COUNCIL OF THE CITY OF WINNIPEG
Wednesday March 22, 2006

The Council met at 9:39 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 Steeves.

ROLL CALL

Clerk: Mr. Speaker Councillor Eadie, His Worship Mayor Katz, Councillors O'Shaughnessy, 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 two pages who are assisting us at today's meeting. I'll introduce them to you, Elaine Manipol of Kildonan East Collegiate who lives in Transcona ward and Michael Dwilow of Fort Richmond Collegiate, who resides in St. Norbert. So on behalf of my colleagues welcome today and thank you for your assistance.

Mr. Speaker: Any guests or announcements? None.

MINUTES

Councillor Wyatt moves the Minutes of the meetings held on February 21 and February 22, 2006 be taken as read and confirmed.

All in favour? Opposed? That's Carried.

DELEGATIONS

Mr. Speaker: We have a number of delegations of course this morning on items on the agenda. The first two are here on the same item, the Notice of Motion with respect to term limits. Mr. Nick Ternette will have the 10 minute slot and Mr. Dave Angus, the five minute slot. Mr. Ternette.

Mr. Nick Ternette: Mr. Speaker, Mayor Sam Katz and members of City Council. The suggestion that the proposal by Councillor De Smedt, concerning term limits on City Councillors is a cheap shot and mischievous I think and in my opinion undermines the whole debate which we ought to have here, a very serious debate between those who believe in direct democracy, as I do, and those who believe in representative democracy.

Direct democracy includes but is not limited to believing in term limits, money by-laws, referendums and recall of politicians. Those of us who believe in direct democracy believe that citizens should be involved in politics on a day-to-day basis. That we have a right to participate in the political process because we care and because we can serve as watchdogs over the political process that belongs to us, the people. We, not the politicians, are the conscience of the people.

Those like Councillor Bill Clement who believe in representative democracy, and many, many do, both on the left and from the right, believe that if you don't like your Councillor you can vote them out of office every four years, in the old days it was three years, now it's four years, period. Otherwise, leave politics to the politicians. This in my opinion leads to an undemocratic form of government that we have here today, that encourages lobbyists and special interest groups that meet with Councillors behind closed doors without any accountability to the public.

The suggestion by Councillor Gerbasi that term limits is foreign to Canadian public life I believe is an insult to all of us who feel that as a result of representative democracy, there is less and less citizen participation in the political process. As I indicated yesterday in a discussion of 56 delegations in 1993, to two delegations as of yesterday shows you what people think about of politics these days.

And has allowed, I think, the professionalization of politics to occur which I think is an important issue to look at. As the public is more and more disillusioned with politicians, if you recently, a recent poll both nationally in

The Globe and Mail and *The National Post,* suggests that of all professions politicians are ranked last in terms of trust at 14%. That is as Councillor Lorenc stated in 1992, the last time that there was a debate on term limits that once elected politicians are more concerned about being re-elected than serving the people. Do we want politicians who have offered themselves to serve the public and be responsive to their needs, or have no ambitions other than to hold public office? Term limits will provide an opportunity for better government and at the same time, reduce the potential disruption to those who seek the public office.

In a democracy everyone has a right, no, in my opinion, a duty, to seek public office. In fact I have stated it over and over again that I believe in a direct democracy, everyone, every citizen, 18 and over should run for some form of office at least once in their lifetime. That is the essence of real participation in the political process. That right is essential and must be protected. Term limits does that. It ensures turnover at City Hall. The incumbency factor is real in any election but especially civic elections where name recognition, not often money but name recognition, plays a major role in getting re-elected.

Furthermore, I would like to remind Council that recall legislation was introduced by an NDP government in British Columbia, and that direct democracy that includes term limits, money by-laws, referendums and recalls of politicians was strongly supported by the former Reform Party of Preston Manning and is supported by the Green Party of Canada. So therefore, it is not alien to the Canadian way of life.

To suggest as Councillor Eadie does that democracy in action is people choosing as little as they wish, is in fact, I think, more anti-democratic than term limits where citizens are given more choices of who to elect to City Council.

No question, Councillor Clement is correct in suggesting that in order to implement term limits for City Council it would have to go to the Province for approval because as we say, the City is the creation of the Province. And unfortunately, the Province has shown no interest in this issue due to the fact of course that if the Provincial government, the NDP government, had approved term limits for City government, that there would be significant pressure put on them to put term limits on the Provincial Legislature and I understand that. So does everybody else.

But the fact is, and this is important, if you read the motion, Councillor De Smedt is not asking City Council as he did in 1994 to agree with term limits in and of itself. There is no question about it. It is quite clear that the majority of City Councillors and I know that and everybody else knows it, would oppose term limits. Who wants to vote themselves out of office?

And quite bluntly, the debate in here in Council in October the 14th, 1992 concerning term limits was atrocious because I've read through the whole debate and that it completely failed to result in a serious debate of what the kind of democracy we believe in because that's what it's all about. The issue of term limits is the issue of democracy and the different types of democracies that we believe in, in order to have a very serious discussion, not the kind of discussion of name calling or whatever else that happened in 1994.

What Councillor De Smedt is asking, is that Council submit a referendum question to the citizens of Winnipeg in the civic election of October 2006, asking whether or not they would like to impose term limits on Councillors and the Mayor. Then only if the majority supported term limits would the Province be asked to look at amending *The City of Winnipeg Act*

It might benefit City Council and I'm sure some of you know because you were here, that during the October election of 1983, two referendum questions were put on the ballot. One referring to nuclear disarmament, a motion made by Councillor Reece and seconded by Councillor Neville, in July of 1982. And one on the French language services, a motion made by Councillor Mitchelson

and seconded by Councillor Yanofski in September of 1982.

And even though I wasn't here at that time, I will indicate and I've been told by many people that the majority of Council at that time disagreed on one or both of these questions in many ways, but they were willing to put the question to the public to decide where they stood. They were not inviting referendums but they wanted to know where the citizens of Winnipeg stood on the issue. And in fact in 1983 there was a significantly slightly higher turnover, turnout of voters then there was in the previous two or three elections precisely because the referendum question had been placed on the ballot.

It is clear to me, that if Councillors vote down the notion of a referendum on term the limits, regardless of what their personal position on this issue is, and I as I've indicated we believe that the majority of you would oppose this, that this would be undemocratic and quite bluntly would undermine the whole concept of citizens determining who they want to govern their City and for how long.

And knowing that this civic election is going to be a very dull election, I'm sorry, but the prediction is that there will be no campaign for Mayor, which reminds me it will be the same kind of campaign that we had in 1979 when Bill Norrie didn't even bother to campaign because there was no opposition to the Mayor, and we know that citizens turn out for elections based on the fact if you have a mayoralty campaign or not. And if you don't have a mayoralty campaign the voter turnout is going to be significantly less than it was last time, probably down into the 40%, the 38% to 40% range. I would strongly urge that Councillors no matter what your personal feelings are about the issue, would put this question on the referendum, question on the ballot, because I guarantee you, you will get interest in it and you will have a significant increase in people coming out to vote. Not necessarily for the Mayor or whatever else but to vote on the question of whether they support term limits or not.

And the issue that everybody will address is well the Province isn't going to make any changes. Well, yes they won't make any changes but we have to start somewhere. If you begin the process as you did in 1983 on an issue and let's assume for the argument sake of argument that 90% of those who vote support term limits, then in fact there will be pressure put on the Provincial government to start looking at amending the legislation to ensure that the term limits result. If 90% of the people or 55% of the people oppose it, well it's quite clear, as Councillor De Smedt says that the issue is dead. The public does not support it and we continue to go with representative democracy that we have.

I think it is important that we seriously look at the issue of the kind of democracy that we have. The level of citizen participation in the political level, at the municipal level, at the provincial level, at the federal level have decreased drastically. The trust in politicians has decreased drastically over the last 10 to 15 years because in the old days, politicians gave back to the community and now they're there as a profession and they are serving their own needs rather than serving the needs of the interest of people and people realize that. I think it is important to test out and see what the public stands for. We don't have to support term limits but we sure can let the citizens be involved in deciding whether we do support term limits or not. Thank you very, very much.

Mr. Speaker: Thank you Mr. Ternette. The five minute spot is Mr. Dave Angus.

Mr. Dave Angus: Thank you very much Mr. Speaker, Your Worship, City Council, ladies and gentlemen. I represent the Winnipeg Chamber of Commerce that represents over 1,700 companies, representing 3,000 individual representatives, representing over 80,000 employees in the City of Winnipeg and our mission is to foster an environment in which Winnipeg business can prosper.

City Council as the decision-making authority for the City of Winnipeg constitutes a fundamental contributor to

our local environment. It is for this reason that City Council must be an attractive and realistic option for those who hold leadership aspirations and seek opportunities to serve their community.

Unfortunately previous elections have demonstrated a declining level of interest in civic politics. In business and elsewhere, renewal and change are driving forces in the pursuit of new visions, ideas, and approaches. The power of incumbency at City Council however, serves as a real inhibitor to increase candidate participation. History is replete with incumbent Councillors and Mayors winning re-election where as instances of non-incumbent candidates unseating a sitting Mayor or Councillor are rare.

Back in 2002, the Winnipeg Chamber of Commerce conducted a membership survey concerning the issues of term limits for the Mayor and City Councillors, City Councillors. 83% of our members that responded voted in favour of term limits for the Mayor and City Councillors and of those who favoured them, term limits, 68% supported a two consecutive term limit. It's for that reason that back in 2002, the Winnipeg Chamber of Commerce recommended that the Mayor and City Council be limited to two consecutive terms in office and the Chamber recommends that a transition strategy be developed to guide the effective implementation of term limits.

And I'm going to say this today because I don't often get a chance to say this. We throw our full support behind Nick Ternette, which sometimes scares me; however we are absolutely of like mind on this particular issue. And I think it all depends on how we view Council. Do we see the job of a City Councillor as a career? Or a mission? And we believe at the Chamber it is very much about a mission. People that get elected, that make the contribution and then pass the baton.

We view you, Council as a board of directors that share a common vision, that bring fresh perspective, fresh ideas and new energy, each bringing something different to the table, different strengths that are needed to address the serious challenges our City faces. Effective government structures is one that incorporate a system that facilitates change, turnover and new ideas.

We need a Council that invites participation, where citizens have a realistic option of pursuing community and public service. That option by and large currently is not realistic. Barriers to entry are far too high. Name recognition is a profound advantage that dramatically increases the longer the Councillor holds office. The power of incumbency is reinforced from the tools available to each Councillor to further entrench themselves as the chosen one in their constituency. Promotional vehicles, public relations opportunities, community grants and fundraising networks build an impenetrable shield around an incumbent Councillor.

An individual within our community that has something to contribute to our City and would like to pursue their mission of public service looks at their chances of success against a well established incumbent and quickly realizes that their dream is not realistic and must bide their time until that incumbent chooses not run.

We believe strongly that term limits will serve to attract increasing interest by potential candidates in our community. We believe that it will increase interest in civic politics and civic issues within our community. We believe it will serve to bring new faces, new ideas, new perspectives to a level of government that is increasing in its importance in citizens' lives. We believe that term limits will create a greater sense of urgency on Council to get things done. It will enhance collaboration amongst current City Councillors. We believe term limits will attract individuals who will measure their performance by their accomplishments, not their longevity.

This issue is not a recognition that the current Council representation is inadequate. That's not the point. It's a recognition that there are other Winnipeggers that have something to offer but the barriers to entry to civic

politics are too high. Opponents to term limits will say that it's not democratic. That true democracy allows the electorate to choose the representative, incumbent or otherwise.

We believe democracy is only preserved if our citizens have a choice, a true choice of candidates. A choice that is currently restricted by the power of incumbency. Our interest in bringing forward these changes is in the overall interest of making our civic government more effective so that we are better able to create an environment in which Winnipeg business can prosper and we support Councillor De Smedt's motion to take this question to the people of Winnipeg because through that proper public discussion and debate will ensue information to properly allow us to make good decisions around City Council.

