there's possibilities that could be accessed. Maybe we could make some changes by agreement. Does this constitute a formal alteration of the big picture integration model? Well I kind of doubt it. But we are willing to make changes and make everybody's life easier if necessary.

Now, I just want to assure people, that the integration decision is a policy direction of this Council. I don't see myself as having the power to change that. If we as a Council want to change that, then we as a group have to make that change. As the designated chair I'm perfectly prepared to talk to people in administration who can do things differently, different trucks, different positioning, different buildings,

whatever, meetings with the representatives of the collective agreements, meetings with the people in the field, meetings with whomever to try and to try to adjust. That's what we are trying to accomplish.

I see myself I guess, to try to answer the question as clearly as possible, I see myself as the person who maybe can help adjust things within the broader policy direction as given by Council. I don't' see myself again, as having the ability to singularly alter the larger policy direction of integration. Again only all of us can do that.

Mr. Speaker: Thank you Councillor. Final Supplemental Councillor Benham.

Councillor Benham: Thanks Mr. Speaker. What steps then will the chair of Protection and Community Services be taking to improve the situation?

Mr. Speaker: Thank you Councillor. Councillor Steeves.

Councillor Steeves: Well I mean we, we take I guess requests as they come up, right? We deal with the issue of the service in the, both the operating and the Capital Budgets, with the meetings that we have and we discuss that as Councillors. They're not huge items that come up on a daily basis that I deal with. They're not. Because I think, people in this chamber are probably fairly aware of the positions taken by the representatives of the collective agreements, i.e. the Fire Fighters and the Paramedics. They're probably fairly aware of those positions and they're fairly entrenched I think.

We know that administration is talking and potentially talking about some resolutions and maybe not. I'm not sure of what that may or may not yield but I don't' want to yield, I don't want to give the impression that I am actively out there pursuing some type of agenda outside of what has been again largely agreed to as a policy direction by this Council.

So, the Chief I know goes to the stations for example. I know he talks to the members. He talks about the issues that exist in the stations themselves. Those things happen. There are some agreements, sometimes not much of an agreement. A very, very difficult issue.

So I don't have a list of steps that I'm actively pursuing. I work with administration. I try to support them when I can, if I can, on whatever they are working on. But again, I don't want to overstep my authority here and lead anyone to believe that I am taking some steps beyond the grander policy direction of this Council. Again, not my place.

Mr. Speaker: Thank you Councillor Steeves. Councillor Smith.

Councillor Smith: Yes Mr. Speaker. Through you to Mr., to Councillor Steeves. Why are you as chairperson of Protection and Community Services Committee not releasing the details of the settlement made with the Fire Fighters union so the public can judge the wisdom of its civic politicians in applying discipline? After all the stories of the goings on at the Osborne Village fire hall were all over the newspapers.

Mr. Speaker: Thank you Councillor. Councillor Steeves.

Councillor Steeves: Not sure that again that it's necessarily my decision to make. The position I think taken was that what was released, was what was agreed to be released. Now I stand to be corrected and I want to be very careful here Mr. Speaker and I might appreciate your guidance because this may or may not be a quasi-judicial matter in terms of a settlement reached by one of our unions and our administration.

Mr. Speaker: My ruling is that the decision has been reached so there is no, nothing on it. However if you believe that there is maybe a condition of the agreement to not make certain parts of it public, I would find it incumbent upon you to find that out for sure before releasing any parts of it.

Councillor Steeves: All right, I certainly, I can't stand before this Council and say that I have any authority to release

anything beyond what's been made public already.

Mr. Speaker: That's a fine answer. Councillor Smith.

Councillor Smith: Supplementary question. If he cannot release it to the public will he share his knowledge of the settlement with his Committee in camera then?

Mr. Speaker: Thank you Councillor Smith. Councillor Steeves. I'll permit him that one.

Councillor Steeves: I'll tell you what I'll do Mr. Speaker, I think there is a will for Councillors to know what they can know pursuant to the regular legal channels. What I should do here and what I think I will do is I will take this under advisement, I will talk to the Chief, I will talk to Legal and I will see what can be released and who it can be released to, fair?

Mr. Speaker: Thank you Councillor Steeves. Fine. Councillor Smith or do you have a final supplemental?

Councillor Smith: Well I just want to make it clear to Councillor Steeves that…

Mr. Speaker: Question only, no preamble.

Councillor Smith: Okay. Councillor Steeves do you not think that the members of the Protection and Community Services Committee should know? I mean they're the ones responsible for the service.

Mr. Speaker: That's, the question has been asked. Councillor Steeves.

Councillor Steeves: I think they should know everything.

Mr. Speaker: Thank you Councillor Steeves. Councillor Wyatt.

Councillor Wyatt: Mr. Speaker I just want to rise, I've a question to ask of the chair. The other day, Monday, I was very impressed with the services of the First Responders and our Paramedic employees with regards to responding to a very good friend of mine who became ill, to be rushed to the hospital.

And my question is this. I had the opportunity, I arrived at the hospital the same time they were arriving and they had to wait 45 minutes and held up at the hospital because of the time involved of getting the patient into a bed and transferred and responsible as a person assigned to the hospital. So there is a bottleneck that is happening. And they informed me that that's actually pretty good, 45 minutes, that it's usually a lot longer.

There is a demand for increased ambulances all the time we have a bottleneck with our WRHA, what talks are going on, if there are talks going on with the WRHA right now to improve that because the problems are there and if not are we going to be pursuing that?

Mr. Speaker: Thank you. Councillor Steeves.

Councillor Steeves: Thank you for the question. I'm glad that, I'm glad that your friend is doing okay. The, I don't, what I should do here and what I will do is I'll take the question under advisement and I will find out and report back to Councillor Wyatt. But the question is a fair one, of course I'm certain that part of the answer is going to be like all things at City Hall, is going to come down to a question of resources. Maybe some difficult decisions for this Council to make when the time comes. We might have to have a really frank discussion about where we are going in terms of revenue in this City.

Mr. Speaker: Thank you. Supplemental Councillor Wyatt?

Councillor Wyatt: Yes and I appreciate the response taking it under advisement but the problem is more the Health Authority side versus I think our side. But just as a supplemental on a separate matter Mr. Speaker. Just as a follow-up on the waiver fees issue, would it be possible to get back to Council with regards to the policy work going on with

regards to setting a policy for waiver fees of our pools and our facilities?

Mr. Speaker: Thank you Councillor. Councillor Steeves.

Councillor Steeves: Sure, I'd be happy to do that. And one comment on the Sherbrook because that was the original context in which this came up. I've spoken to Gerald Mirecki prior to this matter coming forward and want to be careful on this. The idea is to help out this swimming club by waiving the fees that they have to pay up to we anticipate maybe as high as $16,000 dollars.

The idea was not to give a blanket $16,000 dollars to be used in whatever fashion the club desired. It was to specifically waive the amount they had to pay in that specific area. So that may be part of the answer I suspect in that we don't, we want to differentiate it a little bit from a straight bald grant that's being given out in that amount. But I will endeavour to find out.

Mr. Speaker: Thank you. Thank you Councillor Wyatt.

It's not quite 12:00. Anybody anticipate anything further on the agenda that will be spoken to?

Councillor Gerbasi: Yes there will be.

Mr. Speaker: It is now 12:00 o'clock, we will return at 1:30. We are adjourned temporarily.

I call back to order this meeting of Winnipeg City Council for September 28th, 2005.

Moving on to the report of the Standing Policy Committee on Public Works. The report of September 13th, Councillor Eadie.

REPORT OF THE STANDING POLICY COMMITTEE ON PUBLIC WORKS DATED SEPTEMBER 13, 2005

Councillor Eadie: Yes Mr. Speaker, I'll move that the report of the Public Works Committee for September 13th be received and clauses 1 through 5 be adopted by Consent.

Councillor Gerbasi: Number 2 please.

Mr. Speaker: Number 2 has been asked to be stood down. Any others? No.

Items 1, 3, 4 and 5 as Consent?

All in favour? Contrary? Carried.

Madam clerk.

Item No. 2 - Award of Contract for Residential Manual Garbage Collection Services in the Northeast Area of Winnipeg
File GL-9

Councillor Eadie: Mr. Speaker in moving clause 2, I think the report is here in front of members, and I'm sure you have had chance to read it. It is the renewal of a refuse collection contract in the northeast quadrant of the City. The last time this contract was let was in 1998 and it went out to tender. Three bidders tendered on the contract including the incumbent bidder.

The recommended award approved by Public Works is to be by the lowest bidder meeting all of the specifications. By the way it was not the incumbent contractor under the previous agreement.

So I will move the clause Mr. Speaker. It was unanimously recommended by the Committee for approval by Council and I'll wait to hear what the commentary might be.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I spoke at EPC as well but I would like to put my comments on the record at Council. So here it is, the very first contract following Council's decision to contract out 100% of our garbage collection and the price is up 24.3%.

And according to the CUPE presentation at EPC last week there is an additional 3% consumer price index that has been

added in on top of the increase. None of this is all that surprising.

During the recent debate many people predicted that as soon as there was no competition left in the public sector that the prices would go up. The startling thing is though, that it only took two days. According to the report, the bids closed on July 29th, two days after the Council vote. If this doesn't result in citizens feeling disillusioned and cynical, I don't know what will.

One of the explanations given for the increased cost was that there was an increase in the amount of garbage being thrown out per household. Surely the administration keeps track of these kinds of trends of increased garbage output. In fact we all know that they do. And they would have known there was a trend of increasing waste over time and they would have factored that into the 11% that they figured the cost would go up. So this is no explanation. This is not some new revelation that justifies this kind of an increase.

The report also states that the closeness of the bidding as well as the sufficient number of bidders indicates that prices are reasonable for the Winnipeg marketplace. I do not find comfort in this feeble explanation and I doubt many Winnipeggers will.

There were only three bidders that put in bids, not the five that were spoken of, there were five companies that can compete, by the Mayor when we had the earlier debate. And just because they all bid similarly high does not mean that everything is as it should be.

The third feeble excuse for this massive increase in the report is uncertainty about the gas prices. Well, first of all, uncertainty about gas prices is nothing new. Surely this kind of factor would have been included in the estimated 11% increase that we were expecting.

Secondly, I thought the benefit of contracting out was that we were protected from this sort of jump, price jump and that the risk was on the private sector. It seems like we are taking care of all the risks through accepting these high bids. Council is making sure that the private sector will have their risks very well managed. I'm not so sure about ours.

I'm quite curious to know as to what impact all of this will have on the supposed savings that were calculated in the business plan to which Council based its decision to contract out the garbage. Not to mention the human costs of putting a large number of workers out of decent paying jobs. This was all rationalized in that it would save us money. How bad will it get before we have to buy our way back into this business? And at what cost to the citizens?

My guess is we will see more of these price hikes in the future contracts. I hope the public and Councillors will be receiving a full explanation of how this huge increase could happen so quickly.

And secondly, what impact will this increased cost have on the supposed savings indicated in the business plan? The business plan that justified, in some Councillors' minds, that 100% contracting out of garbage collection was a good idea. If this increase was so unexpected I guess the savings that we were told to expect won't be occurring either.

I urge Council to refuse to agree to this contract until such time as the administration can justify that this will actually result, that the decision to contract out, will actually result in the savings promised in this whole debacle.

Furthermore, maybe it isn't too late for Council to reconsider the decision made at the last meeting on the basis of non-existent savings or reduced savings to what we voted on. And then maybe we can give our workers back their jobs. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Benham followed by Councillor Magnifico.