Mr. Speaker: Thank you Mr. Angus. Some Councillors have indicated that they want to ask some questions of either one or the other of this group. Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Thank you Mr. Speaker. Speaking on behalf of myself, and not the seven members of this Council who have less than one term of experience, which is a statement I suppose on its own. Either one of you, of the thousands of federal, provincial and municipal governments in this country how many have term limits?

Mr. Nick Ternette: Not in Canada but in the United States there are.

Councillor O'Shaughnessy: I didn't ask that sir.

Mr. Speaker: None. Do you have a supplementary?

Councillor O'Shaughnessy: Do you know of any?

Mr. Dave Angus: There are none in Canada.

Councillor O'Shaughnessy: Thanks there are none.

Mr. Dave Angus: Fifteen states in the US.

Mr. Speaker: Thank you.

Councillor O'Shaughnessy: That is not the question and I don't care what foreigners do particularly about it.

Mr. Speaker: Do you have a supplementary Councillor?

Councillor O'Shaughnessy: Yes. Do we have the authority to limit terms of office for Winnipeg City Council?

Mr. Nick Ternette: You have the right to submit a proposal for *The City of Winnipeg Act* to put term limits in. The Provincial government would have to approve it.

Councillor O'Shaughnessy: That wasn't the question asked.

Mr. Speaker: It's okay.

Councillor O'Shaughnessy: Do we have the authority to limit terms of office for Winnipeg City Council?

Mr. Dave Angus: As you know Councillor, *The City of Winnipeg Act* defines what you can and cannot do. The Provincial government through previous discussions that we have had with them will not act on term limits until they hear from Council and till they hear from the people of Winnipeg. That's the opportunity that's in front of us today.

Mr. Speaker: Do you have a final supplementary Councillor?

Councillor O'Shaughnessy: Yes I do and I know I don't have a preamble so I can't say that they're afraid to do it because they would have to do it for themselves first, and say that since as you've pointed out, unlead and unasked, that only the Provincial government could do this, have you, either of you, approached the Provincial government and asked them to put the matter of term limits on their next Provincial ballot?

Mr. Dave Angus: We at the Chamber we made a presentation to the Minister of Intergovernmental Affairs who has the authority to bring that forward at the Provincial level. And again, I will reiterate the response very much is that they will not act upon it until they hear from the City.

Mr. Speaker: Okay. Councillor Swandel you had… Order Councillor. Order Councillor, your question was answered.

Mr. Dave Angus: We have brought it forward. We've brought our policy position forward to the Provincial government.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. Mr. Ternette I just wanted to get some clarification on you. I thought I heard you suggest by using some numbers from a survey, that the people in this room were somehow less trustworthy than the rest of the citizens in this country. And I want to give you this opportunity to back away from that statement because I find that personally offensive.

Mr. Nick Ternette: Mr. Speaker I did not in any way personally malign any individual Councillor or whatever else. This is an opinion poll that was published in the newspapers three days ago, a national poll of over 1,500 people that were asked, who, which profession do you trust the most and the lowest ranked was politicians. That's all I indicated. 14% of the people trust politicians. 88% trust doctors for example. That's the difference. It is no way personally to malign any individual politician. It simply says that the politician as a class, if you want to talk to that, because politics has become a profession now, a separate from having just served as a politician, is viewed at a very low rate, lowest of all professions that there is.

Mr. Speaker: Do you have a supplementary Councillor Swandel?

Councillor Swandel: I would suggest spewing numbers like that doesn't serve the process any good. Were retired political activists on your list?

Mr. Nick Ternette: As far as I know I looked at that list and activism is not viewed as a profession.

Mr. Speaker: Do you have a final supplementary Councillor?

Councillor Swandel: No.

Mr. Speaker: No. Councillor Smith you have a question? Councillor Smith did you have question?

Councillor Smith: Yes. This is my question is to Mr. Angus. Do you support term limits for MLAs and MPs?

Mr. Dave Angus: I support them looking at term limits. I understand there are differences when you get into party politics in terms of whether you're in government or not. So we would absolutely support, like we support here, at the local level, assessing whether term limits makes sense at the Provincial level.

Mr. Speaker: Do you have a supplementary Councillor? No. Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. Mr. Angus, I'm going to assume that this term limit request that you support is based on getting the brightest, the most creative, the most successful, the most innovative type of people in City Council and trying to get that turned over and over again. And having said that, how do you attract that type of person to City Council?

Mr. Dave Angus: Well what we've identified in term limits is a barrier to entry that needs to be addressed no matter what. People are not going to put themselves in line with absolutely limited, if any chance, at beating an incumbent and really, the facts play out for themselves in terms of the number of incumbent Mayors and Councillors that have been defeated by someone who has run against them. And so that is a barrier that needs to be addressed.

Now, I will, I will say that term limits was identified as a mechanism through which we could address that. If there were other opportunities to breakdown that barrier, then I think those are worthy of discussions and that's why we support Councillor De Smedt's motion because what happens when you have a referendum or a ballot question is debate engages within your community and solutions come forward to a particular barrier. I think there's other issues. Other issues around compensation that need to be addressed as well. I think there is all kinds of other issues that keep people from pursuing public service at the City Council level.

Mr. Speaker: Do you have a supplementary Councillor Magnifico?

Councillor Magnifico: The problem with a…

Mr. Speaker: Just a question please.

Councillor Magnifico: Yeah it's a question but like relative to what you just said, the problem with a referendum is people sometimes don't know what they're voting for. So I have to ask you again, how do you attract the type of people that you want at City Council? How would you say is the best way to get those people to leave their careers and jobs and come to run for City Hall?

Mr. Dave Angus: I think the best way and part of it is going to come out, I hope, through a report that's going to our board on April the 6th, which is looking at how we can reinvent some ideas on how we can reinvent civic government. I would like to see the environment around City Council more like a board of directors for the City, more collaborative, more with a common vision as a team working together.

I'm not, so I think there's some things that we need to do to create that particular environment but I've got to tell Councillor Magnifico that if we do not reduce the barrier of entry, we are not going to get new people and new ideas to come forward to run for City Council because they're not going to win. And that's the issue. And I think if they had a chance at winning and had a chance to contribute in an environment where they could make a difference, you're going to have more people interested.

Mr. Speaker: That's it Councillor? Councillor Wyatt. Or yes, Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. You've partly answered this question from a previous question Mr. Angus, and that is in the event that the motion here today does not succeed, are there other opportunities for electoral reform to overcome the issue of the power of incumbency that you can see? You've kind of alluded to that but is there, can you elaborate on what other opportunities you see that could be engaged for electoral reform.

Mr. Dave Angus: I don't want to pre-empt our report but one thing we were looking at is the system in Vancouver which is a City-wide slate system because there are some issues related to being tied to a particular constituency and only really having the Mayor responsible for City-wide vision and issues. They took that slate system back to the people, and they endorsed it again. And so they see the value in a slate system and I think a slate system might address some of the barriers to entry that people see in our current system.

So, I believe it's time for us to have that discussion. That's one example of things that could happen. We also think ballot question is a great way to engage public discussion and debate. We think that should be more aggressively pursued as well. So I think there's a lot of areas for us to pursue.

Mr. Speaker: Do you have a supplementary Councillor Wyatt?

Councillor Wyatt: Yes. Just with regards to the Vancouver system, the Vancouver model if you like. So you're advocating, that would be eliminating the ward system and going to more of a party or coalition based system for elections as

is in Vancouver right now, city at large elections?

Mr. Dave Angus: Well again, I'm not going, I'm just alluding to the situation in Vancouver. There are other cities, I think it's Cambridge that have a mix. They have wards and they have city-wide Councillors as a slate. You know let's take a look at different models and see what makes sense for Winnipeg and through that it might address some of the issues that we're talking about today related to term limits.

Mr. Speaker: Final supplementary? No. Councillor Thomas.

Councillor Thomas: I wasn't going to enter this debate because I considered it rather silly but, Mr. Angus said something that I…

Mr. Speaker: A very quick question, we're running out of time.

Councillor Thomas: I'd really like clarification on which is that couldn't get new people elected because there was incumbents but you want to get people who are doing the best job. If someone gets re-elected doesn't that mean they have the confidence of the constituents who elected them?

Mr. Speaker: Very quick answer Mr. Angus.

Mr. Dave Angus: Quick answer is not if they're uncontested and there is no competition and what we are saying our position is that we don't believe that we have a current system that invites new people to step forward.

Mr. Speaker: Thank you very much. The time for questions has expired. Thank you very much for the presentation.

The next delegation is Mr. David Saunders with regard to report "A", clause 3, Board of Revision. Mr. Saunders you have 10 minutes.

Mr. David Saunders: Mr. Speaker, Your Worship, members of Council. I've asked to appear before Council this morning to speak to the two recommendations for changes in practice and procedure at the Board of Revision. Executive Policy Committee has recommended to you that the Board of Revision be required to provide written reasons on request for its decisions prior to the end of the Board of Revision appeal period. And secondly, that the assessor and taxpayer be required to submit and exchange written submissions for appeals by commercial properties at least 14 days prior to a scheduled commercial hearing. I am attaching a copy of my written presentation on these matters to EPC.

My first concern this morning is that the City is not following proper procedure in this matter. Section 36(2) of *The Municipal Act* provides that the Board of Revision may determine the rules of practice and procedures to govern the conduct of the business before the board or a panel of the board, but the rules do not come into force until approved by the Council. In this case, the City of Winnipeg Board of Revision has not determined rules of practice and procedure and submitted them to City Council for approval. And I would have expected Council to at least consult with the Board of Revision and request the Board's written recommendations before attempting to approve, and I quote "changes in practice and procedure at the Board of Revision".

Secondly, these two specific recommendations do not constitute a complete set of rules of practice and procedure, and in my opinion they certainly do not incorporate any Council approval today for some of the suggestions which were also contained in the text of the City Clerk's report. And for example, the report states that and I quote "the manager of appeals and the chairperson of the Board of Revision would have to review all decisions to provide consistency." I should think that all parties and including the City Assessor would be concerned about final decisions being made by persons who have not heard the evidence and argument at the hearing, in violation of the principles of natural justice.

Now during the very brief debate on these matters at EPC, Councillor O'Shaughnessy who has certainly been experienced in the *Assessment Task Force Report* stated that the whole idea is to save time. In that respect I was surprised by his answer when he was asked what the consequence or penalty would be if a party failed to provide their written submission at least 14 days prior to the hearing and notwithstanding the fact that the Board is required to give only 10 days notice of a scheduled hearing. Councillor O'Shaughnessy said and I'm quoting for the record from my notes as I would like it on the record, he said "the date of the appeal will be delayed. It will be put off until the next appeal date. There will be no penalty, it will just delay the hearing."

Now if it's so it's highly unlikely that this provision is going to save time or speed up the process. A process which I think Council should understand is already entirely successful in completing the hearing of all realty assessment appeals, before Council strikes the mill rate as it did yesterday.

Now the City Clerk's report also states that if approved by Council, the Board of Revision administration would develop standard guidelines for applicants in regard to what is required for written submissions. The recommendations before you make no reference to such standard guidelines.

If Council does approve these recommendations today and if it is intended that the development of such guidelines or rules is implied by the "the authorization to do all things necessary to implement the intent of the forgoing" then I would certainly request that Council now direct that any proposed standard guidelines for applicants be in fact referred to Council for approval in a public process as required by Section 36(2) of *The Municipal Assessment Act*.

Rather than approve these two recommendations today when the Board of Revision has largely completed the 2006 appeal period, I would strongly recommend that these matters be referred to the Board of Revision with the request that it develop, determine and recommend to Council for approval, "the rules of practice and procedure to govern the conduct of the business before the Board or panel of the Board", including any standard guidelines for applicants which are considered appropriate. This could be done with a reasonable opportunity for consultation with the Property Assessment department and other interested parties for consideration and approval by Council before the 2007 realty appeal schedule begins in earnest at the end of the summer.

You'll note that I had attached and I have again a copy of the recommendations of the Mayor's Red Tape Commission with respect to assessment issues which did include a recommendation to require written decisions from the Board of Revision as you see today, but I would like to take this opportunity and ask that you perhaps look at that report again to ask when anyone is going to address the matters described on page 43 of the Commission's final report under the heading of Pyrrhic Victories. You should know that this is getting worse, not better.

I have a case now before the Municipal Board where a commercial property owner and their office building tenants suffered a penalty of one year's assessment in tax reduction for failure to provide financial information to the assessor by May of 2001, before the production of the 2002 assessment roll. All the information was supplied to the City in January of 2002. But when the matter was appealed further to the Municipal Board the City asked the penalty be extended for a second year. And when the Municipal Board issued an interim order in 2003 agreeing to do just that if, if it decided to make any further reduction the taxpayer withdrew its appeal.

And without any proper legal authority the City then extended the penalty for a second year demanding a windfall payment of over $5,000 from the owner for 2003. And now that the owner has appealed the 2005 assessment, the Municipal Board has stated position of the

City Assessor is to seek and I quote, "a deferral of any reduction in assessment to the year 2006, which in effect means that there will be no payout of the refund for any of the years in the cycle." That's the City's position. Can anyone here explain why the owners and especially the entirely innocent tenants of this downtown office building should be treated that way?

Finally there is another case I would like to mention this morning involving some 18 shopping centre retail tenants. It's a very long story involving the City Assessor's ill-fated attempt to increase business assessments to include extra occupancy costs or cam charges for certain categories tenants. This was rejected by the Municipal Board during the 98-2001 cycle for all but the regular retail tenants of the six major shopping centres in Winnipeg. For 2002 to 2005 the City Assessor continued to discriminate against these business taxpayers but when the Municipal Board finally heard appeals from some of them it issued a decision in 2005 rejecting the inclusion of the cam charge amounts in their assessments too.

For the new 2006-2009 assessment cycle which is now out the City Assessor no longer includes any additional cam charge amount in the business assessments of the shopping centre retail tenants or anyone else. But, now the City Assessor wishes to appeal the 2005 Municipal Board decision to the Court of Appeal. And I ask why? When is this kind of attitude question which is described in considerable detail in all of the reports on the subject going to be addressed? Thank you.

Mr. Speaker: Thank you very much Mr. Saunders. Is there any questions? Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Thank you very much, just a couple of short questions. Number 1, do you feel the calibre of this last general reassessment to be better than the one four years previous?

Mr. David Saunders: No. It is distinctly lower quality in my opinion.

Councillor O'Shaughnessy: So you would say that the assessed, would you say that the assessed values of properties across the board, there are more that are less near market value (In Audible) than there were to be market value of '99, whatever?

Mr. David Saunders: I'll qualify my previous statement because I mainly deal with commercial and institutional appeals not residential so I'm not referring to residential appeals. But with respect to the commercial appeals the adoption of the City's new computer model for simulating commercial values in my opinion has produced a much wider value of assessments, varying more widely from the actual market value, and with the result that for every high assessment which is an appeal, I expect there is a low assessment there which is not in appeal.

Mr. Speaker: Okay.

Councillor O'Shaughnessy: Final supplemental if I might.

Mr. Speaker: And it's relative to the clause Councillor and not general assessment.

Councillor O'Shaughnessy: Absolutely. Taking advantage of expertise that is before us, acknowledged expertise in the field, do you find that the, whether the quality of the assessment is better or worse or quantified? Do you think that there has been any improvement, any significant improvement at all in the attitude of assessors?

Mr. David Saunders: I will say very quickly that in my view, the majority of the assessors employed by the City of Winnipeg display a very good attitude in dealing with taxpayers. And I hope it's reciprocated by the agent's on behalf of the taxpayers or taxpayers themselves but there are exceptions to the rule and there are serious ones and they cause the grief. And I just mention two here.

Mr. Speaker: Thank you very much Mr. Saunders for your presentation. The next delegation is Mr. Andrew Wilson with regard to proposed new Entertainment

Funding By-law, and I believe Mayor Katz you have to rise on a Point of Order.

(Point of Order)

Mayor Katz: Yes Mr. Speaker, I would very much like to recuse myself on this matter please.

Mr. Speaker: Due to a potential conflict of interest. So noted.

Mayor Katz: Thank you.

Mr. Speaker: Mr. Wilson you have 10 minutes.

Mr. Andrew Wilson: Thank you. Good morning Mr. Speaker, members of Council and City staff. I'm Andrew Wilson, President of the Motion Picture Theatre Association of Manitoba. We are a nonprofit association for theatre owners whose purpose is to promote the general welfare and prosperity of motion picture exhibitors.

In my day job I am the General Manager of both Silver City St. Vital and Kildonan Place Cinemas. Our association represents theatre operators, the people who project movies, sell concessions, sweep floors and pay local taxes and fees. We are not Hollywood studios or movie distributors. In fact we typically see less than 40% of revenue from a ticket sold in our theatre. I know that over the past day you've been considering the City's Operating Budget and have more work to do so I'll keep my remarks brief.

As an industry association we agree with the findings of the Mayor's Red Tape Commission that the entertainment tax was too administratively complex relative to the revenue it netted. The intent of the tax as we know was to generate revenues to incubate Winnipeg's promising arts sector. While support for the arts is clearly an important function of local government, the administrative conditions and many exemptions for live performances proved to be a cure worse than the disease. Reasonable people would agree it had to go.

What is proposed to replace it? The so called simplified amusement tax I would argue is really a cinema tax. Given the remittance agreements the City has with major sports venues in town, those with 5,000 seats or more, such as the MTS Centre, CanWest Global Park and the Canad Inn Stadium, none of these will have to remit any amusement tax. Rather film exhibitors with the exclusive contributor of about $1.8 million dollars annually under this scheme.

What does this mean for Winnipeggers and film exhibitors? Briefly by way of background I'd like Council to know that our members are facing severe competition from traditional competitors such as sporting events and live entertainment, as well as from new in-home options such as DVD, video, online streaming, pay per view and others. As such, nationally we have seen a 14% decrease in attendance since 2003 and we've had to drop our prices from $12.50 to $8.75 to try and retain our customer base.

After this, that we are facing increased operating costs as we re-fit our theatres to make them more accessible and accommodating to all Winnipeggers, as well as investing in digital projection costing about $125,000 per screen, combined these add up to huge and unavoidable capital outlays. In this context our concerns with this tax are three-fold.

One, the proposal singles out cinemas and is fundamentally unjust. We are stable, fixed operators who collect sales tax and are therefore administratively attractive targets to continue to collect an amusement tax. However revenues are earmarked to support local arts and entertainment productions that compete directly with our businesses. I've already mentioned the remittance agreements exempting the major sports venues as both unfair and competitively distorting.

Number two, the tax is unevenly applied as some of our members price their tickets under the proposed $5 dollar threshold and are therefore exempt. We recognize that this provision is a legacy of

the previous by-law but as the new tax defacto applies only to cinemas the threshold has market distorting effect among our membership.

Thirdly, the tax makes Winnipeg a less attractive destination for new capital investment by our operators. If an operator is looking to expand or re-fit its theatres, Winnipeg is necessarily a less attractive destination for expansion and new investment with this tax in place. You may be aware that Regina is the only other municipality to impose a cinema tax in Canada.

We recognize that this tax generates significant revenue for the City, revenue that has been built into your budget estimates and assumptions for the next year. We are urging Council therefore to phase out this tax over the next two to three years. Further, we are asking that our members are, wherever possible recognized for their singular contribution to this revenue stream and that revenues not be deployed to subsidize our competition.

Finally our members to the Motion Picture Theatre Association of Manitoba would like to be consulted both on the City Treasurer's report on the functioning of the tax and on its phase-out plan. As you can appreciate we have not had a great deal of time to fully digest the implications of this proposed by-law as only two weeks or so have elapsed since the tabling of the by-law at Executive Policy Committee and its consideration before Council today.

In conclusion our members recognize the fiscal impairments that the City faces but also feel the fair treatment of our members should not be ignored for fiscal expediency. Thank you for your time. I'll try to address whatever questions you may have.

Mr. Speaker: Thank you very much Mr. Wilson. I believe Councillor Swandel you had a question.

Councillor Swandel: Thank you Mr. Speaker. Thank you for your presentation, Mr. Wilson. Can you tell me what portion of a ticket that is purchased at a movie theatre stays in the City of Winnipeg and what portion of it goes off to the distributor of the movie or the original movie maker, I'm not sure what the exact term is.

Mr. Andrew Wilson: What stays in Winnipeg would be whatever is left over. As I mentioned, we get less than 40% of the tax, so 60% goes off to Hollywood or to pay Nicole Kidman her million dollars or billion dollars or whatever she's getting for her movie, or whatever movie it is.

Councillor Swandel: Thank you.

Mr. Andrew Wilson: You're welcome

Mr. Speaker: Any other questions? Thank you very much Mr. Wilson. Thank you for your presentation.

Mr. Andrew Wilson: Thank you very much.

Mr. Speaker: Final delegation is Pamela Whyte in support of clause 15, Property and Development report of February 28th. Is Ms. Whyte here? You have 10 minutes. Proceed please.

Ms. Pamela Whyte: Hello, my name is Madeleine and I've spent quite a few days last summer collecting signatures from my neighbours all up and down my street. When Councillor Smith came to meet with us at our potluck I spoke for the children of the street. I was very upset when I heard that the green space wasn't actually a park but was just a vacant lot. It doesn't seem like a vacant lot to me. There is a special tree there that I like to climb. I take my backpack with some books and snacks in it and sometimes in the summer I stay up there all afternoon just reading. I really like the green space because it's right by my house so I can play there almost anytime I want.

My parents have told me that even though I'm a child and I don't vote my opinion matters so that's why I wanted to talk to you today. I hope you decide that we can keep our green space so that I won't lose my tree. Thank you.

Mr. Speaker, Your Worship, Councillors. I'm just going to read something that my son was going to read but he's feeling a little shy. He writes "hello my name is Rowan and I just turned eight years old. There is a little hill on the green space that I like to play on. It's my favourite thing. My sisters and I like to take a picnic to the top of it and have our lunch there. I also like to sled down the hill and in the summer I ride my bike and my wagon down it. I really like playing in the park. I hope I can always play there.

Thank you for allowing us to speak to you today. My name is Pamela Whyte and this is Rowan and Madeleine. We are here to speak on behalf of our neighbours on Sherburn Street between Portage and St. Matthews. Over the past two years many on our street have signed petitions, written letters, made phone calls, and attended meetings with both Councillor Harvey Smith, and our MP Andrew Swan, in an attempt to secure our children's play space as a permanent green space.

As I am sure you are aware. We who live in the West End have very small lots and far fewer parks and green spaces than any other neighbourhood in the City. Our neighbourhood is however undergoing an exciting transformation. Just a few years ago, it mostly consisted of rental housing and very few children lived there. But in the last few years, more and more young families are buying these charming old houses, renovating them and making them their own.

Our street is developing a sense of community and the green space at 546 is becoming a centre of that community. We neighbours know each other. We socialize together. We keep an eye on each other's children and we come together for potlucks in the green space at least twice a year when we band and disband the majestic Elm trees that line our street.

In all seasons the children can be seen playing in the green space, making snow forts, laughing, playing tag, jumping or swinging on the tire swing together. In the summer neighbours of all ages play bocce ball and badminton or sit on the park bench placed there by a community member, chatting and enjoying the rustle of the Cottonwoods and listening to the birds. It is a space already being used and appreciated by all.

We know you have Councillor Smith's report. You have our signatures. You've seen our letters. You've received our phone calls but it was important to us that we speak to you personally and bring a message from our friends and neighbours to please grant us our green space in perpetuity so that the children of Sherburn Street will continue to have room to run and room to play.