Councillor Benham: Thank you Mr. Speaker. I told you so. I told you so. I

told you so. No, it really doesn't matter how I say it Mr. Speaker, there is no emotional satisfaction being able to say I told you so to our colleagues, but Mr. Speaker, I did. And we did. And there were seven City Councillors who stood in their places to oppose the complete contracting out of garbage for the very reasons that Councillor Gerbasi has outlined because we knew that when the public sector absented the field, we predicted that rates would rise.

We thought that might come home to roost in a year or two and it only took two days. It only took two days to prove what happens when the private sector doesn't have a public sector eye on the industry. It only took two days to find out what a relatively small number of large companies can do to a jurisdiction like the City of Winnipeg. And Mr. Speaker they're playing us for suckers. And those Councillors who choose, who chose to contract out the rest and get the public sector out of that business were in fact, falling right into their trap.

Now there are some legitimate things that go up, they were calculated by our public service and they were calculated to be about 11%. We then get this 24% increase and does our public service say that's pure profit of 13 %, 13 percentage points for the private sector? They say oh, no that's fine, I guess our numbers were a little loose, that's fine let's give them the money.

Mr. Speaker this is the time for us as City Councillors to say no, we are not going to give them the money, we are not going to become the pawns of multinational corporations in the garbage business. We are not going to see prices go up by coincidence in all these, in three different companies that are bidding, what a fascinating coincidence Mr. Speaker.

How can it be explained that all the companies were more than double what our public service says was the legitimate increase of 11%? And how can we be so forgiving and saying oh well, we understand, you know, gas and all these things are going up. That's fine. Take our money and run. Take our money and run, Mr. Speaker because we don't really care, we aren't really guarding the treasury anymore, when it comes to the private sector, it's a give-away.

It's a give-away and it is not justified, it's not justified by the numbers, it's not justified by our public service which is extremely pro-contracting out. And it's not justified by the facts of the case.

So Mr. Speaker, we as a Council made a terrible mistake and it was only last meeting. It was only last meeting and this is our chance to reverse it. This is our chance to send a signal to the private sector we were serious. When we said in those reports oh, it's easy to get back into the business. Well, Mr. Speaker, we haven't got out of the business yet.

We still have our trucks, we still have our workers, we could still compete in the garbage collection field and as Councillor Gerbasi has pointed out, if the gap between our workers and the private sector was $1.4 million per year a month ago, which I concede was still a serious gap, what is that gap today?

Why don't we get a report from our public service that says if we simply re-jig all the numbers in the models according to what we know now by this contract, the gap has been reduced and the gap must be reduced if we are giving away more than twice as much to the private sector as we think is justified by the facts of the case.

So Mr. Speaker I will vote against this motion. I will vote against letting this contract to the private sector. I will vote against giving away taxpayers' money to the private sector for no good reason, simply based on ideological conviction that the private sector can always do better.

Well clearly Mr. Speaker, the gap between the public sector and the private sector is narrowing and I challenge every other Councillor and certainly those Councillors who voted against contracting out, I challenge all of them to stand up and stop this particular piece before it goes through. Thanks Mr. Speaker.

Mr. Speaker: Thank you, Councillor Benham. Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. When I was first was made aware of this it concerned me also and I wanted to find out what the reality of this was. If in fact what Mr. Benham and Ms. Gerbasi had said would come true.

So I went to our administration and I wanted some facts and figures and they gave them to me. That when you compare the apples to the apples and the oranges to the oranges, and you take the increase in garbage that would have to be allocated to our own union people and you take the increase in gasoline costs which have to be allocated to our own union people, at the end of the day, cost per household in 2006 would be from our own union about $75 annually per household.

From the private sector about $36, $37 per household. Almost double had we stayed with the union. So, I don't know if they've checked that out or not. I've certainly have and at this point I still think it is an exceptional amount of savings.

Mr. Speaker: Thank you Councillor. Councillor Thomas.

Councillor Thomas: Thank you. Oh, where do I begin? This contracting out is in my area so I'm going to speak specifically to the concerns I have as the ward Councillor of this area.

The previous Councillor who represented the area before me consented to contracting out in this area. It was part of a switch that was going to be City services in the south and contracting out in the north. And ever since this occurred, I have been trying to get back in to City-run services. I believe that any decision to contract out should be made on issues of quality, as well as issues of economics. And the quality of service has just not been there.

Several years, for several years after the contracting out occurred, records were not being kept of the complaints that my constituents had about the poor quality of service. I had to go back again and again to, at that time it was known as Works and Operations Committee, to get the concerns in, to be recorded by our customer service. Anybody who phoned with a complaint was asked to go to the contractor rather than dealing a list of complaints and I felt that any, if we're contracting out for the service but still responsible for the service, we should be keeping a list of complaints so that we would know in any future contracting out would be, would take into consideration those things and if we weren't keeping a list of complaints, we couldn't do it. Works and Operations heard my concerns and started to get customer service to receive the complaints and after several appeals to the Committee, and then the complaints started rolling in.

Garbage was not being picked up; garbage was being strewn all over. When it was picked up, garbage cans were being thrown down the lane rather than being put back properly. Several times City crews had to be called in to clean up. So we changed the contractor. We changed the contractor and things got worse. And at that point I stopped referring the concerns to customer service anymore and I started to appear in delegation and made personal appeals to the Councillors who are at that time the Works and Operations Committee now known as Public Works.

There was one point when I was appearing at every second Committee. I appeared with a list of complaints and told people how many people had called my office. At one point I even started bringing in letters cause people were giving me letters and saying this is a problem, this contractor's not doing this, my garbage has always been in the same place, they keep forgetting it. They've forgotten the block.

So we changed contractors again. And things didn't get any better. As a matter of fact, just recently, less than a year ago I believe, a whole block was forgotten and I know because it was my block that was forgotten by the contractor. And I phoned customer service and asked for an explanation on this and they said, oh, well, the truck went a certain part and

they forgot where they were and they started another time and they couldn't get back to it because there was lots of snow, and we called the City crews to come in again and clean up after them.

I don't know how many times the City crews have been called in in my area for the length of time that I have represented this ward to clean up after contractors who haven't done the job. And the reason that I'm standing up here saying this is not a good thing is because just before proroguement, there will no longer be City crews to come in here and clean up after contractors who don't do their jobs.

Now what are we going to have to do if the contractor doesn't do their job? Hire another contractor to clean up after the contractor who didn't do their job with a 24.3% increase over the last contract? We can't do that without it costing us more money.

So, that's why I don't want any kind of contract in this area anymore. I want City crews doing the work. Because the City crews have always represented quality and my residents have told me innumerable times that when the City did this, they didn't have the complaints they have now.

So, that's why I will be voting against this contract. If we need to have, need to show how it can be done, I'm perfectly willing to volunteer myself as the area of the City that has the City crews. Because my residents have made it clear to me on innumerable occasions that they want the City crews in my area. So I will take them.

But I'll tell you for those of you who have never had a contractor in your area before, my residents are sick and tired of contracting out refuse service because it's not working well. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. When we had the debate on the contracting out, I think I was one of two people that didn't speak that day. I chose not to speak that day mostly because it was about money and it was pretty clear to me that the in-house costs were significantly more, for a variety of reasons.

And I felt that the only way that I could really talk about it was going to reflect poorly on the job that some of our people were doing and I chose not to go down that path. I know many of them and I didn't, I didn't feel that that was the thing to do so I stayed out of it. I voted for the contracting out but I didn't talk about it.

I decided after hearing some of the early comments that I just couldn't not talk today. Because you can do lots of things with numbers and you can sound really good if you don't talk about all of the facts. And I thank Councillor Magnifico for his comments because he threw a couple out that were helpful that of course didn't come in the earlier conversations.

It first of all has got absolutely nothing to do with when we voted on this. If you saw, Mr. Speaker what one of these tender documents looked like, three companies the size of this and the type of people that would have to be involved in the bid would not get involved in changing all their documents in 48 hours. That's just plain poppycock. That's the first thing.

The second thing is, if you look at the actual numbers, the pre-bid estimate and you can call it 11.6% if you want, but in actual dollars the pre-bid estimate was $1,558,000 dollars. Versus the contract. It's $180,000 difference, that's all it is in total dollars. That's a lot of money and I don't want to make light of that money but it; seven years and they took some of these things into account. There was a lot of growth. It wasn't about the amount of volume that each individual person puts out, you can read it like that if you want, but that's, that's only a small piece of it. The fact of the matter is there was a huge amount of growth in this area. It's a bigger area than it was seven years ago so that's why some of the costs are up.

They have also got fuel costs and I don't know when the pre-bid estimates were done but I'm damn sure they weren't done

the week of the 22nd of July. I bet you that they were done quite a while earlier than that in preparation for getting the bid tender out at the appropriate time because of all the legalities around those things.

So, I doubt very much that the pre-bid estimate had other than normal increases in fuel costs and we all know what happened this summer and there were huge fuel costs and they continue to go up. And we don't have to look anymore than our own Transit department where a single cent per litre costs about $150,000 dollars. So what does it cost to run all these garbage trucks? It's a lot of money. So that's not a surprise.

The bottom line really is what Councillor Magnifico went to. Notwithstanding that this is 24% higher than what it was before or double what the pre-bid estimate was, be careful now, double the increase that the pre-bid estimate came in at, not double the cost. It is not double the cost. It's double the bump. And the long and the short of it is that that cost is still roughly half of what it would cost us to do in-house which was why we had the vote on contracting out, which was why nine people stood up in this chamber and voted for it, because it was going to save over $3 million dollars a year.

Now you know what? If that's only $2 million because of this contract, or $2.5 million because of this contract, in fact it's not that number, it's about, it's only $180,000 dollars difference. So it doesn't eat all of that up. But it sounds like a heck of an argument Mr. Speaker when you stand up and you ignore one half of the numbers and only talk about a couple of percentage point numbers. It's easy to do.

Fact of the matter is it's not accurate. What's accurate is is that this is still by far less costly than doing it in-house. And I guess that's it and I would strongly advise everybody to accept this tender. It was put out in the proper spirit. Three companies bid on it, I don't know why four or five didn't bid on it, but three did. And they're all within a couple of hundred thousand dollars, in fact $150,000 dollars of each other so they obviously looked at it pretty closely. In fact two of them are only $11,000 dollars different so they had pretty close and accurate ideas on what things were going to cost to be able to land in there like that Mr. Speaker. Thank you.

Mr. Speaker: Thank you, Councillor. Mayor Katz.

Mayor Katz: Thank you Mr. Speaker. I guess the apropos phrase would be I haven't heard so much trash in a long time. What amazes me sometimes is how we're always trying to be open and transparent and yet when representing the facts, we don't represent the facts. And I certainly thank Councillors Magnifico and Clement for pointing that out. Because the realities are $36 per household versus $75 per household. I'm not a professor of mathematics Mr. Speaker but I can realize that's a significant saving and that's reality. That's not conjecture, it's not imagination, it's reality.

In addition to that, is that I hear the comments about quality. I have heard administration say over and over again to any Councillor who would listen, they do surveys and if people don't want to accept the facts, that's their prerogative. There are fewer complaints per household from the private sector than they get from the public sector.

I happen to live in the south end. I have the public sector, and they do a fantastic job. Actually talked to them this morning at 7:28 a.m. as they were picking up the garbage and the fact is this is all about dollars and cents. Okay? What we're talking about is dollars and cents and doing what's best for our City. And I would hope that in the future if people are making a presentation, they give both sides and not slant things totally unfairly without using the facts. Those are the two key facts: quality and $36 dollars versus $75 dollars. That's reality. And if anybody can't face reality it is time for a reality check. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Councillor Lubosch.

Councillor Lubosch: Thank you Mr. Speaker. I'm a little disappointed, I guess, in the quality of the debate around the chamber today. I'm, I was expecting after a restful proroguement period that we would come back here and there would be some collegial debate and respectful discussion but it just seems that when we have run out of things to say, we start tossing around cheap shots which I think nobody really likes to listen to, especially if they're not part of the chamber. I'm surprised at the latitude actually that has been granted to a number of speakers.

But this issue is really, is really about bottom lines and about fiscal responsibility. And you only have to look at the report that's in front of you and read it carefully to determine what that means and what that ultimately implicates that's to do here today.

We've based our budgets on our best information and we get that information to project to future years from *Consumer Price Index* for example and if you look at page 6 in your report, the *Consumer Price Index* was used to factor in a 3% increase in the cost of delivering the service between 2006 and 2010 inclusive. And at the end of 2010 we anticipated that we would be spending about $1.97 million dollars to provide this service.

And now when we received these bids back we have a significantly greater range than we anticipated. We didn't see or realize our 3% increase that we predicted in the way we're building our budgets. We see an 11% or 25% increase depending on how you want to look at it. And the concern that I have is, well, our budgets are generally fairly reliable and predictable. We can't factor in the desire of private corporations and the shareholders of those corporations to make more money which is what they're in the business to do.

And we need to, in our best ability, based on the information that we have and based on the trends, try to hedge those kinds of events from happening and deliver predictable budgets and experience predictable expenditures. And that's not the case here.

And we've been through this dance before Mr. Speaker when we contracted out another sector of our waste collection. I believe it was the multi-family that went to an entire private contract model and in the first year, as I recall, I think we experienced bids as high as 80% higher than the previous year. And we were not in a position to refute them because we were out of the business.

Now, I'm not suggesting to anybody here that the level of service is better if it is private or if it is our own employees, I think everybody has good days and bad days. But my concern is in terms of what's best for the City; we need to have a reasonable expectation of what kind of budget we're going to have to, what kind of budget we're going to have to create.

And although this is only $1.7 million dollars, potentially $1.9 million dollars, we don't know what it is up until the year 2010 and it compounded at 25% or 60% or even 80% increase each and every year, has the significant potential risk of saddling a future Council and the people of this City with an unprecedented expenditure and an unanticipated expenditure and a future tax increase that we could potentially avoid by having a sober second thought today and not rushing to judgment. Not awarding these contracts today but laying them over and doing some analysis and due diligence so that we have some kind of reasonable expectation of what our budget is going to have to look like in 2007 and beyond.

I think that a spread of 3% to 25% or 3% to 11% increase in a service sector as critical as garbage collection which is probably the most important public health function that this City or any level of government for that matter delivers, deserves an extra 30 days Mr. Speaker in order to determine whether or not this is in fact, the best deal or a good deal.

And I'm not in a position and I'm not prepared to take a leap of faith and believe that it's because of some hurricane event or a gas increase, price increase, that nobody can really explain and that only Alberta seems to be benefiting from. I'm not going to pass this

off as a once in a blue moon occurrence because I have been to this dance before Mr. Speaker and I have seen it happen and the prices are not going to come down next year. They're only going to go up.

And we need to do our best due diligence, we need to have a very strong measure of confidence that we're going to be able to budget for these price increases even if they are going to be 25% and even if they are going to compound each and every year.

So for that reason, I'm not going to support the award of this contract today, I do not believe that there is any great sense of urgency in doing so. We are not under any sort of legal threat for not approving them today. This is basically a housekeeping matter that can be put on the next agenda once we have some additional information which will hopefully enlighten us on how we're going to pay for these increases, not just this year Mr. Speaker, but in 2007 and 2008, 2010 and beyond. And I'm not prepared to saddle future Councils with this kind of risk without understanding that risk today. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Steeves.

Councillor Steeves: Thanks Mr. Speaker. What if this contract come back and the private sector, the lowest bid, was asking for an amount that was double what the public sector could do it for? I mean using the philosophical ideological argument, then I suppose that people who are inclined to say that we're private sector minded, then there would be an obligation to support it. But as ridiculous as that sounds, please, please know that that is exactly what's being asked today of this chamber by some members of Council.

Those who are of the mind to continue with the public service are asking those who are trying to look at it in a kind of a purely bottom-line method, they're asking those folks to accept double the cost and those numbers are, as far as I'm aware, beyond dispute at this stage. Beyond dispute.

So, I mean if someone was to suggest that, well, we're going to be a private sector model, no matter what, even if it is double the price, that's no more, I guess, outlandish than saying we are going to be a public sector model, no matter what, even if it is double the price.

I'm not, I'm not so sure that those of us in the chamber have that right to put our philosophies and our ideologies so far in front of the bottom line. If the price was at all comparable this would be a different story. But the fact remains we have looked at this for a decade, a full decade, we have been looking at this.

Former Mayor Glen Murray, he is the person in his EPC, which I wasn't a part of, that originally ordered the report. They started the ball rolling. I think all Councillors supported the idea of looking into this. And it has come back. It's very, very difficult to rationalize not going in this direction.

I'll be candid; I don't understand the "I told you so" argument. The tender's back in. It is half as expensive. Someone tells me they told me so. They told me what? They told me exactly the same thing that we expected from our administration.

The only argument that you could credibly advance is the service argument raised by Councillor Thomas. As the Mayor said we have canvassed this exhaustively. Dan McInnis, who I have no inclination not to believe, has stated before all members of this Council and before Executive Policy last Committee meeting, the complaints which we track every single one are about the same, possibly marginally less than the public side. Does anybody here have any contrary information to offer up today? I haven't heard it.

And I take no pleasure in the fact that I haven't heard it, but we also heard last week, Mr. Speaker, or yes, rather we also heard, yes, it was last week on this contract, we also heard that there is provisions built into the private contracts

for performance. There is a financial penalty that's paid if the complaints get above a very reasonable and low threshold. The incentive is there.

I mean again, as ridiculous as it sounds, at these rates we could double the amount of private contract workers in these areas and be par with the current price we were proposed to be paying in 2006. We could cut the routes down to half the size. To allow them to provide better service, if that was our inclination. But based on what Mr. McInnis has told us, that is not necessary because we track the complaints.

I, you know, I take no pleasure in sort of moving away from something we have been doing for a very, very long time, that change is always difficult. I would be the first to acknowledge that. Nobody likes to change if you don't have to. But there are some times when the financial ramifications get to such a level that I think it would be irresponsible of us not to look at. So take the philosophies out.

I don't think the Mayor or anybody else, just because if they happen to believe that the private sector is better, I'm not saying they do or they don't, but if they happen to believe that, I don't believe just because someone thinks the private sector is better that they have the right to charge a taxpayer double. I would never support that. Conversely, I wouldn't support anybody that would say just because it is the public sector we have the right to charge double for the service.

Those of us who consider ourselves moderates in this grand political philosophical debate, I think we have an obligation to sort of step back and say let's forget about the philosophies, let's forget about the ideologies, we're dealing with the public purse, what is the best way to proceed here?

I have yet to see any mathematical argument that, I mean, forget equals, that even comes close. The service issue which has been canvassed exhaustively by my information and I'm waiting for someone to come forward with credible alternate information, seems to be virtually the exact same. Regrettably, I don't see this Council as having any options, not this time through.

Mr. Speaker: Thank you Councillor Steeves. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. I think to get to the heart of the issue, the way I see it, is you know two months ago we were debating the issue of contracting out and the whole issue with regards to our garbage collection as a City. And there was a overriding theme to a lot of it, and that was that we could save money. That there was going to be a $3 million dollar savings accrued to the City by contracting out our garbage services. And there was a lengthy report with that, and it had gone through ASD and that this was the assumption, or not just an assumption being made but these were the conclusions being drawn. That this was going to save us $3 million dollars.

And now I think where the skepticism is arising due to this tender coming forward is the fact that maybe a lot of that information that we based that conclusion on could have been maybe incorrect. Maybe not because of the fact that the report wasn't done well or wasn't adequate but rather new information might be coming to light that sheds us to believe that their costs, the idea of saving $3 million dollars may be completely false.

And I think that's the heart of the issue because if we all remember the debate at the time, the debate in the public, the debate in the newspaper, the debate in this Council chamber was over the $3 million dollar savings. We're going to save $3 million dollars; you've got to be crazy not to support privatizing the rest of the garbage because it is going to save us $3 million dollars. And if you don't do it you are not doing your due diligence as a City Councillor and elected official to the rate payers of the City. And now two months later we are finding out that well maybe that $3 million dollar savings is not going to be there.

A matter of fact I have always felt that if there was truly a $3 million dollar savings Mr. Speaker, why did we not have tied to that report a motion saying right, we are going to save $3 million dollars therefore we now allocate an extra $3 million dollars to such and such line item in our current budget because we need the money there. Who knows, maybe we could have allocated it to parks. Maybe even to the Assiniboine Park for better maintenance and upkeep.

But we chose not to do that and I think the reason why we chose not to do that because so often with these reports that come before the Council chamber, we've got another one coming up on the agenda that I'm going to be pulling off so everybody get comfortable with regards to the four district model, you know we're promised, we're promised savings over and over again and then they don't amount to, not only do they not amount to not to savings, which maybe that would be all right if we weren't actually saving the money, but we're actually spending more in the long run because of the decisions being made.

So the question is there is a failure here with regards to the decisions coming out of this Council and the reports coming forward. And I'm not saying why, I'm not saying how. But clearly there is going to be a problem and the decision that was made two months ago was made on the assumption that we were gonna save $3 million dollars and I think that as an assumption from what I'm seeing here coming forward was wrong.

And so when the members of Council speak about need to revisit that, and symbolically voting against the tender cause that's really what's being done by symbolically voting against the tender Mr. Speaker, we still need garbage collection in northeast Winnipeg, we all know that, heaven forbid if we didn't have it. It is a symbolic vote but it's symbolic for a reason because of what happened two months ago. And I think that's why if we're going to make public policy decisions in this chamber that they should not only be based upon the issue of costs and cost savings but there has to be also other aspects to public policy development which includes service, which includes safeguards, which includes that we are here to provide certain public services and that there is a cost to doing that.

And the question of whether or not by having a mixed market where you have the public and private sector being allowed to compete and participate, whether that's better or you have a completely private sector run market or completely public sector market with regards to provision of services. That is a philosophical debate and we all have our own philosophies on it and beliefs on it. And that is the discussion and that's really what's, what occurred here, it had nothing to do with the $3 million dollar saving. It was a philosophy at the end of the day Mr. Speaker that we wanted to move towards a private sector system with regards to providing services.

My personal view, I believe in the mixed market, I made that clear two months ago, I believe there is safeguards with that. The philosophical divide here had to do with those on Council who felt no the private sector can do a better job and we don't need the public sector there as a safeguard or what have you. But the $3 million dollars is not going to be there based on what we are seeing here today. And maybe we should have that debate again, if that was the reason, and it sounded like it was the reason being put forward by all the people advocating to go private with regards to this service. So I will be recording my vote against it symbolically Mr. Speaker, on this issue. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. I hope that Council members realize what we are here today for. What we're voting on. It is not contracting out. It is awarding a new contract for the area that was contracted out eight years ago. Eight years ago when this was being done there wasn't too much noise raised at that time. We're going into the trend of contracting out in one area and retaining

some services for another area by the City forces.

I was one of the seven that voted against contracting out the rest of the garbage that the City had. But I don't believe in trying to relive yesterday and this is exactly what is happening here, we're trying to relive yesterday's, yesterday's decision. This in itself Mr. Speaker, at the Public Works Committee, I was hesitating. Vote in opposition that will come to Council, a positive recommendation has to be made.