We would like to present you with these drawings made by some Sherburn Street children as a token of our appreciation for the opportunity to speak to you today. Thank you.

Mr. Speaker: Thank you very much Ms. Whyte and family. Thank you very much. You can you give them to the clerk and we'll have them distributed. Thank you.

The report of the Executive Policy Committee of March 1st, Mayor Katz.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED MARCH 1, 2006

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the report and move adoption of Consent agenda, items 1 to 6.

Mr. Speaker: Councillor Benham.

Councillor Benham: Number 3 Mr. Speaker.

Mr. Speaker: Clause 3, and Councillor Lazarenko?

Councillor Lazarenko: No, I'm on the March 8th agenda.

Mr. Speaker: Okay. Any other clauses on the March 1st report other than 3?

Mayor Katz moves, with the exception of clause 3, that the balance of the report be approved.

All in favour? Opposed? Carried.

Clause 3 Mayor Katz.

Item No. 3 – Public Pathway Connection from Wilkes Avenue to Roblin Boulevard via Assiniboine Forest – Land Dedication Reserve File EP-2

Mayor Katz: Mr. Speaker, I would very much like to hear from Councillor Benham and then I will try and address his concerns.

Mr. Speaker: Okay, Councillor Benham on the clause.

Councillor Benham: Thank you Mr. Speaker and actually the Mayor will be I'm sure refreshingly surprised to know that I have no concerns. I'm merely rising as we have said before in this place it's also good to make note of positive things that happen and say positive things at least briefly. And I think Councillor Clement deserves some real credit on this issue as do the public servants who worked on it.

This will be the beginning of a link from Assiniboine Park to Fort Whyte Centre. I think it will be excellent for cyclists and for people who walk and indeed for people, it will be accessible to all kinds of people, including people in wheelchairs. So I'm happy to see this Mr. Speaker. It will serve the people of River Heights-Fort Garry of course being the next ward over and quite close, and it will serve many, many people in that ward.

It fits in very well to the Active Transportation Strategy which we've passed at this Council which encourages people to use other means to get around, to walk and to cycle, and I hope as well Mr. Speaker, to make progress at some point on a similar bike path through land in River Heights that is now under used and under utilized.

So Mr. Speaker I think this is a positive development. I commend Council, EPC and especially Councillor Clement on this issue thank you.

Mr. Speaker: Any other discussion on the clause? Mayor Katz is there anything you need to do to close or is it?

Mayor Katz: In the interest of time, no, and I do thank Councillor Benham for those comments.

Mr. Speaker: All in favour? Opposed? The clause is carried.

The report of March 8th, Mayor Katz.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED MARCH 8, 2006**

Mayor Katz: Mr. Speaker I would like to introduce the report and move adoption of Consent agenda, items 1 through 3.

Mr. Speaker: Councillor Lazarenko.

Councillor Lazarenko: Clause 2.

Mr. Speaker: Clause 2. Any others? On the balance of the report.

All in favour? Opposed? Carried.

Clause 2, Mr. Mayor.

**Item No. 2 – Implementation of Residential Solid Waste Collection Plan – Autobins
File WT-1**

Mayor Katz: Mr. Speaker, this came as a result of Councillor Lazarenko pointing out to Council that the residents preferred the system they had in place which was a method where they could wheel things out and wheel them back. We listened, we spoke with the administration and as a result of that, we've kept it intact. I will now wait to hear from Councillor Lazarenko.

Mr. Speaker: Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. Just to give a brief history as to what had happened. When Council voted for the, to contract out the remaining garbage service we were providing. When that question was brought to the floor Council there was a report from the

administration that stated, regardless which method or option the City chooses, the autobins will remain, and this is the way it went through on a vote of 9 to 7.

So on January the 17th, there was a meeting at the Community Committee, where a member of CUPE union who happens to work in that department was present for other issues, and I had moved the motion to ask the administration to proceed putting bigger signs in the place where the autobins are being picked up because the signs are so small in that utility, on that they have pick up, cars were being ticketed.

And that person, and I have to thank him for it because we were not aware of this, had came to me and he's asked me why would you want to put signs, those rollout bins are history. They've already proceeded to send notices will be going out to the customers that there was in place already close to 1,800 garbage cans in storage to be replaced when the elimination of roll out bins. And that was a surprise to all three members of the Community Committee because this is not what we had voted on.

So immediately the next day Mr. Speaker, I appeared before the Executive Policy Committee. I talked with our chief administrator and I talked with the Mayor and I had said you know that this was not what was on the plan, on the business plan as that we were not informed that, because if this would have been the case, Mr. Speaker, I can guarantee you that 9 to 7 vote that went in favour of contracting out, would have never passed because some members of Council, and I know for a fact that some who did make a speech in Council, that they were very happy to see all the autobins would be intact.

So then what happened, I thanked the Mayor, Mr. Mayor personally to you, you're a person of vision, you're a person of understanding and when I explained this to you, I appeared as a delegation before the Committee. And also, Mr. Speaker, I want to thank the Executive Policy Committee. Councillor Clement was one who moved the motion that we retain the rollout bins that cost about $40,000 somewhat dollars a year additional cost which is not much compared to close to 900 homes that would have been affected that they would have had to go back to the old system. For 14 years that they've been with the new autobin system, that would have been hard. Some of the older people were not able to push that bin out onto the curb or off the driveway so that the machine could pick it up.

Now Mr. Speaker, I know we've had some rambling on and on about the autobins. Autobins have been very successful in the City of Winnipeg. What disappointed me is that some members of the administration deliberately, Mr. Speaker, used this method to try to, the first time when we were dealing with the user fees for garbage, never came to us. It was just a dream that come out and that in itself caused us a lot of headaches.

So with that Mr. Speaker, once again I want to thank the Mayor and also the administration that the chief administrator, when I explained that they were able to proceed, they were able to proceed with the, knocking some things over and getting out of the chairs, and we need an autobin there. So what happened, so what happened, Mr. Speaker, and that, there was a positive move that was made because the people did appear and they were calling and I once again I want to thank the Mayor and EPC and members of Council.

Mr. Speaker: Any further debate? Mayor Katz. Oh, Councillor Smith.

Councillor Smith: Yeah I'm just curious as to what happened to all those garbage cans that we bought to replace the autobins. Does anyone know?

Mr. Speaker: This isn't Question Period Councillor. Are you debating the clause?

Councillor Smith: Well I'm just suggesting to you that we should have that information before we vote on this clause.

Mr. Speaker: Mayor Katz closing.

Mayor Katz: Thank you Mr. Speaker. Mr. Speaker, I think it's very important that if something is not addressed properly the first time, or some people did not recognize it, that we listen. Councillor Lazarenko did make a very good presentation at EPC. I believe EPC listened and we decided that what was being said was correct. I certainly hope that Council will definitely support this.

I would also like to add Mr. Speaker, that all the other garbage cans are being resold. Thank you very much Mr. Speaker.

Mr. Speaker: All in favour of the clause? Opposed? The clause is carried.

Report "A" of the EPC dated March 15th, 2006, Mr. Mayor.

REPORT "A" OF THE EXECUTIVE POLICY COMMITTEE DATED MARCH 15, 2006

Mr. Speaker: With the exception of clause 2.

Mayor Katz: Yes Mr. Speaker, I would like to introduce the report and move adoption of Consent agenda, items 1 and 3 through 12.

Mr. Speaker: Any others?

Councillor Thomas: 8.

Mr. Speaker: Sorry?

Councillor Thomas: I want 8 off.

Mr. Speaker: 8. 2 and 8 are pulled so far. Is that it? All right on the balance of the report.

All in favour? Opposed? That's carried.

**Item No. 2 – Simplified Entertainment Funding By-law
File No. FL-6**

Mr. Speaker: On clause 2, I believe Mr. Mayor you have to rise on a Point of Order again.

(Point of Order)

Mayor Katz: Mr. Speaker I would very much like to recuse myself on item no. 2 as I do have a conflict of interest.

Mr. Speaker: Okay so noted. I believe Councillor O'Shaughnessy you're moving the clause.

Councillor O'Shaughnessy: On behalf of Executive Policy Committee I move clause 2.

Mr. Speaker: Any discussion? Oh, Councillor Benham. Do you want to open debate then Councillor O'Shaughnessy?

Councillor O'Shaughnessy: Just to say briefly that what the delegation said is exactly true. What it does is that it limits, the new by-law limits the net gain of tax revenue to the City to cinemas. It doesn't affect the three large venues, the agreements that are in place that we couldn't do anyway.

It's another way of maintaining and increasing funding for the arts in that we still get revenue, which is a part of what we pass on to the arts, and we no longer have our hands in the pockets of the not-for-profit arts groups of the City of Winnipeg.

And a by-product, which I'm proud of although I wasn't the author of it, is that it's gone from 27 pages to four and it's a template for what we should be doing a lot more of where possible in the City.

Mr. Speaker: Councillor Benham on the clause.

Councillor Benham: Thank you very much Mr. Speaker. And yes again I'm just rising to support the clause and say positive things about a situation that's been fixed that I said negative things about before.

We had a procession of groups here but most notably Manitoba Theatre Centre pointing out the shortcomings of this by-law and how we as Councillors and the staff that we employ were messing into all kinds of things about where people live

and who they're living with and all kinds of ridiculous things that should have nothing to do with taxation at our level and certainly not this type of taxation.

This of course is again, and I recognized it yesterday and again I'll recognize the excellent work done by the Red Tape Commission under Councillor Magnifico, again I'm not, I don't agree with every single recommendation but I think it was a good approach. The approach was to make our laws simpler, easier to understand as Councillor O'Shaughnessy has said and I think this does follow pretty much the model that was laid out in the Red Tape Commission report.

And so Mr. Speaker I will be voting in favour of this and I think that many Winnipeg arts groups will be very, in fact I've heard from them already that they are happy to see us take this approach. And as Councillor O'Shaughnessy has pointed out, yes, the tax is still in place for cinemas and the arrangements for the three large venues remain in place and I am supporting that as well. Thanks Mr. Speaker.

Mr. Speaker: Thank you. Any further debate on the clause? Do you wish to close Councillor O'Shaughnessy?

Councillor O'Shaughnessy: No I think Councillor Benham was more than eloquent.

Mr. Speaker: All in favour of the clause? Opposed? Clause is carried.

Clause 8.

Item No. 8 – Site Selection of the Winnipeg Police Service East District Station – Land Sale of 501 Panet Road File FI-2.4(33)

Mr. Speaker: I take it then Mayor Katz you'll introduce the clause then. Are you?

Mayor Katz: Yes Mr. Speaker, thank you very much. Mr. Speaker, this is a situation where the department picked several potential locations for the construction of an east district station. One of those locations we have a situation where the private sector actually who owned this land prior to that, wishes to acquire it, to expand their facilities and hire more employees and we are now looking at another site which was on the original list. So I will wait to hear what Councillor Thomas, her concerns or questions and we'll try to address them. Thank you.

Mr. Speaker: Councillor Thomas on clause 8.

Councillor Thomas: It wasn't one of several. This was the location that was chosen. This was our property. This is where we were going to build the Police station. I'm very disappointed to find that it's moving further to the south. There had been commitments made to the Councillor from Transcona and he will probably want to speak to this as well, that when the Police station moved out of his area that it would stay as close as possible. This is why this land was pursued. It was done in close recommendations with Police and then someone else wanted the property, so the City caves and I don't think it's appropriate.

This is the, this is the piece of property that was chosen and it is not surplus to the City needs. This is caving to someone else. So I, I'm not going to support this clause in any way.

Mr. Speaker: Councillor Wyatt on the clause.

Councillor Wyatt: Yes Mr. Speaker, I rise, this came, this was part of a report that also went to the Standing Committee of Property and Development and it was discussed there. And the whole issue, my issue with the matter is not so much location as been pointed out by the Police, that, and rightfully so, unlike Fire departments Police do not respond from their office or from their building. Fire trucks come from the Fire Hall so location is quite critical.