Through the bid process that is in place, there are liabilities Councillors and the liability that we have here today, if you want to defeat this, we are going to be faced with a legal challenge. The bid process went through the direction it always does. Companies can bid, three companies did bid. The one had the lowest bid; it was the one that was recommended by the administration to proceed. And this has to go because the multi-year contracts have to be approved and finalized by Council. Mr. Speaker, the area that we are talking about has been under the private sector for a number of years. And if members of Council don't want to show their responsibility, then vote against this.

A number of years ago I had the same feeling which I am one, been on Public Works Committee now for about 22 years or so. I have always been going in to the direction, I have always supported our City staff. I have been steadfast on the decision that were being made, always supportive of our City crews because I've always believed that they are able and they are doing a good job, even in the introduction of the autobins. In 1990 I was the one that implemented them back in 1992 when they came in as a reality for the City of Winnipeg.

A few years ago, a Mayor, former Mayor, had a vision, a pipe dream, that user fees for garbage were going to be implemented. Two weeks the debate was going on and on. I took that fight myself first to challenge the former Mayor. I had said it was a stupid decision to be made to walk it onto the floor of Council and say we are going to have user fees, so much a bag. At the same time we lost the contracts that we had with the Brady Landfill site because what happened we went hog wild, we went stupid with approving the increase in tipping fees. We went up to $40 a metric ton.

At that time the Public Works Committee, we were warned by the administration don't do this and those two particular members of Council were here before, Councillor Murray before he got to be Mayor and along with Councillor Duguid who was the chair, were laughing, it was a big joke. They said hey, there's gold in garbage; increase the fees each and every time. The administration said don't do it because we will, we are going to tip ourselves out of business.

BFI at that time came as a delegation to us in camera before the Committee and they had said you leave us no alternative to seek other methods. And we said go ahead we have the monopoly. We are the only ones that garbage lot that go into the Brady Landfill site. They already had purchased property in Rosser. They made an application to the Clean Environment Commission to get a license.

They were, there was a public, there was a public communication. At that time our Public Works chair, I mean the Commissioner, said we can fight this, cost us over $100,000 dollars to fight. We knew we damn well would never win. How can we tell another municipal that you cannot have a garbage dump? They won.

We were gaining $8 million; I mean $10 million dollars a year with Brady because we had the monopoly. Then all of a sudden we're making only $9, $8, we went down to $3 million, we were losing $7 million a year because of the stupidity that some members of the Public Works at that time had said we are, got the monopoly. The outcry that was out there, nobody, nobody was concerned too much. I was ranting and raving, but I didn't win and it was lost.

Now we're proceeding to go into another form, another phase of garbage pick-up.

Council made a decision to contract out the remaining garbage that the City was in. Autobins have been saved. Autobins, I'm the father of autobins. In 1992, I just about lost my bloody elections over that. And back in 1992, I had to go to judicial recount for six days, the longest in Manitoba's history. And at that time our, the City Clerk was at that judicial recount for six or seven days, ten hours a day. Mr. Speaker, we went through that.

Then when the former Mayor wanted, challenged he said if I can't get the user fees then I'm going to be contracting out and sell off the autobins. I have said how dumb can you be? Where are you going to get someone to buy those bins? We will sell them to the apartment block owners. They already have their bins, commercial bins. So this little fiasco that was going on in the chambers and I didn't hear anyone from the other side rant and rave and tell the Mayor to take a hike. He was off-key. Now everybody was on track, everybody was going to go into that direction till finally we found out that this was not going to work, it was lost.

So now what is before us here? To show responsibility. I showed my responsibility, I stood in the chambers and I voted in opposition to contracting out the remaining garbage that the City was picking up. I stood my grounds, I said my piece, it's over. I don't want to repeat the same thing what I had said before.

The union had the opportunity even before they were silent with the former Mayor. They were a little silent because the things were happening, all this for the betterment of the City of Winnipeg because there is a cost saving, otherwise I will not be able to introduce it. The taxpayers of Winnipeggers there is a 2% per year tax reduction, and in the meantime we were losing on the other side.

So to defeat this, number one, Mr. Speaker, there will be a court challenge. Sure as the day we started putting out legal tenders. And awarding of a tender has to be done whether you like it or not. To decide not to you are putting the City of Winnipeg at risk. At the same time the City of Winnipeg would look mighty foolish to the outside world and the private sector will say hey don't deal with the City of Winnipeg because you'll be spending all your money to prepare your bid bond and everything, to prepare yourself and find out it's going to be rejected. You have to go through the court system to get your tender awarded.

Eight years...

Councillor Benham: I move extension.

Mr. Speaker: Councillor Benham moves extension.

All in favour? Contrary? Carried.

Councillor Lazarenko: Where was some of the members of Council in these chambers that objected? The time when deals were being made, wheeling and dealing between the union and the private sector. We'll trade you with one part of the City because for us to haul garbage all the way down to Brady landfill site is too far, it's closer for us to haul to Rosser. The City made those changes, nobody objected. Hey we're providing services to the citizens of Winnipeg at the least cost effective way possible.

So this is something that I, I'm just kind of disappointed you know, to listen to some of the comments being made. I am going to be voting against this, and I don't give a damn what the consequences are going to be. But do something like this, I was hauled into court two times in the years that I have been here Mr. Speaker, twice. And I will tell you, never, ever again. I went on the stand and I said no way I don't care what you do; you take the City to court. Baloney! Take the City to court, I was dragged into court. And to go into court to make a decision. Why? It's not like making a speech in here before the courts. They want you to keep your mouth shut. You give a positive response, either yes or no, and be positive of what you are saying. Not here say well I think I was just so mad I wanted to vote against this and I wanted to teach them a lesson. It doesn't work that way. When I walked out of that courtroom Mr. Speaker, I said this is it!

We don't have the privileges of being protected through our Legal services. We are not employees of the City of Winnipeg. You'll end up being on your own. And when I had to pay out of my own pocket and I was told later that if you would have learned to zip your mouth a bit, not to be too eager to say what you want to say, to say what you are going to be so free, it doesn't work that way. And Mr. Speaker, I as one, to finalize, I did not support it but I'm telling you now, Councillors, please, you have a responsibility to this not contracting out, It is awarding a tender. Awarding a contract.

Mr. Speaker: Thank you Councillor. Councillor Smith.

Councillor Smith: Yes Mr. Speaker, you know if we had part of the business of collecting refuse. We would know the costs. We would know the increase. You know what if they gave us a hike of 39%? We would say well just you know they can tell us increased costs, gas and so forth. I mean just accept that. We don't know the increase costs because we have had nobody because we are not in the business even in a little way.

Now in my original speech on this issue, I talked about mismanagement in the refuse department. You know in the very material that we were given it said there was a culture in that department that allowed people to go home early. No one was fired. Nor there was nothing taken up, there was no action. And likewise there's been no action regarding autobins with the people dumping construction material in them.

I say that part of the problem that we've had in deciding this issue is we had figures and figures and figures and we couldn't tell which were true and which were false. So it's very, very difficult unless you are actually in the business.

But I tell you, you know I am still getting calls from, from the area around Maryland Street. I went before Public Works Committee. I got e-mails from Dan McInnis. I'm still getting complaints. You know when you get; when the department gets all these complaints they should know that something is wrong. They shouldn't have to have a City Councillor tell them that there is something wrong here. They should know just from the volume of complaints they are receiving on any given day.

So you know, there is no way I am going to be able to persuade those people who are you know rabid free enterprisers, competition, you know it's like talking to the wall. Their minds are made up. So you know, I don't want to, I don't want to say much more. But I think if we made a mistake and this will bear it out and the future will bear it out more. And you'll say, all of you will say, you were right Councillor Benham. You were right Councillor Smith. Because that's what the results will show in the future.

Mr. Speaker: Thank you Councillor Smith. Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. I want to echo what Councillor Lazarenko said when he stood up to speak. And being a member of the Standing Policy Committee on Public Works, which is where this issue came into the system, and no one appeared in delegation, but the administration was there for us to grill and we certainly did grill the administration because there were some eye-opening figures and issues with this particular report.

The administration answered our questions. We were diligent in our grilling of them and the issue that is in front of us is the awarding of this tender that has been let. And now the tender has been put before us and that is what we are here to award.

The service issue was also discussed and as a matter of fact, the answer on the service issue was that in the contracts there is a financial penalty to the contractor for not providing the appropriate service or any problems with service. There is a point where they are financially penalized. So there is actually a mechanism in this tender that deals with the service deficiency issue.

The issue, I say again, the issue before you is the approval of this particular tender. And nothing more than that. There was diligent, argument made with the administration. Councillor Lubosch was unfortunately absent that day, so his issues, although they were discussed weren't put on the table in front of him. But for some reason Councillor I'm sure a very good reason was absent from Committee that day and was unable to put his issues on the table at Public Works Committee.

And in closing, you know there, I want to put a little play on a quote from Shakespeare that sort of speaks to really what's happening here and that is this; it's in Macbeth, a little play on words but tis a tale told by a Councillor full of sound and spin signifying nothing. That's what is before us Mr. Speaker. Thank you.

Mr. Speaker: Thank you Councillor Swandel. Councillor Eadie.

Councillor Eadie: Mr. Speaker I thank all my colleagues for their contribution to this debate. I'm not going to try and quote Shakespeare in the few minutes I have left to close debate on this and I appreciate Councillor Swandel getting into literature in his peroration on this.

Mr. Speaker as some of the Councillors have indicated in their contribution to this debate, this is not, or what we are dealing with today is the award of a contract for an area that has been under contract collection since 1998. That's it in a nutshell. We are not dealing with the south end of the City which was the subject of debate two months ago. We are dealing with an area that has been under contract collection since 1998. The in-house forces have not collected garbage in that northeast quadrant of the City since 1997 and before that.

So this is what we are dealing with today. The contract that was awarded by Council in 1997/98 is now up for renewal in a couple of month's time. Tenders have come in. The bids closed on the 29th of July. We have in front of us the names of the three competitors and what they bid for the contract. The administration has recommended the lowest tender meeting all the specifications. Public Works has agreed with that recommendation and has forwarded that recommendation to Council for approval today. So that if the contract is awarded, the collection of garbage in the northeast quadrant of the City can proceed hopefully as seamlessly as possible.

I, I'm aware of Councillor Thomas' concerns that she raised. I'm not personally, or I haven't been a member of the Public Works Committee for many years prior to last November, so I can't say that I've had the pleasure of her company at Committee in previous years where she registered some complaints. But I know in the recent week or so that Councillor Thomas indicated that she has had numerous complaints about garbage collection in her district. I have no doubt of that Mr. Speaker.

But I don't think, whatever the complaints were, I don't think that it just, that it, we should just accept that well because it's a contracted area that that's why there are complaints and if it was a, if it was in-house forces that there would be none. Councillor Smith has had some problems in his area that I am aware of Mr. Speaker and that's all in-house collection. We're not; nobody is pointing fingers and blaming anyone. Some days things don't happen right.

In my 25 years Mr. Speaker, my area of town has been collected by the private, by the public sector and by the private sector. Garbage collection is one of those things that I get very few complaints about, whether it was before it was contracted out or after. But there are days. There are days when problems happen. Why some of those issues in Councillor Thomas' area weren't resolved in years past I don't' know.

But as I said when I opened debate on this particular clause Mr. Speaker, the contract that is being recommended for award today, we are recommending the award to BFI. This, BFI is not the incumbent contractor. The incumbent contractor I think in that area is Waste Management Systems, they didn't win the

bid. So that when the changeover, if this is awarded today Mr. Speaker, it's going to be a new contractor. Maybe it will be a new day as well for some of those problems that have plagued Councillor Thomas, and I certainly hope so.