Rather, to me the issue and I share Councillor Thomas' concerns; to me the issue is Police presence and visibility in our communities. And that to me, strikes me as the issue that's at the heart here.

When we held public consultations on the four district model three years ago, we had meetings across the City. It was a motion that our, a request that I had made that we had done this otherwise it wouldn't have been done, and what we kept hearing from citizens across the City and we will no doubt hear about it again come this October, is where is the Police presence in our communities?

The rural, the suburban areas pay you know, a fair sized tax burden. And the sense is, the perception is and I think the perception is reality in this case, that that same presence for what they are paying for is not there. That the service was actually better prior to Unicity with regards to Police presence on our streets. I refer to the City of Transcona which at one time used to have a total of four cruiser cars 24/7 and we're lucky if we have one because it's constantly being dragged in from Transcona and into other areas of the City where the need is, there's no doubt that's where the need is.

And I've gone for ride-alongs with the Police, Mr. Speaker and I've seen first hand, they say "hang on Councillor you're going for a ride". And that's where we go. We head right across, right downtown or across the Redwood Bridge or into Elmwood or where have you, but that's where the need is.

And so what has this done, it further, this amalgamation of districts, centralization of Police headquarters, it further distances ourselves, our Police service from the people by placing a Police station in the middle of an industrial park, in the middle of an industrial park. Nobody, there are some people who live nearby but by and large Mr. Speaker, it may serve the needs, but does it really meet the objectives of what we should be doing and that is a high visibility so the citizens of our City know that they're getting value for the dollars that they are paying for with regards to the Police Services, which they see as a primary service to our citizens, to our City, a top service.

So this is a concern that I have, and I've expressed this numerous times on this Council floor. We still do not have a strategy from our Police Service with regards to a five year, or a one year plan or two year plan or even a five year plan, there is nothing that exists, that I've been able to see or find or get. Or no other member of Council to my knowledge, and I think that is symptomatic of the fact that there is a growing sense of distance. And I know the Police do the best with the resources they have. This is not the frontline officers. They are doing what they can, they run from scene to scene and they do what they can.

For the first time we've been able to do proactive policing with regards to Operation Clean Sweep and I compliment the Mayor and members of EPC who implemented that because it's shown the benefits of proactive policing. We've heard at Committee now whereby proactive policing is actually having an impact and reducing the amount of call volumes or other crimes because of the fact that they're out there and they're making arrests and they're making seizures of drugs before the problem, before the calls have to be made to complain and to issue reports of criminal activity.

So Mr. Speaker this issue is a symptom of the problem. And I think it in many ways symbolizes exactly where we're going wrong. It may look good on paper, the numbers may work. Well actually the numbers don't work anymore. We know the numbers don't work. The cost of the four district model Mr. Speaker went from $16 million to $28 million and there has been no review. It's almost as if we're going blindly on as if it doesn't make a difference that we should be throwing more money, good money after bad or bad money after good. And with that cost, for $28 million dollars we could have a real presence in the different quadrants of our City with Police officers that are in communities where people live and work.

Mr. Speaker, the clause coming before us, I've used this as an opportunity to speak to the matter. I supported it at Committee so I will support it again because at that time it would have been the time to make the change not here on the Council floor, or to refer it back to

Committee would be the other option to do today but the status quo is not acceptable with regards to how we are delivering our service and this issue is not going to go away. Thank you.

(Councillor Lazarenko in the chair)

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

Councillor Steeves: Thank you, Mr. Speaker. I don't plan on speaking long. I just want to offer Council every assurance that the Police department, although the change in location is not strictly speaking a Protection and Community Services matter, it's a Property matter. Operationally, the Police department has looked at this and made the determination this won't have an operational effect on our delivery of services to the citizens we represent. So I want to offer Council that assurance in the context of voting on this report.

I think the concerns raised by the Councillor before me are concerns that he has. I don't necessarily agree with them but I would again like to underline in the context of the four district model, these super stations, if I could use that term, aren't necessarily designed to be the storefront operations that interface with the community. There are other offices that do that. Now in my humble opinion and it's only my opinion at this stage of the game, it probably could be time at some stage that this Council has a discussion as to whether or not the effectiveness of those stations is equal throughout the City. There may be higher density areas in the City where there is more problems, where those types of interfacing officers work better than others and there may be a myriad of options that we'll have to look at.

I think philosophically though, the quaint notion of a storefront Police station with Police officers walking down the street servicing the community, although a good notion and I'm not saying there is not some benefit to having a Police officer walking down the street or the ability for Police officers to interface with the community, part of the challenge is of course Mr. Speaker, is that our people, during the course of an average shift are in their cars going flat out trying to get to as many calls as possible, of which on some days reach in excess of 2,000 per day. We are, we have our hands full having our people in the cars getting to different places on a consistent basis.

So philosophically I'm hoping that people will internalize that reality and maybe get away from hanging onto notions that are a bit dated in terms of how we service our community. When we talk to Police, the Police Association themselves, they'll be the first to tell you that they are always doing community policing and they're doing it from their cars when they're stopping, they're making stops. They're talking to people. Community policing doesn't only mean a Police officer walking down the street. It doesn't only mean having a place where people can walk in and talk to Police officers. That's not the only notion of community policing that exists. It means Police officers in hockey rinks where there is trouble. It means Police officers.

Mr. Speaker: Site selection Councillor, you're straying. Site selection Councillor.

Councillor Steeves: Mr. Speaker with all due respect I'm responding directly to what I think was said at the previous speech.

Mr. Speaker: Site selection.

Councillor Steeves: So if I'm straying I daresay there was straying before me. I'll leave my comments at that and assure Council again that operationally our Police department has looked at this and they're confident that operationally there is no concern.

Mr. Speaker: Thank you. Councillor Magnifico on clause 8, Site Selection of Panet Road.

Councillor Magnifico: Thank you Mr. Speaker. I would like to thank Councillor Steeves for sending me the information, for sending us all the information on the costs of these sites. These district models that were selected in '01, five

years later the total cost is up almost 50% to almost $50 million dollars for the re-cladding.

And I just, the concern I have with this, and this is what I would like to address here, is maybe, because of this increase, we should be looking at, we should be looking at the whole picture again because maybe the questions we asked the Chief or somebody else, based on these dollars, might change his mind. He might say well if we're going to spend that much, maybe I would rather see this because back then it wasn't that much money. It was lower.

So having seen this, sometimes I wonder if the climate hasn't changed to a point where maybe we should at least re-look at it really seriously and say we understand what it is going to cost. These are the new prices, the new prices today, which means in three years it could go up another 20%. I mean it could be up to $60 million dollars by the time we're done here.

So, having said that I think it's important that we are very, very careful with this and make sure we are going the right way.

Mr. Speaker: Thank you. Any further debate on the clause? Mayor Katz do you wish to close debate.

Mayor Katz: Yes Mr. Speaker. First of all I very much want to thank Councillor Thomas and Councillor Wyatt for the concerns they've expressed. I very much appreciate it. I certainly understand it. And I can tell you that I myself have spoken to Councillor Wyatt and listened to some of the concerns and I share them. There is no question that costs are escalating beyond what anybody imagined. There is no question this is taking a lot longer than we thought, and everybody certainly has an opinion.

But when I'm specifically talking about one location versus the other, I will reiterate two things. Number one, that the alternative location we're looking at was declared by the administration to be equal if not possibly better. And in the report, you will see where they list the benefits Mr. Speaker; about the site they talk a better parcel of land to configure the station; ability to expand the Police operation on the site and better access and egress to the site. Based on that on site location this is obviously equal if not better. I understand that nobody likes to see change.

This is one debate. The other debate is what we're talking about, the four district model, the costs, the time, whether we get into P3s and I do agree that is a major issue which we have to tackle. But as far as site location I do believe the administration has done their homework and that this certainly is equal if not superior. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mayor Katz. The vote on clause 8.

All in favour? Opposed?

Councillor Thomas: Record me in opposition please.

Mr. Speaker: So recorded. Carried.

We have the additional report of Executive Policy Committee. It's been distributed. It's hard copy on your desks Councillors. It's a package, the additional report of Executive Committee from their meeting this morning. All of you should have it because I saw the Pages delivering it. There were five clauses. Mayor Katz will move the rule be suspended to.

Mayor Katz: I move to suspend the rules to consider the report of EPC of March the 22nd Mr. Speaker.

Mr. Speaker: All in favour? Opposed? That's Carried.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED MARCH 22, 2006**

Mr. Speaker: Clause 1.

Mayor Katz: Clause 1 Mr. Speaker would be the 2006 Mill Rate for Special Levy and Education Support Levy.

Mr. Speaker: Any discussion on the clause? Councillor Steeves, Councillor Wyatt.

Councillor Steeves: I'll get the ball rolling on this Mr. Speaker and I anticipate that there is always going to be some discussion on this and I'll take my usual stance to begin in defense of the school boards. As former financial chair of the St. Vital, then Louis Riel School Board I know there is going to be some hard talk about school boards and their responsibility and how they fund the schools in their area.

My impression of school boards is that they do the absolute best that they can and really, since they don't fund a capital budget they are basically only paying for teachers on the operating side, they pay for very little else. So the reality that it basically boils down to for school boards Mr. Speaker is as teachers salaries go up to 2 or 3% per year, whatever it happens to be, if they can't match those costs they have to make the unhappy decision of either raising taxes or cutting teachers. I don't think anybody in the community really wants that.

There is an entire other debate Mr. Speaker about the proportion of funding that they receive from the Province and I think when people look at the numbers in detail you will be tempted to react and say well, look at the percent increases of some of the school boards. I would remind members of Council that when we talk about percentages of increase, the school boards are only increasing a percentage on about half of their budget, give or take because the other proportion is coming from the Province. So in looking at the numbers you can be looking at the percentage increase and only getting half the story. So I would caution people from reacting too strongly for that. I'll leave it at that.

But I'm going to make some reference to the Minister's report and I'll, the Minister's report which was entitled *Towards a New Finance Structure for Public Education in Manitoba.* And this was Minister Caldwell's report, the former Education Minister for the Province of July 2004, wherein the report which is pretty lengthy, made a few different recommendations, not the least of which was an initial overall decrease in property taxation revenues in support of public education from the current 51% to 37%. This from the Minister's own report.

And the second recommendation a decrease in school division funding requirements from the current 43% to 20%, 5% of which is derived from other revenue sources and an increase of Provincial funding support from the current 57% of divisional operating expenditures to 80%, Mr. Speaker.

It's important to note right across this country, there is a variety of ways that schools are funded. There are fully Mr. Speaker, in this country, five provinces where there is no local municipal taxation that goes towards education. The only Provinces that we really compete with in terms of percent are Alberta, Saskatchewan and Ontario. Everybody else is well below us. And as I stated 5% of the provinces the municipalities pay nothing in terms of money raised on the local property tax bill. And I mention this to point out the variation that exists from province to province. Nowhere is it written that any certain percentage has to be on the local property tax bill.

In terms of per capita property tax that people are paying in this Province, these are 2003 numbers, all of these numbers, but the average Manitoban is paying $412 dollars on their property tax bill. This is Manitoba and not Winnipeg, for education in this country, or in this Province. That compares only with Saskatchewan, Alberta, B.C. and Ontario. Saskatchewan is a bit of an out layer as are we. If you think about per capita funding, you consider the economies in the three other larger provinces and the inputs they have from their different economies, resources, huge financial sectors, people here are paying a lot more money.

In terms of Provincial expenditures on a per capita basis here in Manitoba, for elementary and secondary education, on a per capita basis provincially, Manitobans are spending about $838 per

person for education per year. There is only two other provinces where this is lower of the 13. Those are Saskatchewan and Ontario. On a percentage basis the numbers are the exact same. I mention these last two statistics Mr. Speaker to illustrate one simple point. If you look at these graphs closely enough and for long enough a time, it becomes impossible to argue against the notion that in jurisdictions where citizens are paying a higher percentage of the education costs on their property tax levy, then in those provinces, we as a province spend less on education.