And I do believe that our staff are trying to do, work diligently whenever complaints come in and I know they're tracked now, to try and resolve any of those complaints. Either, whether it is with regard to a contractor in those areas contracted out or whether it's with our own forces in those areas that are still being collected in-house. So I hope I hope that if this is awarded today that some of those issues that have plagued my colleague from Elmwood to Transcona will in fact disappear at the changeover.

Mr. Speaker I'm quite aware that a number of members of Council don't plan on voting for this contract. I know that Councillor Wyatt indicated it might be a symbolic gesture and Mr. Speaker I appreciate that. I appreciate that my colleagues, no matter where they are in this, are going to vote in their best light, the way they think is right. But Mr. Speaker if this contract is rejected, that isn't going to, it may make the members who vote against it feel very warm and fuzzy. It isn't going to do anything for the people that live in the northeast quadrant of the City who will not have a refuse collection contract at the end of the contract period. There won't be any contract. There won't be any refuse collection.

There are no City employees to do it Mr. Speaker. Our current in-house employees in the south end of the City are engaged until March when the intent is to change over to the new system. The employees who might have been collecting garbage prior to 1997 are no longer in the system or have been dispersed to other departments. So it might give you a warm and fuzzy feeling to vote against this but I can tell you the folks in the northeast quadrant of the City won't be feeling that warm and fuzzy when there is no garbage collection. So I recommend approval of this contract.

Mr. Speaker: Thank you Councillor. Councillor Smith could you return to your seat for the vote please.

Councillor Gerbasi: A recorded vote please.

Mr. Speaker: All in favour of clause 2 please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Eadie, Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, and Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors Benham, Gerbasi, Lubosch, Smith, Thomas and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 10, Nays 6.

Mr. Speaker: The clause is carried.

Motions none. By-laws, Councillor Eadie.

STANDING POLICY COMMITTEE ON PUBLIC WORKS
CONSIDERATION OF BY-LAWS

Councillor Eadie: Yes Mr. Speaker, I'll move that By-laws 165/2005, 166/2005, 167/2005, 168/2005, 174/2005 and 175/2005, be now read a first time.

Mr. Speaker: How about 169/2005?

Councillor Eadie: Sure, let's include 169/2005.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 165/2005, 166/2005, 167/2005, 168/2005, 169/2005, 174/2005 and 175/2005.

Councillor Eadie: Mr. Speaker I'll move that By-laws 165/2005 to 169/2005 both

inclusive and 174/2005 and 175/2005 be now read a second time.

Mr. Speaker: All in favour? Contrary, Carried.

Clerk: By-laws numbered 165/2005 to 169/2005 both inclusive, By-laws numbered 174/2005 and 175/2005.

Councillor Eadie: Mr. Speaker I'll move the rule be suspended and By-laws 165/2005 to 169/2005 both inclusive and 174/2005 and 175/2005 be now read a third time and passed in order to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions of the chair? Councillor Wyatt.

**STANDING POLICY COMMITTEE ON PUBLIC WORKS
QUESTION PERIOD**

Councillor Wyatt: Yes, Mr. Chairman, I rose at the beginning of this year to ask the chair the status of the graffiti policy and I realize it's being worked on still by the sounds of it. But I'm just wondering if the chair can give us an update of where that is? At that time it was indicated that it was a few months away and I think that was in January or February and just an update on that. And if that information is not there can you let us know when you get a chance?

Mr. Speaker: Councillor Eadie.

Councillor Eadie: Yes I'll take the question as notice Mr. Speaker. I'm thinking it was going to be before Christmas but let me try and see if I can find a more precise date and I'll advise all members of Council when I have that.

Mr. Speaker: Thank you. Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. I apologize to Councillor Eadie I should have brought this up at Public Works, but the rising cost of fuel. Councillor Clement mentioned, one cent a litre on 150, equates to $150,000 dollars just on Transit. Do we have a number in Public Works in general what impact that is going to have on the budget?

Mr. Speaker: Councillor Eadie.

Councillor Eadie: Mr. Speaker I'm sure that the administration can work that out. I'm familiar with the Transit number because I think I was asked just early in the summer break about what effect it would have on Transit. And Councillor Clement was correct. But the others I don't have so I'm sure we can get the administration to try and give us a projection as to what that means.

Mr. Speaker: Thank you. Supplemental Councillor Swandel.

Councillor Swandel: A quick supplemental Mr. Speaker. Through you to the chair, are you aware of any mechanism for stabilization for issues such as the rapid rise in fuel prices that we are experiencing?

Mr. Speaker: Councillor Eadie.

Councillor Eadie: No Mr. Speaker I'm not. It would be nice if the Federal government had such a policy but they don't either, so. Neither do we.

Mr. Speaker: Thank you. No further questions.

Standing Policy Committee or Standing Committee on Fiscal Issues report of September 13th, Councillor Clement.

REPORT OF THE STANDING COMMITTEE ON FISCAL ISSUES DATED SEPTEMBER 13, 2005

Councillor Clement: Thank you Mr. Speaker. I'm move the report of Fiscal Issues, on September 13th, 2005 and move items 1 to 3 as Consent.

Mr. Speaker: I think 1 is already stood down.

Councillor Wyatt: Number 3.

Mr. Speaker: 3 okay. So Councillor, 2 as Consent. Better sit down if you asked

for it to be stood down. You standed it down and we're voting and you can't leave the chamber anyway.

Item, I believe it's 3, by Consent.

All in favour? Contrary? Carried.

2 by Consent. Tried to get sneaky, didn't work.

Item 1 has been asked to be stood down so the next motion (In audible). Madam clerk.

Item No. 1 – Manitoba Theatre Centre – Entertainment Funding By-law Exemption
File FL-6

Mr. Speaker: Councillor Clement do you wish to introduce?

Councillor Clement: I'm not sure why it was asked to be stood down, so I'm not sure what to really get into. I can explain to you where the Committee was at on it.

As you recall, this was here once before. It was sent back. When it was sent back we dealt positively with I think two more of the items. One of them very clearly does not fit the criteria of the existing policy and the Standing Committee simply followed the policy. And the other two, we really didn't have any choice in those as well because the Manitoba Theatre Centre did not provide information that would allow exemption, so the Committee brought them forward.

I understand that last Wednesday at Executive Policy Committee there was a recommendation at Executive Policy Committee that those final three issues be laid over for 60 days which is the recommendation in front of you which is what I've moved. Unfortunately I wasn't at Executive Policy Committee last Wednesday, so I don't know why there wasn't total concurrence with the Standing Committee but that's what was moved there in any case and I have no problem.

I'm sure that there were valid reasons why they asked for it to be set aside for 60 days and that's what the recommendation is, Mr. Speaker, that it be set aside for 60 days, and I'm assuming that's what the debate will be about. So with that I'll leave it there.

Mr. Speaker: I'll just remind Council that within clause 1 items 2, 4 and 6 only are before us. There will be no discussion of item 1, 3 and 5. They are not before us today. Councillor Benham, I believe you were the one who asked it to be stood down.

Councillor Benham: Yep thank you Mr. Speaker. And yes, very briefly, and I guess to some extent I'm not going to address specifically 1, 3 and 5, but what I will say is that I think we need a more systemic approach. This going through play by play, cast member by cast member of the Manitoba Theatre Centre, which is clearly a cultural institution rooted in Winnipeg. Which clearly has local support and provides a local stimulus to the economy. I've heard testimony before Executive Policy Committee by Zaz Bajon, the General Manager of the Manitoba Theatre Centre, and he had to go into painstaking detail about an individual cast member who is a Winnipegger, born and bred, but who has chosen to live in another city for both personal and professional reasons for a period of time and during that time of living in another City will be coming back to Winnipeg to perform at the Manitoba Theatre Centre.

Well, isn't that exactly what we want to see Mr. Speaker? We want to see Winnipeggers in the creative community do well in Winnipeg. We want to see their talents recognized in other major cities and major markets, and then we would love to have them come back and perform for us. That's exactly what happened with Catherine Wreford in "Strike". She is now a North American wide star. She came back and performed in a Kildonan Park in a Winnipeg-written, Winnipeg-produced musical about Winnipeg history. Am I ever glad she had that opportunity and I would look forward to seeing any Winnipeggers coming back to perform at the Manitoba Theatre Centre.

The notion that this cast member by simply moving out of Winnipeg for a short period of time became a foreigner of some kind and thus we have to intervene as City Councillors to levy a tax on the Manitoba Theatre Centre for employing this foreigner is so bush league, Mr. Speaker, and it becomes about because of the criteria that we have set out in this legislation. What is the alternative Mr. Speaker?

Well at Executive Policy Committee last week I commended the Mayor for appointing the Red Tape Commission. I was skeptical at the time. I think it turned out well. There are many valuable things in that report and I commend Councillor Magnifico for the work he did on that report and for some of the recommendations and for many of the recommendations it contains.

The report has a proposal about the entertainment tax. It is deserving of debate. I'm not saying I'm automatically supporting it, but it shows a good deal more common sense and a good deal more consistency than the tax as it stands now. And I would like to see that matter brought forward speedily so that we do not have to deal on a case-by-case basis with tiny little questions about where do cast members live? We have no business regulating to that extent Mr. Speaker. It makes us look foolish.

It is certainly a waste of time of Mr. Bajon and the other people who support the Manitoba Theatre Centre, and thus, when this matter, I will of course support the motion because it is exempting at least two of these productions but Mr. Speaker, I hope when this matter comes back before us in perhaps 60 days, I hope that at that time we will have a systemic answer. An answer that deals with the fundamental problems posed by this particular tax. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Benham. Councillor Smith.

Councillor Smith: Yes Mr. Speaker. You know I, in reading the material I thought it was very important to note the fact that over 60% of the plays and the workers involved with stage sets and so forth are Winnipeggers. So you know we should be exempting Manitoba Theatre Centre period for everything they do because they employ so many Winnipeggers.

Its you know, so you look at their sets. Their sets are very, very, very elaborate. It takes a lot of work. There are workers there. Name me another performance in Winnipeg where there's that many people employed in stage design. There are none. So it seems to me we should look at Manitoba Theatre Centre as a whole. Exempt them. Over 60% are Manitoban Winnipeg workers. Let's give them work.

Mr. Speaker: Thank you Councillor. Councillor Clement, I realize that neither of the preceding speeches had anything to do with the clause directly in front of us but you have equal opportunity in summing up. It was still, it was still a worthwhile issue.

Councillor Clement: Well, yes I recognize that they are both supporting the clause because that would just make sense. It gives us more of an opportunity to review this and also exempts them from, I believe, another couple of plays.

I guess all I will say in rebuttal to the contributions that have been forwarded in the last few minutes to this issue is that I think we have to look at the Amusement Tax Policy as a whole. You can't just cherry-pick one group. It's just not that simple.

And while there are a tremendous number of very, very special people involved with MTC, there's also a number of very, very special people who give of their time with other groups as well and they have to be treated the same and that's the problem. And we have a policy, and we are reviewing it, and we're trying to follow it. And that's all this is about.

And so I have no problem. Like I said, I wasn't here last Wednesday, or at Executive Policy Committee but I've got no problem with the recommendation to lay those other issues over for a further 60 days Mr. Speaker. And hopefully by

that time, a) we'll know who the players are in at least two of those other three plays, and we'll know the answers to that. That b) hopefully we'll have some recommendations from the Red Tape group on some other issues and our administrative staff on ways that we can proceed with some sort of amendment to the overall policy that would sustain everybody's thoughts Mr. Speaker.

Mr. Speaker: Thank you Councillor Clement.

All in favour of item 1 clauses 2 for parts 2, 4 and 6. Contrary? Carried.

Motions none. By-laws, Councillor Clement.

Oh dear, no matter what I do.

Item No. 3 - Public Safety Building Cladding Replacement and Four District Model Integration: Status and Adjusted Funding Requirement File FB-1.3

Mr. Speaker: Councillor Clement.

Councillor Clement: I'll wait and hear.

Mr. Speaker: Wait. Councillor Wyatt.

Councillor Wyatt: Thanks Mr. Speaker. This issue, I'm not going, well, maybe I will, but we had this great discussion back in July of '03 when we passed the four district model, and now we've revisited it again in 2004, and now we're revisiting again in 2005. It seems to be coming back here every year with regards to costs and changes to the plan and increasing costs.

My concern Mr. Speaker is the fact that if you read the original four district model report, and I guess my feeling on it and I would welcome a motion to refer this back, is that, is the fact that the report goes a long way in explaining how this can be done. How this is important to the City to build new stations, three new stations going from six districts down to four. Construction of three new stations, one in the east, one in the west and one in the north, and how this makes a difference for morale and policing and whatsoever with regards to the service.

And it goes on at length about also the importance of doing this immediately and right away over the next four years between 2004 and 2008. As a matter of fact it indicates in the report in its business plan that based on the restructuring that there was, there's real efficiencies. I'll read to you the recommendation 1 in the minutes that was passed by Council. "The restructuring of uniform operations to a four district model with the capital costs of constructing new police stations to be offset substantially within the WPS current budget, through cost savings occasioned by efficiencies in reduced number of locations. And those efficiencies in reduced number of maintenance and an upkeep of locations as well, a large part of it was in staffing."

And the report goes on about how the savings would amount by 2008 we'd be having an annual savings of $1.2 million a year. And the report goes on further to say, which is very interesting, that this savings is there as a window, and they say the reason why it's a window is because it could be done through attrition now because of the age of the workforce retiring, that it could be done by attrition now. That if we waited any longer beyond 2008 those savings dry up.

And this was part of the whole business plan, that went forward and said that even though there's going to be a cost of approximately $16 million dollars there was still going to be a fair, it was actually going to be a net benefit for the City to do this, due to these savings. And the efficiencies would be there.

But now with what we're seeing here today in 2004, we had a plan adopted in '03, by the way, which was to build one station, to build one station in '04, one station in '05 and the other station in '06. And last year we pushed that back to a station '05, a station '09, a station '10.

Now we're proposing to go from a station for this year, okay, this is getting confusing, but a station this year to a

station in '10 and '13, two more stations in '10 and '13, somewhere in there, we're not sure where. But somewhere in '10 and '13. The savings are gone.

The report reports today that the administration talks about and extensively, that they have analyzed the new business plan, everything is okay, everything is fine. The business plan is there and everything is in place but when you actually look on page 50-51 of my numbers here, I don't know if it's the same for everybody else, notes to financial impact analysis. The cost benefits, and keep in mind that the original four district model report went on at length about the savings to policing costs by reduced management. The cost benefits of indirect factors such as decreased staff efficiency during relocation, negotiation, property sales duties are not material or traceable and, therefore, not contained in this analysis.

So the questions now that has to be asked is are we really talking about four district anymore and what I thought was very telling in the report, if any of you picked it up, was the fact that in the report that before you today something new has arisen which is new. It wasn't part of the original analysis when we debated this. And that is instead of going to three new district stations, that it was discussed and debated about going to two new district stations, or the option of going to one new district station.

So my concern is that we've now gone from basically debating about a four district model, which the idea was it was supposed to be citywide and equitable, treating all parts of the City fairly. That we are now slowing moving towards maybe a five district system. We're going to do one station on one side of the City but we're not going to do the other two. Or we're gonna be able to do two but not three.

And I think it's calling to question what we're doing here and I would like, I think there's an opportunity here Mr. Speaker, for us to do a real analysis to see what we can really do with regards to our stations. Maybe there's an opportunity for the private sector to be involved in building and leasing back so that we can get Police officers in the stations faster and quicker.

Maybe there's an opportunity instead of going into all these, reducing down to four districts, maybe there is an opportunity that reduce from six to five districts now that we know the cost savings aren't there with staffing. And maybe we can assure that we're better, we're far more visible and a better presence in our communities.

I think everything is on the table now is what I'm saying based on the fact that this four district model seems to have kind of gone out the window. And the idea that we're going to actually be doing this four district model within my lifetime is starting to become debatable. So I would, you know, there was a lot made during that debate. I was the only Councillor Mr. Speaker who voted against the four district model out of all of us and you know there was, at that time the Mayor was, it got pretty nasty if I remember right.

And there was a lot made that you know how could you not support, you know, better police stations for our Police, how could you not, we want this investment right away. It has to happen here and now, they need it right away. There was tours of all the police stations at the time about the need for the police stations falling apart. And you know the media was invited in and you know how terrible this is.

Well now all that seems to have kind of fallen off the table and I believe the Police do need better facilities. I'm a believer in that. I believe that it's affecting their morale. I believe that we have a duty to do that, but I'm saying, you know, if we really believe in that, this report doesn't do it. As a matter of fact we're now going backwards. So I would a, I'm not going to support it, but if there's any ideas from any of my esteemed colleagues on where this can go so that it's simply not a yea-nay vote here today and that we can maybe do something to address this issue quicker I would certainly welcome that. Thank you Mr. Speaker

Mr. Speaker: Thank you Councillor. Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. I was never personally in favour of the four station scenario that I've been that's been put on the table a few years back. I have to agree with my colleague. I'm worried now that the rules have changed. I'm not sure; this is a lot of money we're talking about spending here, a lot of money. I'm not sure we don't have an obligation to bring it back to the table and analyze it a little closer.

I've spoken to a lot of front line officers that don't like it themselves because they believe it's going to hurt the response time and anything that hurts response time is something they don't like. So there's a lot of questions here to be answered now that this has sort of been changing and slowly unveiling the way it has, unfolding the way it has been.

That's part one of this, because it's sort of a, a double clause, that number 3, the re-cladding of the old building. I made inquiries on that a while back to find out what the costs of that would be and how if that's increased. I don't know the exact number. I'll probably be able to get it from Councillor Clement. I hear that's gone up. It's quite a large number and I just have a concern that is that building worth re-cladding there? Maybe. It probably has been analyzed to death. But I can't help thinking that building a new building, energy efficient, assuming that that number I'm thinking is going to be quite high and you still end up with the same old building you have, may be an alternative.

I don't know, but these are a couple of the issues that have sort of been bothering me and I haven't got any responses to some of them. But the Police one is huge. Obviously the building of these stations isn't as big a priority as they said it was as Councillor Wyatt pointed out. If that's the case, why is the first one such a priority? Just to pretend it's going in the right direction? I don't know. There's a lot of gaps here. I would love to see this laid over and talked about a little more if we could.

Mr. Speaker: Thank you Councillor. Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. Those were interesting comments. Unfortunately, neither one of them actually dealt with what we're here for. What this is about is moving money in the Capital Budget within the department, and the Finance Committee or Fiscal Issues Committee only dealt with that. We didn't discuss the four district model in the Police department specifically other than the planning of same. And, which was already a policy decision of this chamber. And that's what, so all we're talking about is the staging of the money.

The problem that the Police department has is that there's a certain amount of capital that we've allocated over the next five years, including this year, and they are wanting to proceed with this cladding project. My understanding I think of that is that it's in the $14 to $15 million dollar range, the total cost. And that building next door Franco is probably worth $100 million bucks to rebuild, so you'd have to save a pile of dough somewhere to be able to make up the difference I think.

Notwithstanding a good idea and good comments and certainly nothing wrong with questioning those kinds of things but the bottom line is is that they need more money up front in the cladding. They've got to get the cladding done. Those are environmental issues, and they are Workplace Health and Safety Issues, and we have to deal with them because we have to live within the law. And so they have no choice but to, unless we want to give them more money from somewhere, and I'm not sure where that's going to come from, because there isn't any extra money lying around in the Capital Budget and we certainly don't have a lot of flexibility in the current budget either.

So, they have simply asked to shuffle some of the things around. And the idea was not to not go ahead with the four district model whatsoever. Chief Ewatski, by the way came to our meeting and discussed the way that these monies would flow out and if you look at the

charts, we asked a lot of questions about the dollars. The fact is is that this would cover off the cladding. It would allow the first of the three new buildings to be built in '06. It allowed, now I know in 2010 there is $5 million dollars sitting there, but it's an unallocated $5 dollars million, but it's allocated to the Police department, but it's not allocated project specific. It is just residual to everything they have got in the five year. If somewhere $4.5 million dollars came from somewhere to go with that $5 million, you could build the second of the three new buildings in 2010 which is why they have put it into the next year 2011 because they have kind of money in the next year and then they would have to wait until '13.

So what they're looking at in terms of the money that we have, we in this chamber have given them to work with, they believe to get the cladding done, which they have to do, and to move ahead with our policy which is a four district model, that they have to be placed into '06, '11 and '13. And, but what this clause is actually about is actually allowing them to spend the money on the cladding because they have to shift the money from one account to the other and that's all that's in front of us.

And they need authority from this chamber to be able to do the cladding and they don't have enough money to do it and this clause simply allows that to take place. It allows them to use some unused borrowing authority that's been set aside and allows them to adjust the capital in future years to accommodate other things but it let's them get this work done. And that's really what this clause is here for and why and the work has to take place. So I would urge you to support it.

Mr. Speaker: Thank you Councillor.

Clause 3.

All in favour? Contrary? Carried.

By-laws Councillor Clement.

**STANDING COMMITTEE ON FISCAL ISSUES
CONSIDERATION OF BY-LAWS**

Councillor Clement: Yes I'll, Mr. Speaker, I'll move that By-law 173/2005 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 173/2005.

Councillor Clement: I'll move that By-law 173/2005 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 173/2005.

Councillor Clement: I'll move that the rule be suspended and By-law 173/2005 be read a third time and that same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions of the chair? Seeing none, Standing Policy Committee on Downtown Development, report of September 9th, Councillor De Smedt.

**REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT
DATED SEPTEMBER 9, 2005**

Councillor De Smedt: Thank you very much Mr. Speaker. Pleased to move the report as Consent for September the 9th, 2005.

Councillor Gerbasi: Item 2 please.

Mr. Speaker: Item 2 has been asked to be stood down.

Item 1 as Consent.

All in favour? Contrary? Carried.

Item 2 madam clerk.

Item No. 2 – Pantages Playhouse Theatre - Management Review
File F-6

Mr. Speaker: Councillor De Smedt to introduce.

Councillor De Smedt: Thank you very much Mr. Speaker. Well the clause before us, I think is pretty clear. There's been some amendments through a management review which is under the remit of the Standing Policy Committee on Downtown Development and Councillor Clement's Committee and Fiscal Issues was involved as well for an extra appropriation to get sustainability to the Pantages Theatre. Other than that I will just stand by and listen for some questions from the Councillor.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I sit on the Downtown Development Committee and I supported the clause to support the Pantages Theatre. The Pantages Theatre is a landmark heritage building, an important facility, so that's not the part that I'm concerned about today. The part I'm concerned about today is the Fiscal Issues decision to rob money from the Public Art budget to the tune of $80,000 to pay for this.

Mr. Speaker: Excuse me.

Councillor Gerbasi: That's part of what's being discussed.

Mr. Speaker: Robbery is not acceptable. (In Audible)

Councillor Gerbasi: I'll withdraw the comment.

Mr. Speaker: Thank you.