Our concern as a City is how we stack up against other cities in terms of property taxation. I think that's what we're all concerned about as a City. How do we compare? And I just want to illustrate four quick points using four cities as comparisons. And I think this is where, this is what it all kind of boils down to for us as a City. If we take the cities of Edmonton, Regina, Victoria and Calgary and I think we all agree these are cities that we compete against. And these are 2003 numbers again I have to emphasize that. If we compare apples to apples, municipal taxation, if we're competing against these cities and we have to shop around our municipal taxation against Edmonton, Regina, Victoria and Calgary this is what we wind up with.

Using only municipal taxes, if a person has to choose between those five cities, in Edmonton on municipal taxes, they get a $200 benefit if they move to Edmonton. In Regina a $100 benefit if they move there and in Victoria, they would lose $100 versus Winnipeg. And in Calgary they would receive a $500 benefit. I dare say, Mr. Speaker, in 2006 these numbers are probably evolved in favour of the City of Winnipeg because of what we've been doing with our municipal taxation.

If you factor in the education taxes on that Mr. Speaker, the person who is looking at Edmonton versus Winnipeg would save $200 only on municipal tax. If you factor in the education taxes, they're saving $700 a year. In Regina if there is a $100 benefit, if you factor in education taxes there is a $300 benefit to them moving there as opposed to here. In Victoria where they had a $100 benefit to living here if you factor in education taxes they have a $500 benefit of living there. In Calgary, where it's a $500 benefit to living there using only municipal taxes, it becomes a $1,000 benefit if you factor in education taxes.

So, as we wind our way through this discussion, my questions to the Provincial government are this, and I think they're fair questions. We have asked the Province on, innumerable occasions to consider doing this, to consider changing the proportion of education.

Mr. Speaker: Extension.

Councillor Steeves: We've asked the Province to consider on numerous occasions, would you please consider taking education taxes entirely off the realty tax rolls or lower their percentage. What is the Provincial response to this question that, in my time here, almost six years, has been asked probably 20 times? I'm not painting anybody into a corner. I would just like it know how our Provincial government feels about lowering the percentage of education tax that is on the realty tax rolls. Are they aware that both opposition parties currently in the House have made public statements during elections, the last two elections that they in fact are in favour of taking education taxes off the realty tax rolls?

Given all these circumstances, I don't think it's unfair as a representative of the citizens of the City of Winnipeg that the time has come for an answer. If the answer is no we're going to leave it as is, that's fine. If that's what they're going to do then just tell us and we will stop wasting our time asking them to do it. But to my knowledge, we have never received a response on this very, very important question. And on behalf of this entire Council and on behalf of all the citizens we represent, I think the time has come to get a response on that question. Thank you Mr. Speaker.

Mr. Speaker: Councillor Wyatt on the clause.

Councillor Wyatt: Thank you Mr. Speaker. Three years or four years now rising on this clause and speaking on it, every March and I could probably dust off the Hansard and just basically quote everything right out of the Hansard again and not change a word because things have not changed.

And you know we do deserve a response. The previous speaker is absolutely correct we have not received it. I saw it with irony last night, watching "The National" which is being broadcast, Peter Mansbridge out of Alberta, talking about the prosperity of Alberta. When they did a clip of the leader of the New Democrat Party of Alberta, who held a news conference calling for school taxes to be removed from property and saying that this is unfair, it's unjust, that this is how we're financing education and indeed it should be funded from the general revenues of the Provincial government.

And I realize and I appreciate and I thank the Premier for phasing out, and the government for phasing out the ESL, but I think that's proven a point. Even with the phasing out of the Education Support Levy and when you take that into consideration school taxes have still risen above and beyond inflation. And they've outpaced, and if you take the ESL and you set it aside, the phasing out of the ESL, the amount above the rate of inflation is astronomical. It's a three digit percentage. It's absolutely amazing to look at, the change in the last 10 years.

It's not sustainable. It can't continue. And the Province continues to ignore that and does not want to take the responsibility for that whether it be this government or the previous governments. It's not an issue of one party or another. It's an issue of being able to take the bull by the horns and start to solve the problem which politically has not been here.

We still are being faced with our own financial difficulties, our own financial restrictions with regards to what we can do and knowing full well that property is the main source of revenue for the City. And the challenge being that with that being the case and school taxes constantly squeezing out our ability to do anything with regards to our tax base, the problem becomes even more frustrating.

Once again we have school taxes going up above the rate of inflation according to this report. I haven't had a chance to read this entire report because it's been presented to us this morning but I'm assuming it's probably a lot of the same that we've seen before and it hasn't changed. And I always in past Council meetings I've always challenged Council to vote against this report.

They've told me that if you vote against this report Councillor and we reject this report we have, this is one of the few things that we as Council have to pass. It's a bit of an oddity to be here before us today to vote on this because really it's a non-vote. You know we have to vote on this because if we don't vote on this we, they've told me that we could all go to jail. Well, great people like Gandhi have gone to jail and Trudeau has gone to jail, and many other greats have gone to jail, greater than ourselves Councillors, so this would be a cause worth standing on I would suggest and I would suggest that the electorate would be with us on this cause. Well I don't know we'd find out who is more popular based on who gets bailed out first.

But anyway, the reality is this Mr. Speaker, this can't continue and I would challenge Council let's send a symbolic message, and it would be symbolic, and vote against this. Vote against this. Vote against this report. Send a symbolic message. Let's send a symbolic message to the Legislature. It would be on the front of the pages of the papers. It would be the top of the news. But it would send a message. It would send a message to Gary Doer and the Provincial Cabinet that we've had enough. That we do not accept what's going on and I could tell you we would not be standing alone, Mr. Speaker. We would be standing with all the other municipalities across this Province who are tired and fed up with the situation the way it is and getting more and more frustrated every year as costs rise.

And I agree with the previous speaker, I do not blame the school divisions one iota. The school trustees are doing what they can with the tools that they've been handed and with the job that they've been presented with. Indeed some school divisions operate maybe better than others but that's the case even with municipalities of course. They're doing the best they can so we're not blaming the school trustees or the school divisions indirectly.

This is an issue with regards to public policy and how we fund our education system. We spend a lot of time debating our health care system in this Province and the country and in some ways I think it is extremely important to debate it and talk about it but just as important, and maybe in some ways more important is the education of our youth because that is the basis of how you build a democracy and how you ensure that we continue to grow and we continue to maintain our standard of living that we enjoy today.

So it's a fundamental question and it's clear that it's ironic that the Premier is prepared to go off to Ottawa and ask the Prime Minister for more money for funding education, post-secondary education, a higher education and yet the burden is being dropped back on us when it comes to the fundamental question of how they fund their general system and that's unacceptable.

Vote against this Councillors and Your Worship. Vote against this. I realize you voted on this today. Vote against it and send a message, a loud and clear message to Gary Doer that enough is enough. This is unacceptable and the taxpayers of Winnipeg know it's unacceptable. How long is it going to be before, and we get the phone calls, the seniors who call us and they're the ones who get squeezed on this because of their fixed incomes. The young families who are working, making modest wages and who are struggling to pay their mortgage payments and their bills, they're the ones who get impacted by this. They want to see some accountability. Nobody is forcing the Province's hand on accountability.

And when it was presented a year and a half ago at the AMM convention, the Minister of Education had the nerve to stand up and say well Winnipeg doesn't have a problem with this, telling the other municipalities, this is not an issue for Winnipeg. This is an issue for Winnipeg. Let's make it very clear today this is an issue for Winnipeg. Let's vote against this and let's send a message. Thank you.

Mr. Speaker: Okay Councillor, again the idea of you and me in a lockup together is (In Audible). Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. All those in favour of Councillor Wyatt going jail?

You know, this is something that comes before Council every year and it's very easy for us to stand up and criticize the school division and the Province and you know I'm certainly guilty as a former Councillor's assistant of when taxes were raised on tax bills pointing the finger at the school division. Since that time I've been taken to task by a couple school trustees who pointed out very clearly to me that they have a Legislative responsibility that is far more defined than the responsibility that we're given in our budget process every year and I've come to respect that.

I am however, troubled by the fact that our school divisions have gone through this amalgamation process and we still seem to be having increases. And I, I haven't done enough research here or looked at enough detail to find out what savings have been had in that amalgamation process but it certainly is a question for all citizens and taxpayers to be asking.

But at the end of the day what this really comes down to for us as City Councillors is the optics of this appearing constantly on the property tax bill. And I for one believe that we need to somehow bring a louder message to the Province of Manitoba that school taxes or the funding of schools needs to be taken off of the property tax bills.

And I stand today to say that while I respect the school divisions and the school trustees and the work that they have to do, I think I tend to agree with Councillor Wyatt that it is time to send a message to the Province and they need to do something here and I will not be supporting this.

Mr. Speaker: Councillor Lazarenko.

Councillor Lazarenko: What am I hearing here today? Is somebody trying to give me a message that to go to the hoosegow or go to the rock pile, that it's good there now because not only you get good meals but also you can run for elections?

Mr. Speaker, it's easy to say no. It is not our responsibility. We have no say in what the school division does. As I take a look at the, what was before us, to give you an example, the Winnipeg School Division is 3.3% increase and you must know, 53.1% of our City property taxes, 53.1% is, are the school taxes. So 3.3% for a school division in Winnipeg. Seine River is 14.5% increase in taxes.

Now, I can tell you if the people themselves, the taxpayers can't wake up and realize what we're faced with; we've been trying to send this message over and over again. Like I said you know years back, we voted one time, Council voted to defeat the school budget. Within a short time, the next day the former Mayor Steve Juba called a meeting of Council and said which one of you guys wants to go to jail because the Province, if the Province has to do, exercise the authority they have, which is our responsibility, you could face losing your seat, not only losing your seat but you could be penalized and maybe land in some rock pile.

So Mr. Chairman or Mr. Speaker, Bill Norrie, the former Mayor was set up as a chair of a Committee appointed by the Provincial government to take a look at the school tax system is what we had back in the 1972, January 1, when we had the amalgamation of the City of Winnipeg took in all the other municipalities and made one huge municipality which is now the City of Winnipeg Corporation.

They were looking at the proposal, the request, they had meetings in the north, the south, the east and west, of all the different school divisions and all of the ratepayers of the Province, and the report they had brought back and they had said they were recommending that the school taxes should, school pardon me, school trustees should be not to the magnitude of the number of them there are now. To downsize them and what happened that report still hasn't been dealt with. The Province has not acted on it.

So to give you something you know, we're bickering here, we know damn well we can't do nothing on this. We are obligated. This is part of the oath, Councillors that you took when you got elected. The Oath of Office gives you the responsibility that falls, falls under *The Charter, The Charter of Rights* now for the Province, the Province of Manitoba gives us as the trustees or the board of directors for the City of Winnipeg Corporation. This is a must. This is legislation.

Now, I know to use that as a gesture, to use this to try to convince everyone, I could tell you right now, our responsibility would be challenged and what we signed as the Oath of Office, it would be challenged because you know some people really, you know they want to see us being positive. It's the Province's responsibility to change *The Charter*. It's the Province's responsibility to not give us this responsibility. We have nothing to do with the school taxes. We don't even know what the budget is. We can't even get a copy of their detailed budget that they work on. I tried, year's back I had one time and the trustee that provided it to me was questioned by the authorities that she had no right to do that.

So in all, I guess all the issues that we've talked about, what we are trying to correct, this is one issue, the one issue that the president of the ratepayers should speak out, ask the MLAs for their support and to change the system that's in place. This is ludicrous that we're collecting something we're not responsible for and we take the heat for it.

Mr. Speaker: Councillor Clement.