Councillor Gerbasi: Is steal okay? I'm just kidding. Reallocated. Okay, I have a suggestion from Councillor Magnifico. Reallocated money from the Public Art budget to the tune of $80,000.

As background information I'd like to share with you some wording from a press release in 2003 following the unanimous approval of the Public Art policy in which we said the public not politicians will make the decisions about public art under a new policy adopted unanimously by City Council, and then it quotes Jane Jacobs – "we need art in the arrangements of cities", and I strongly agree. Art and architecture display the soul of a City. It is vital that municipal governments provide funding and also respect the autonomy of artists. And another final thing from the press release I'm going to quote is the public – "the development of a public art policy and program has been recommended and discussed for more than a decade. Winnipeg is one of the last major Canadian cities to formally adopt a policy."

So here's what concerns me about the clause today before us. Firstly, we established an arms length Arts Council so that decisions would be based on what most benefited the arts in our City so that there would be no political interference. Yet there's no report attached to the motion from Fiscal Issues indicating any consultation with the arts community or the Arts Council about this shift in funding. There's no report outlining that the Public Art program doesn't need this funding or doesn't have projects on the go and surely they do.

The administration along with the rest of Council found out by reading in the paper the next day that a decision like this had been made. The result is obviously a political decision was made rather than one based on the advice or views of our administration on the Arts Council. This demonstrates a lack of respect for our Arts Council, I believe. Council created an arms length Council for a reason, and we should be respecting and consulting with them when we make major decisions that affect their programs.

By winging a quick motion to give, take from one arts orientated program, to give to another group that has valid concern, we do more than just demean our own Arts Council. This approach of taking from Peter to pay Paul without consultation creates an atmosphere of fear in struggling arts groups. Pitting one

non-profit group against another in fighting for funding is divisive in the community. Dividing and conquering is an age-old method of squelching public resistance to cuts in funding or other unpopular policies. Creating an atmosphere of fear is an effective way to quiet debate or discussion about arts funding decisions. And I'm sorry I don't think this is how we should be doing things.

It also leaves me to question this decision, the Mayor and EPC's commitment to our Public Art program and I asked this morning earlier in question period and received a fairly clear answer from the Mayor. Yes, he's more than willing to continue to take away further money from this program if the need arises, was how I heard what he said if I heard it correctly.

So I think that, I guess my concern is, has EPC lost its commitment and vision related to supporting the idea of public art as making our City an interesting place and a vibrant place, or are we just going to be anywhere USA, is every part of the City just going to look the same? Is that the new vision of the City? Is that the new attitude of City Council? We had a policy. We had 100, we had unanimity to support that policy, and I guess it's obvious from these actions today that that support is waning on this Council. And I think that's unfortunate, and I hope it's not true and I hope Councillors will stand by this policy.

It was a very well thought-out policy. It was waited for for years and years and that most other cities in Canada, probably every other major City in Canada, has a policy that promotes public art, and they have those policies for a very good reasons. So I urge Council to reconsider this, the Fiscal Issues part of this decision in terms of where this funding for Pantages will come from.

And I certainly support the Pantages Theatre and the fact that an administrative report was put through and the proper process carried out unlike the other Theatre we dealt with today. This Theatre was dealt with at least transparent, in a transparent fashion because there's been an administrative report that supported the recommendation to provide them with the funds the Theatre asked for. And that is good.

But this decision to move the Public Art money, I don't understand why the Public Arts Council was not consulted, was not asked what do they plan to do with that money for this year. Why Councillors have not been informed of the impact of taking away that money for this year that we approved in our Capital Budget in 2005? And what kind of message are we sending to the arts community? In the last budget we supported an increase in arts funding. Are we changing direction? I'd just, I'd like to know, and I think a lot of other people would like to know, and the reason you don't see any of them here today is because they are scared. They are scared to speak because are they going to be Peter or Paul next time when something is taken from one group and given to another?

So what is our commitment to public art, or any art programs for that matter? It comes into question, and it comes into the question when we treat our arms length agencies with this kind of non-consultative approach. I think it's a bit of a slap in the face I don't know whether it's intended or not.

Mr. Speaker: Councillor Gerbasi, I'm sorry. This is the third debate in a row that has nothing to do with the clause in front of us.

Councillor Gerbasi: I'm sorry Mr. Speaker, it does.

Mr. Speaker: The clause in front of us has nothing to do with where the money came from.

Councillor Gerbasi: Mr. Speaker it does because I consulted with Jo-Ann Park and I asked why this wasn't on the Fiscal Issues agenda in clause 2a, which it was on the EPC agenda and I was advised it was rolled into this clause and could be brought up here and that's why I'm bringing it up here. If you'd like to check with the clerk I have no problem with that. That's the advice I received from Jo-Ann Park.

Mr. Speaker: I'm not taking the clerk's opinion into it.

Councillor Gerbasi: I'm done anyway Mr. Speaker.

Mr. Speaker: Clause 1, 2 and 3, and that's what we are voting on. Exactly the same thing you voted for in favour of word for word is what we are voting on today.

Councillor Gerbasi: Well Mr. Speaker I was told that the issue I'm talking to was rolled into this clause. That's the only reason I'm speaking to it.

Mr. Speaker: EPC didn't change one word of your clause, not one word, of your recommendation.

Councillor Gerbasi: So clause 2a that was on the Fiscal, maybe I could ask the clerk then to ask where did clause 2a go that was on the Fiscal Issues agenda if it's not included in this. Maybe the clerk could clarify.

Mr. Speaker: It obviously didn't have to come to Council for approval could be why it wouldn't be here.

Councillor Gerbasi: Well I apologize, I wasn't given…

Mr. Speaker: It could have been brought up under Fiscal Issues. It could have been brought up under EPC in question but I, this is the third item in a row is why I'm bringing it up and we're at end of the day. We can only debate what is before us.

Councillor Gerbasi: I thought it was before me based on the advice I got from City Clerk's. I apologize.

Mr. Speaker: Before us is the recommendation parts 1 a, b, c, 2 and 3. That's all that's before us.

Councillor Gerbasi: Well I can't say anything to that Mr. Speaker.

Mr. Speaker: That's the recommendation before us.

Councillor Gerbasi: I can only by the advice I get from the City Clerk's department.

Mr. Speaker: That's fine, I let you go with it, okay. Councillor De Smedt did you want to end it or…Oh I'm sorry Councillor Clement wishes to speak as well, only to item 1 a, b, c, 2 and 3. The recommendation before us.

Councillor Gerbasi: Point of personal privilege Mr. Speaker.

Mr. Speaker: Of course.

Councillor Gerbasi: I'm looking right here and it, is this the report that we are looking at today? 2, it says right there that the money transfer…

Mr. Speaker: That $80,000 be approved.

Councillor Gerbasi: from the Public Art Fund...

Mr. Speaker: Be approved to the Performing Arts Consortium.

Councillor Gerbasi: And the funding for this purpose be transferred from the Public Arts Strategy Fund.

Mr. Speaker: And that's what you voted in favour of at your own Standing Committee because not one word has been changed. At Standing Committee, because EPC does not have the authority to change one word in a Standing Committee recommendation.

Councillor Gerbasi: So that…

Mr. Speaker: And if it is changed I want the whole clause back and out of here.

Councillor Gerbasi: Okay Mr. Speaker I...

Mr. Speaker: They can recommend differently but they can't altar a word of your recommendation.

Councillor Gerbasi: Well something isn't making sense because there was a clause 2a from Fiscal Issues that I spoke

to on the EPC agenda last week after this meeting.

Mr. Speaker: That's fine and that's on Fiscal Issues.

Well you'll be summing up (In audible).

Councillor De Smedt: Yeah I will be summing up but…

Mr. Speaker: Oh there is Councillor Clement. You can't clarify, only in closing. Councillor Clement you did want to speak on the issue?

(In Audible)

Mr. Speaker: No he doesn't have that privilege. He can't speak twice. Councillor Clement.

Councillor Clement: Yeah, I'm going to speak to, it's hard to read here, but I'm going to speak to number, part 2.

Mr. Speaker: Recommendation number 2, okay.

Councillor Clement: Yeah, it says and it does read that $80,000 be approved to the Performing Arts Consortium of Winnipeg which is the group that runs the Pantages Theatre and that, and that came from Fiscal Issues.

Mr. Speaker: It's also outside the purview of this Standing Committee to do. They can't recommend that money come out of somewhere else. They can recommend it, but it doesn't do it.

Councillor Clement: Well Mr. Speaker the way, my understanding of what took place here, I'll use my time to explain it, I guess. As I understand it, there was a clause that came out of the Standing Committee that, that dealt with the Pantages Theatre. It had to go to Fiscal Issues to determine where the money would come from. There was a requirement of $110,000 dollars that they needed to operate until the end of this year. They need this money right now, or we've got a problem. $30,000 was directed by EPC to come from the Gail Parvin Hammerquist Fund which EPC has the ability to designate which left then a shortfall of $80,000 to deal with this issue. It was sent to Fiscal Issues for one purpose and one purpose only and that was to get direction as to where Fiscal Issues believed that the money could come from and that's all we dealt with.

Mr. Speaker: How did this, I'm sorry. I need this picked up. How did Fiscal Issues deal with it? Do they have authority to reallocate?

Councillor Clement: We have authority to recommend.

Mr. Speaker: To who?

Councillor Clement: To Executive Policy Committee. And we did.

Mr. Speaker: So only Council can do the reallocation. Are you telling me that the report before us, Executive Policy Committee recommendation, which is, on September 14th EPC concurred in the recommendations of the Standing Policy Committee on Downtown Development and the Standing Committee. So this is not a recommendation of...

Councillor Clement: No.

Mr. Speaker: Then that is absolutely wrong. The two recommendations coming together can only come under EPC bringing the recommendations from two different Committees together. The Standing Policy Committee on Downtown Development cannot move a recommendation of EPC or Fiscal Issues. There is something mishandled here.

Councillor Clement: On a point of order, if I may.

(Point of Order)

Mr. Speaker: Sure.

Councillor Clement: Or use my time if you like. I don't care. The process and you might be quite right, okay.

Mr. Speaker: I believe I am.

Councillor Clement: And I've got no quarrel with that. I do have a quarrel now with the timing because we have a serious problem, and all anybody did at either the Standing, the Downtown Development group, Fiscal Issues or EPC was deal with this the way that the Clerks advised that we should deal with it. And so we did.
I'm sure that they never sent us down this path for some malicious reason Mr. Speaker. Even if it in fact is an error of the rules, this chamber is supreme. Notwithstanding that...

Mr. Speaker: But Councillor, I believe, it is my belief is that the decision will be invalid because this we're dealing with here is the Committee on Downtown Development. And that Committee does not have the authority to move and EPC didn't say EPC recommends an amendment.

If EPC would have said we recommend an amendment to the clause but also this happened, that would be perfectly in order. What it says is that EPC concurs, just like with every other clause in the decision of Downtown Development and their recommendation.

Councillor Clement: Well then, then I would I respectfully move Mr. Speaker, that we, that we suspend the rules and put the clause back under Executive Policy Committee, let the Mayor introduce it so that we can deal with it in this chamber today.

Mr. Speaker: I think the appropriate spot, I'll ask, I'll defer to the wisdom of the City Clerk, but I would say that the clause 2 portion should be removed from the vote and should come up under motions of Downtown Development is all I can think of as a possible solution because this is not appropriate as it stands. And no one is arguing with that that I've heard so far.

Councillor Clement: Would you like a five-minute adjournment to be able to think this through? We've done that before and that would make lots of common sense.

Mr. Speaker: Someone so moved.

All in favour? Contrary? Carried.

We'll be back in five minutes.

Mr. Speaker: Councillors are we short of a quorum?

Do we have a quorum?

Revert to clause before us which is the item 2 of Standing Committee on Downtown Development.

Councillor Clement: Do I get to speak?

Councillor De Smedt: And I'll sum up.

Motion No. 7
Moved by Councillor De Smedt,
Seconded by Councillor Eadie,

THAT Recommendation 2 of Item 2 of the Report of the Standing Policy Committee on Downtown Development dated September 9, 2005, be deleted, and that the remaining recommendations be renumbered.

Mr. Speaker: First of all Councillor De Smedt moves that…

Councillor De Smedt: We would sever…

Mr. Speaker: That recommendation number 2 be severed from the clause.

Councillor De Smedt: the recommendation number 2. And then we would proceed with 1 and 3.

Mr. Speaker: 1 and 3. Do you wish to speak to 1 and 3?

Councillor Clement: No I want to speak to number 2.

Mr. Speaker: That will come up again. Okay.

Councillor Benham: So Mr. Speaker we will be reverting to EPC then?

Mr. Speaker: EPC motions, if two-thirds of Council agrees.

Councillor Gerbasi: Point of Order Mr. Speaker.

(Point of Order)

Councillor Gerbasi: So what happens to my comments on that are they on the record still.

Mr. Speaker: You made them. They are taped. All of this will be part of Hansard. All of it.

Councillor Gerbasi: That's fine.

Mr. Speaker: Councillor De Smedt moves that recommendation number 2 be severed from the clause. Recommendation 2 of item 2 of the report of the Standing Policy Committee on Downtown Development dated September 9th, 2005 be deleted and the remaining recommendations be renumbered.

All in favour? Contrary? Carried.

Councillor De Smedt moves the clause as amended.

Councillor De Smedt: I would move the clause.

Mr. Speaker: As amended.

Councillor De Smedt: As amended.

Mr. Speaker: All in favour? Contrary? Carried.

Motion No. 6
Moved by Councillor Clement,
Seconded by Councillor Eadie,

That Council hereby revert to the Executive Policy Committee Motion Section.

Mr. Speaker: Councillor Clement moves I hope, that we revert to Executive Policy Committee motions and reopen same.

Councillor Clement: I will do that. I'll move that

Mr. Speaker: All in favour? Contrary? Unanimously Carried.

EXECUTIVE POLICY COMMITTEE MOTIONS

Motion No. 5
Moved by His Worship Mayor Katz,
Seconded by Councillor Eadie,

That $80,000 be approved to the Performing Arts Consortium of Winnipeg Inc., for the Pantages Playhouse Theatre and that funding for this purpose be transferred from the Public Arts Strategy Project in the 2005 Capital Budget to the General Revenue Fund.

Mr. Speaker: Mr. Mayor. We'll reopen debate. Not repetitive debate but we will reopen debate.

Mayor Katz moves…

Mayor Katz: That $80,000 dollars be approved to the Performing Arts Consortium of Winnipeg Inc., thank you, for the Pantages Playhouse Theatre and that funding for this purpose be transferred from the Public Arts Strategy Project in the 2005 Capital Budget to the general reserve fund.

Mr. Speaker: Will you second that motion Councillor Clement?

Councillor Clement: Yes I will.

Mr. Speaker: Because it came through at Fiscal Issues. Okay we have the motion. Any speakers on this motion? Councillor De Smedt, Councillor Clement.

Councillor De Smedt: Thank you very much Mr. Speaker and I know Councillor Clement will summate the Fiscal Issues aspect of this. But let me, I just need to respond I think to Councillor Gerbasi's observations about the commitment we have to Public Arts Strategy.

Just in case there is some misunderstanding when we approved the Public Arts Strategy, it wasn't exactly 100% approval. There was some commentary about Public Arts Strategy, and in fact I was one of the ones that would comment on that in the great liberal tradition of this country emanating out of the conscription crisis of 1944, you know

public arts strategy when necessary but not necessary public art strategy. It depends what it is.

And of course I understand that the arts community is very nervous about somebody commenting like that because they say well why would you be the arbiter of what proper public art is. But you know there is some rational understanding within the public in general about what's appropriate you know and who's going to be the overseer. I'm not absolutely certain. But I do understand from time to time that some public art propositions might come under scrutiny.

I have not been a supporter in the past of breakout ticket analysis in the interest of public art strategy which was done several years ago in which a commitment was made by the Arts Council to support this kind of nonsense frankly. As well as hanging rabbits in St. Norbert Monastery area. That was not, I don't think proper public art.

So there are things that are within the realm of reasonableness and I think we are all reasonable in trying to support in this our City about arts and arts strategy. We've been on record I think all of us saying that we support our arts community because we know what it means. It's very special here in Midwestern Canada and it's very special to this City and we do support it.

So I had to just offer that comment. That it's not just an unlimited opportunity to spend anywhere you want. Having said that I do understand what Councillor Clement's Committee and Fiscal Issues has done. And I'm sure Councillor Clement will explain this. But the public art funding account had not been expended. There was no targeted funding for that. And of course considering the fiscal circumstances that the City is under we always look for opportunities wherever they may be to provide within the construct of overall art, and the Pantages is art. I mean we've indicated that we are supporting this historic building and we're supporting the thesis that they have in trying to provide to smaller companies the opportunity to have a proper performing arts location.

So I thought in the context of what Fiscal Issues had done it really makes a lot of sense. So I will be, I'm sure the Mayor would like to sum up and Councillor Clement will sum up, that this is a rational strategy of using money that we'd already committed in the totality of arts funding and would make some sense and get some support rather than being a tack that we are no longer committing ourselves to public art. I'm not sure why that is brought up in this particular context. We are not offending anybody. I certainly haven't had one call from the Arts Council or other people and I know that they are not afraid to speak up and call when necessary. So thank you.

Mr. Speaker: Thank you Councillor. Councillor Clement.

Councillor Clement: Yeah, thank you Mr. Speaker. I want to go down two different paths with this. The first path I going to go down is why Fiscal Issues went where they went. The Public Art money is in the Capital Budget and I am pretty sure that there is a quarter of a million dollars in every year of the Capital Budget, right now. The five year Capital that we passed. So there is a commitment to public art.

When the first money came in, I believe it was in '04, and it never got spent until '05, I believe or real late in the year. And so there is a, there is a surplus if you like or there's an extra, almost an extra year's worth of money sitting in the Public Art account of about $239,000 dollars with a full commitment in next year's Capital Budget of a quarter million dollars. So you know, some people may not appreciate the maneuver and I understand that.

On the other side of the coin we have to be responsible here or try, and try or best to be and that type of thing. And the reality is is that our last Fiscal Issues meeting we had a shortfall of this budgeted year for about $14.8 million dollars. And I'm hopeful that we are going to get that number down. And I'd like to

wipe it out frankly but the reality is is it does exist and there is an issue here where the Pantages Theatre doesn't have enough money to operate through '05. Period. They need $110,000 dollars. So we either give it to them or its going to close. And frankly then we still have to heat it and do a certain amount of maintenance for over the winter and things like that anyway, which there is a cost of.

So you know we are going to have to come with some money anyway in that regard and to me and I've supported just about everything to do with art. Particularly in the last number of years where we've increased arts funding by $1.5 million so far and hopefully another ½ million dollars next year. And any number of times when we've dealt with these theatres and that type of thing and the problem that I'm having is is that while whether it's Public Art or whether it's the money that the Winnipeg Arts Advisory Council has or whether it's the Pantages Theatre they are all arts related to me. And so when I know that there is a surplus of funds, my language, sitting there and it still leaves $159,000 dollars, I didn't think that taking this $80,000 dollars was onerous. That's all. And that's why we went there Mr. Speaker.

I would like to get off that though and I'd like to speak to the Pantages Theatre itself because I'm one Councillor that's just about at the end of my rope bailing these facilities out. This is $80,000 dollars today, plus $30,000 from that other fund, plus it's going to be another $110,000 dollars next year. And there is no question that it's subject to a business plan and I can tell you that there have been discussions. I have been in those discussions.

There is absolutely no question that they have been renting the Pantages Theatre for far less than market value and it has to stop. And if that means that some of their tenants have to go back to church basements I guess so be it, if they can't afford to be there. But that's the reality of life. The users are going to have to start paying a little because we can't keep funding those things in my view. And I just speak for one person out of the sixteen of us on that. But I'm sure that there's a few others that feel the same way. We can't keep propping these places up.

So I'm going to vote for this and I'm going to support it and I hope that they are going to do well. But it's time. I was reminded earlier today at lunch that this group was supposed to create an endowment fund starting a couple of years ago of a couple of million dollars, well they haven't got any money. So what happened to that? So we hear a lot of these things. These are all really, really nice people. They all are very well meaning people, but it's difficult. There are a lot of venues in this town. There is a lot of things competing for the same dollars. And there is only 700,000 of us, Capital Region included, to cover the cost.

And so, while I'm certainly going to support this I going to have a tough time in the future. If we can't keep all of these places open then realistically we are going to have to bite the bullet and have a really hard look at that. As painful as that's going to be to some folks, it's the reality, it's a fiscal responsibility aspect of what we are having to deal with Mr. Speaker.

So I thought I would put that on the table because we've got, we've had two in front of us today, with, and in fairness to the Burton Cummings Group, you know they actually made money last year, but they've got these mortgages. So it's a you know, these folks just simply can't operate. They've got a different type of an issue. I don't know why it costs $10,000 to clean one theatre and $50,000 to clean the other one, as an example, but somebody better find out real quick because we can't keep propping them up Mr. Speaker. And that's why I wanted to speak to this.

Mr. Speaker: Mr. Mayor did you wish to sum up on your motion.

Mayor Katz: Thank you very much. First of all I very much appreciate the comments of Councillor Gerbasi. I can

assure you that we are committed to arts and culture in our community. I can assure you in spite of criticism from the public we continue to make the support. I certainly understand Councillor Clement's views. As a matter of fact I would probably go a little further.

That number one when a child is born it's your responsibility as a parent to nurture, to basically love and to support. But some point in time that child has to grow up and be on its own. And I would actually be a little bit more empathic is that in these situations with a short period of time these scenarios can not get their house in order and make sure that they can show sustainability and maintain the facility in a proper manner without coming back to City Council, I for one will not support it whatsoever down the road.

We have many, many issues to deal with and I guess the best answer that I might be able to give to Councillor Gerbasi is that sometimes there is situations where emergencies do arise and you have to deal with them and you have to deal with them with the funds that you have available. And that is why I am obviously going to be supporting this motion. Thank you.

Mr. Speaker: Thank you Mr. Mayor.

All in favour of the motion?

Councillor Gerbasi: A recorded vote.

Mr. Speaker: A recorded vote has been asked for. All in favour of the motion please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Eadie, Lazarenko, Benham, Clement, De Smedt, Lubosch, Pagtakhan, Steeves, Swandel, Thomas, Wyatt, Mr. Speaker Councillor O'Shaughnessy.

Nays

Councillors Gerbasi and Smith.

City Clerk: The vote Mr. Speaker, Yeas 13, Nays 2.

Mr. Speaker: The motion is carried.

We'll now refer to Downtown Development questions of the chair if there are any. If not Councillor Gerbasi moves adjournment.

Roll Call.

ROLL CALL

Mr. Speaker Councillor O'Shaughnessy, His Worship Mayor Katz, Councillors Eadie, Lazarenko, Benham, Clement, De Smedt, Gerbasi, Lubosch, Pagtakhan, Smith, Steeves, Swandel, Thomas and Wyatt.

COUNCIL ADJOURNED AT 3:44 P.M.