Councillor Clement: Thank you Mr. Speaker. My purpose for rising today is to talk about the ESL a little bit and some other financial issues associated with it. It was mentioned here a little while ago that the Provincial government has eliminated the ESL, and that's not exactly accurate. They've only eliminated the ESL for residential properties, not for business.

And you know it's interesting we had a gentleman here this morning from the Chamber of Commerce and I finally understand it I think. We sit in this chamber, we're in a fish bowl, we're on TV and virtually everything that get's said in here gets reported in a newspaper. As soon as you walk out of this chamber you're in the news. Virtually everything that happens in this chamber when people appear here puts them in the public spotlight.

When you go to the Provincial government Mr. Speaker, while you have question period for half an hour when they're sitting, whenever that is, it's not very often. And you can't go in and ask a question during question period of the government or even of the opposition. You can go and watch it but that's it. You can watch it on TV you don't have to go there. They have various committees and those types of things but you know what when those meetings are held, they're not held on TV for the most part. The public isn't represented there. The media is not in those rooms. Nobody seems to care what goes on over there.

And I find it amazing that a group like the Chamber of Commerce Mr. Speaker will come here and talk to us about the way we do things. But here we have a situation where we have the economic engine in Winnipeg who continues to have to pay the ESL, and I can't remember the last time anybody raised it at the Chamber. Can't remember reading that anywhere. There is the school taxes which is on everybody's property taxes. And, we asked the question over and over, but I never have ever heard them ask it. Why aren't they asking about that on behalf of business in this City? Never mind the residential, we keep doing that.

What about the payroll tax? When is the last time you ever heard anybody mention that over there. And City highways funding, which is an interesting thing if you think about it. We have a gasoline tax that gets used by the Provincial government for funding highways but we have highways in the City of Winnipeg and we don't get any money for that. And yet the economic engine, which is Manitoba, is in this City. And we have people coming forward here and they want to tell us how terrible I guess things are working here. And yet it's this group that has frozen taxes for the last number of years.

Thankfully the Provincial government has removed the ESL from residential properties Mr. Speaker, which has allowed us to at least break even on our tax bills because for every nickel that they take off the school trustees add because they've got nowhere else to go. I don't blame them. They don't have anywhere else to go because they are not getting any funding, any new funding from the Province.

So it's interesting to me, I guess, that people show up here to speak to us and I finally got it this morning. I finally understood it. It's because it's the only way they can get their name in the papers. It's the only way they can get into the other types of media, is if they come here because everything we do is fully public. We're in a fish bowl and when they go to the other levels of government, if they do, nobody knows, nobody cares, because there isn't any way to do that in public Mr. Speaker. So I find it interesting that the only place where they can get any kind of media coverage is to come and talk to the one group that interestingly got it a number of years ago.

The big issue was taxes. Well, we've addressed that. And then the next issue was business taxes. Well, we started to address that. Nothing is good enough for these folks. But the real problems they're not talking about and I would like to know

what they're doing. I thought somebody might want to ask them. Thank you.

Mr. Speaker: Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. Now the concept of removing the education portion of our tax bills is not a new one. It's been around for a long time. The inconvenience that something like we're proposing today over here, might cause our taxpayers and citizens this year, the extra millions of dollars it might cost to do whatever other thing they would have to do to get the bills out to the people, cause me to say that it may not be a good idea at this point.

I will add this though, a year from today, if I'm lucky enough and I have enough votes to be here, I think we have that time between now and then to maybe do something positive with the Province and maybe at that point I would really be ready to do something like this if nothing else to prove the point that we are serious about it and something has to be done.

Mr. Speaker: Any further debate? Mayor Katz closing.

Mayor Katz: Thank you Mr. Speaker. Mr. Speaker let me make it very clear that it would be very difficult not to concur with almost everything that was said on the floor of Council right now. There are many issues out there and they certainly have to be addressed, and Councillor Steeves was very eloquent and I appreciate the fact he didn't want to blame anybody. By the same token I think we can always look at ourselves and see if we can do better.

Councillor Wyatt was so passionate that I almost said to myself I want to join him and everybody else in Council, but I realized Mr. Speaker that if I did that I would not be able to bail them out so I would probably have to decline. By the same token it wasn't that long ago where Councillor Wyatt and others did appear before EPC looking to see if we could pass a motion to go forward and basically a motion to remove the school tax off the property tax bill.

And I think what really hits home is as a result of the Province eliminating the ESL for residential properties, there was a saving of $4.1 million dollars Mr. Speaker. I say there was because that was past tense. As a result of the school boards' actions, there is an increase of $16.2 million dollars, which basically means the taxpayers will be paying an additional $2.1 million dollars. That's the bottom line.

There's all sorts of ramifications. There's all sorts of numbers you can look at but even with the elimination of the ESL on residential property, taxpayers will still be paying more and I believe it is time that we send a message. Although I am one that will always try and abide by the laws, tempted, but I could not join Councillor Wyatt, but most certainly tempted. But I believe we can make a statement and there are other ways to make a statement, and as Councillor Clement said that anything we do or say here is certainly privy to the public and the media and hopefully they will report this issue.

Because there have been times where I know the department looked at different ways of sending out our tax bill, making it very clear that this is the education tax so don't blame Council. They even looked at sending out a separate tax bill which would be a very costly procedure. We've talked about it several times but the bottom line is that education tax has to be removed from our property tax. There is no doubt it should be coming out of general revenue.

And I think maybe the motion that was discussed once upon a time by Councillor Wyatt maybe that should be reviewed once again because I think a statement should be made but on this particular motion I will be supporting it. As I said before, I want it make sure that if it were to be passed or were not to be passed, I would be the first in line to put up bail for Councillor Wyatt. Thank you very much Mr. Speaker, I appreciate it.

Mr. Speaker: Debate is closed on the clause.

(Point of Order)

Councillor Swandel: Point of order Mr. Speaker, just for clarification. Can you clarify whether it's illegal for us not to vote or whether it is illegal for us to vote against this? It's a little unclear from what the Mayor was saying whether he believes that by Councillor Wyatt voting against this that he's actually putting himself in the position of going to the penitentiary.

Mr. Speaker: That's not the case Councillor but municipal councils are mandated by Provincial law to approve school board budgets.

A recorded vote has been asked for on this clause. All in favour of the clause please rise. There is no discussion during the vote.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Lazarenko, Benham, Clement, De Smedt, Gerbasi, Lubosch, Magnifico, Pagtakhan, Steeves, Thomas, Mr. Speaker Councillor Eadie.

Nays

Councillors Smith, Swandel, and Wyatt.

City Clerk: The vote Mr. Speaker, Yeas 12, Nays 3.

Mr. Speaker: Clause 1 is Carried.

We go to clause 2, which is on page 1127 of the package, Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker. Clause 2 is the location of the City of Winnipeg Record Centre at 311 Ross Avenue.

Mr. Speaker: You just have to move it.

All in favour? Opposed? That is Carried.

Clause 3 on page 1166, Mayor Katz.

Mayor Katz: Clause 3, Memorandum of Agreement - Canadian Union of Public Employees, Local 500.

Mr. Speaker: Any discussion? Councillor Swandel.

Councillor Swandel: Mr. Speaker I just would like a little more information. All of the following clauses and I'll just speak to this one quickly and I'm happy to see that we are able to come to agreement with our employees that are members of the Union of Public Employees.

There is budget numbers in here. It talks about them in a lump sum of $10.22 million dollars in 2006 and 2007. There is no information here as to how, what the split in that budget is, or at least if there is any requirement from the current budget or where these monies are included in the current budget. I wonder if the Mayor could provide some information on that.

Mr. Speaker: Is there any further debate on the clause? Mayor Katz closing.

Mayor Katz: Thank you, Mr. Speaker. I will definitely get all that information to the Councillor, happy to do that. But I can tell you that I'm very pleased that administration and CUPE have come to an agreement and I fully support it and I thank them all for being open minded.

Mr. Speaker: Question on clause 3.

All in favour? Opposed? That's Carried.

Clause 4 on page 1178, Mr. Mayor if you will move the clause.

Mayor Katz: Memorandum of Agreement - Winnipeg Fire Paramedic Senior Officers Association.

Mr. Speaker: All in favour? Opposed? The clause is Carried.

Clause 5 on page 1187 of the report.

Mayor Katz: Mr. Speaker the Memorandum of Agreement for the Winnipeg Police Association

Mr. Speaker: So moved. Councillor Swandel on the clause.

Councillor Swandel: Thank you, Mr. Speaker. Just again on the financial impact of this, and we just received this this morning so I'm trying to get up to speed on it. This actually requires an additional budget commitment, and a portion of this is retroactive into 2005. I'm wondering if there were monies included in the 2005 budget for the settlement of this contract and if so what happened with those monies?

Mayor Katz: There were monies included. They're gone and because it's retroactive as you know there is approximately nine months left, it was a two year agreement, one year retroactive and there will be, there are additional monies and in the end there may be a potential shortfall which is being addressed.

Mr. Speaker: All in favour of the clause? Opposed? That is Carried.

Mr. Speaker: Concludes that. We'll go back to the main agenda, Notice of Motion, Executive Policy Committee. Councillor De Smedt is the sponsor. You can open Councillor.

EXECUTIVE POLICY COMMITTEE
NOTICE OF MOTION

Moved by Councillor De Smedt,
Seconded by Councillor Wyatt,

WHEREAS Civic Government functions best when fully responsive to the electorate;

AND WHEREAS the public interest is well-served through a mandated rotation of its elected officers;

AND WHEREAS the public interest is enhanced when the electorate has more opportunity to unfettered access for public service to the office of mayor and Councillor;

AND WHEREAS term limits have been implemented in other democratic jurisdictions with positive impacts;

AND WHEREAS it is deemed desirable to limit the terms of Members of Council to 2 full four year terms, with additional terms possible after a four year stand-down between each set of 2 full four year terms;

AND WHEREAS civic government functions most responsively when matters of significant public impact are tested through the will of the electorate;

THEREFORE BE IT RESOLVED THAT:

1. The Council of the City of Winnipeg submit a referendum question to the electorate during the 2006 General Municipal Election to seek public support for term limits for Councillors and the Mayor, as described;

2. The Council of the City of Winnipeg request that The Winnipeg Charter Act be amended accordingly with the limitation on terms commencing November 7, 2006, if accepted by a majority of the electorate;

3. The Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Councillor De Smedt: Thank you very much Mr. Speaker. I wonder because of the importance of the matter and it's a very emotive issue, I'd like to move that we move into Council as a whole.

Mr. Speaker: To go into Committee as a whole for the one motion?

Councillor De Smedt: It's up to our colleagues.

Mr. Speaker: Yes. All in favour of going to Committee as a whole?

Councillor Clement: Recorded vote. Recorded vote.

Mr. Speaker: Recorded vote. Okay, motion to go into Committee as a whole, all in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillor De Smedt, Councillor Wyatt.

Nays

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

City Clerk: The vote Mr. Speaker, Yeas 2, Nays 14.

Mr. Speaker: Motion to go to Committee as a whole is Lost.

Councillor De Smedt you can open debate on you motion please.

Councillor De Smedt: Thank you very much Mr. Speaker. I normally don't prepare speeches and I guess I have one today, but I'm going to try and amend it a bit because I think we had two delegations today that were very, very eloquent in speaking to the issue, particularly Mr. Angus from the Chamber of Commerce.

The first thing I really want to mention Mr. Speaker that this is not a motion of mischievousness. It's not one done with suggesting ill-intent to our colleagues here. It certainly is not intended to misrepresent what Council has done over some 34 years since we created ourselves in 1972.

But I do think Council has an obligation from time to time to continue to reinvent itself and to move ahead. After all, we've done so at least three times that I'm aware of, perhaps even more. Most significantly when you reduce from some 51 members of Council, which is a rather bizarre way to operate a City, down to 29, and then we reinvented ourselves down to 16. We created a City manager protocol. We had a *Cuff Report* and reorganization of the City. So a lot of positive things have happened. And it's our obligation to have transition and move ahead.

And it's for this reason that I'm asking you to think of this in the highest way possible. It's not a policy and a motion of resentment to my colleagues around this table who I've worked with here now for seven and a half years, and who the citizens have watched for many years. I think Mr. Angus from the Chamber well represented that case. We're not here to throw darts at individuals. So this is not a motion of resentment. People have done fine work over the years but we're trying to look ahead.

And if you look at the motion carefully it is about a referendum asking the people to vote on this but if you look at what the term limit criteria is suggesting it's not a lifetime limit. You would have two terms. It wouldn't, it would start, the time clock would start running if the citizens approved it and Council would move ahead and the Province would approve it on the 25th of October, 2006. So for those of you that have 20 years or 25 years and continue to get re-elected, will have another eight. So we're not saying the clock is going to start. It's impossible to try and define a transition process that would be more fair than this and to think of it in that particular context.

You know, term limits is not a matter of high politics in the United States. It's not just the President of the United States or New York City. I mean there are some 17,000 municipal and county politicians in the United States and some 2,900 jurisdictions that are subject to term limits. And yes it's in the United States, it's not in Canada. But since when aren't we obligated to be inspired by other jurisdictions and what they do? We have a European tradition of our parliamentary system from the British parliamentary system. We now have one that seems to exist and functions very well in the United States. So I'm saying we shouldn't be daunted by that.

Cities such as New York, Kansas City, Dallas, Denver, Austin, San Francisco, Los Angeles, the whole state of Colorado, have term limits. The average is 7.9 years. Some have as low as two which seems kind of ridiculous, probably in certain counties and municipalities.

Others go as high as 12 to 16. You have some options. We're just saying consider the possible benefits and it's our obligation to see if we can improve our governance model.

So this hasn't gone unnoticed in Canada I would have to tell you that there are many people that are trying to reduce what we can be seen as sometimes a stagnation factor and see if we can move ahead to try and acquire in the longer term, not putting you out of a job unless your citizens put you out of a job in 2006, but to seek from the community at wide the best possible option to get the people with new ideas.

Now look, the past performance of Council has already indicated it has been fairly successful in many cases. Look, it would be improper for me not to indicate that members of this Council working with other two levels of government have achieved some significant protocols in sort of the Core Area Initiative, the North Forks Portage Development, the Winnipeg Development Agreement, and of course as I indicated you've gone through a reorganization through the *Cuff Report*. You've done some positive things.

However, we've had some failures as well. Are they failures of intent? No. They tend to be failures of not pursuing a particular cause to its very end. Look at the recent failure of the City and the Province and the private sector anticipating growth requirements for housing and transportation routes in our City. Waverley West, a coalition of interests responding to an urgent need for housing all of a sudden, wasn't founded on any plan. It was a surprise and it reflects I think the failures of the successive City Councils to insist on a proper legislative growth planning management system and a proper and adhered to transportation plan.

Particularly absent through our Unicity experience has been a realistic assessment of the Capital Region. The failure of both the City and the Province to deal with a growth model is inexcusable. Efficient development offering potable water and waste water systems necessary in a modern society has been absent despite the available capacity within the City's utility system. City Council has consistently refused to record priority, and I know some here have supported this, to deliver these vital commodities to our neighbours.

There is still no Provincial or City plan to accommodate growth and the provision of services essential to what a 21st century metropolitan centre accommodating 70% of the Manitoba population. Now to his credit Mayor Katz is trying to address this default and Council should heed the call. A proposal to create a regional water and waste distribution system would be a very meaningful start.

The Province obviously bares some significant responsibility. We've heard members talk about this yesterday during debate on the budget. Councillor Eadie was very eloquent on talking about education taxes. We don't have an additional fuel taxation from the Province.

These things we can point fingers but you know, there is no use us continuing in the future to demand others to give us some money until we continue to put our house in order, which we've done. And I know some colleagues around here have heard this from the Province before, get your house in order, and you've done a tremendous job in many cases, but we are still leaving some issues on the table.

You know under the changes of the *Cuff Report* and the leadership of this Council and Mayor Susan Thompson, you adjusted the City service to a City manager model and you strengthened your cabinet and political leadership. And accordingly under Mayors Thompson, Murray and Katz, a dominant and welcome theme of fiscal discipline emerged. And that's a credit.

But you know part of that fiscal discipline came about by two very significant issues. The sale of Winnipeg Hydro, which is giving us a tremendous benefit because if we didn't sell it to a willing buyer, and we were fortunate that the Province and this particular government was there, has witnessed a $25 million dollars a year investment into our revenue

line. With a major investment required by Winnipeg Hydro we would not have had that revenue line. Of course that diminishes this year, at the end of this year to $21 million and in another five years that diminishes to $16 million, although in perpetuity.

And you have to recall you had a $15 million dollar benefit from our pension contribution to our employee fund. Without that I think fiscal discipline, without these two issues would have been very, very difficult to achieve.

And of course we've accomplished it by continuing to adjust services. Now, I know we're getting away with the services that we deliver today, but it's reaching a point that without the injection of significant capital money and we're very fortunate again, we're getting the money from the Federal tax revenue, that we got, we will not be able to sustain, I don't believe, going beyond this lowest common denominator of delivering services.

It will reach a point that you will have to consider alternate taxation methods or alternate sources of revenue, and this is a preliminary principle here that we have not established yet in the last two years to find other sources of revenue. Very difficult to introduce the notion of other sources during an election year, I'm sorry to say, but we should. When the time comes when we find ourselves...

Mr. Speaker: Extension.

Councillor De Smedt: Thank you. When we do find ourselves under very tough fiscal circumstances I think it's important that we look at as many alternate sources of revenue as we can.

So I don't see that there has been an essential consensus to work together as a team and to find a way to challenge ourselves to seek other sources of revenue. We must lead, we must take the lead to the Province and what we need from them. You've heard it yesterday, you've heard it today. Trunk routes through the City should be supported by the Province. A sharing of Provincial gas tax should be provided by the Province.

But at the same token we ought to be looking at other areas for ourselves. We have not completed the discussion of the New Deal. For two years now it's been shunted aside. Again we might want to point fingers over at the Province but we have not had a consensus to say we need to pursue aggressively.

So what this all this means I think, is that it's not the fact that we as individuals and friends aren't trying to do the best we can, but we need to encourage others for the future in running, which is a very complicated metropolitan centre, the opportunity for service. The opportunity for a Mayor like Mayor Katz to put a slate together, with ideas, with challenges. We've already seen two. We've seen the business tax go. And while he has to recuse himself I'm sure he would agree that the City has been aggressive in pursuing the amendment to the entertainment tax.

Don't be afraid to allow the people to speak. Term limits is essential I think to democracy. But don't try to do it on your own. I know we'll have differences of opinion and when I sum up I will have to address those issues. But allow the people to speak through a referendum. Thank you.

Mr. Speaker: Councillor Gerbasi on the motion.

Councillor Gerbasi: Thank you Mr. Speaker and I thank Peter for creating this opportunity to have a democratic discussion on a very interesting issue.

The motion arises out of legitimate concerns about Council being perceived as stagnant or inaccessible to the public. As an elected official it is difficult to make a case against term limits without sounding like you're being self-serving. It's kind of a no-win situation but according to Peter we all have eight more years here anyway and certainly in my case that's well beyond what I have ever thought of staying here. So you know I personally I guess, don't have a self-serving case here but I do want to point out some serious problems I see with term limits.

The discussion is useful but I think we need to broaden the discussion to other ideas that address the concerns of how to make City Council more democratic and accessible because term limits is only one mechanism and I think it's flawed. We know it's not easy for incumbents to get elected unless a Councillor steps down and it seems that the longer people are here the less likely they're defeated.

Having said that, there is times where it has happened. In fact, Councillor Smith and Councillor De Smedt both defeated incumbents in 1998. And that year a quarter of Council changed with 16 members of Council that we now have. You would have a pretty significant loss of knowledge with, I don't know how many people would have to go each time, there would have to be something looked at there.

But can you imagine if parliamentarians and legends such as Bill Blaikie, Stanley Knowles, and the greatest Canadian of all Tommy Douglas, were tossed out arbitrarily. Maybe some of you think that would be good, some of you, but Canadians voted for Tommy Douglas as the greatest Canadian. So would it be right to throw out people like that after eight years? I think that's a waste. I'm just making a point.

The problem with term limits is that they are quite arbitrary. And even if the Councillor is motivated, in their prime and extremely effective they have to leave when that eight years is up. And I think of Councillor Dan Vandal who was in the middle of his third term when he gave up his seat and he was truly, those of you who know him will remember that he really was at his prime in confidence and knowledge and experience and poise to do that job at that time and it would have been a shame for him to be forced to quit before that third term.

There are Councillors who are excellent and Councillors that are less than impressive according to people's opinions, but that's related to a lot of other factors than simply how long they've been here. We have brand new Councillors who some, we've had brand new Councillors that some might like to see go and others that have been here for 20 years that are serving well. We risk throwing the baby out with the bathwater by choosing an arbitrary time to force people out. I remind you of Rudolph Giuliani who had to leave as the Mayor of New York City right after 9-11 within months and was much needed and wanted, the people wanted him to stay and deal with that crisis.

Personally, I find it difficult to justify voting to say that Councillors in the future in some future Council that I'm not a part of, that they will have to quit after eight years when I myself am planning to run for a third term. I think that's hypocritical of me to do that to support this idea for others but I myself get off, you know. My family may think that eight years is enough but I wouldn't be running again if I didn't feel I had ideas to contribute and a role to play. I certainly do not intend to stick around forever but I do have a lot of people who've encourage me to continue for a third term and use that my experience and skills that I've developed to represent them. The electorate ultimately of course will decide this October as to whether any of us deserve to come back.

The second issue I'd like to address is the issue of the referendum. I do have a problem with the idea of government by public opinion poll. If the question is slanted the wrong way the answer can be very skewed. I think of the polling that was done recently on transit versus investment in roads. When the question was put as asking people to choose one priority only, they chose fixing roads. But if people were asked the question differently, should there be a balanced investment, some in roads and some in public transit, I expect there would have been a completely different answer to the question. So if a question is worded poorly or put in a biased way there is a big problem.

And further on referendums who can forget the misguided Alliance Party policy under Stockwell Day that called for a national representative if 3% of the electorate asked for it. Rick Mercer of "This Hour Has 22 Minutes" effectively

killed that policy when he asked the public on the air to support a referendum to change Stockwell Day's first name to Doris. I believe he got over a million responses. The cost of a national referendum would have been horrendous for this and I think that Mercer in his humorous way revealed some of the flaws of the referendum approach.

Who is to say that this one question on term limits is the most important and others should not be asked. Frankly I can think of a lot of other questions I would ask if I had the opportunity to do this. Who decides the wording of the question? How do we assure transparency? So you see the proposed suggestion brings a number of dilemmas.

Perhaps there are other ways to get City Council to be more democratic. The motion before us speaks to rotating elected officers in the whereas. Well why don't we ask the Province for legislation that rotates the role of Deputy Mayor and other EPC roles. Many Councils across Canada do this and it's much more conducive to democratic representation then our current system which gives, which is a powerful mayoral system and gives the Mayor too much power, in some people's opinion.

Perhaps there is other work that could be done to reduce the barriers that currently discourage women and more marginalized people from running. Council is seen as an old boys club and something could be done to change that perception I'm quite sure. Perhaps a task force could look at how to promote inclusion and citizen participation and improve the democratic process. In fact, the NDP party had 41% of its MLAs were women, were elected and they have policies to promote inclusion and their candidates, whereas I think the Conservatives are about 13% of their MPs were women.

So I think there is other things that we can do to have a more balanced representation on Council to encourage participation. I do thank Peter for raising it as a discussion because I think it is true that there is a lack of citizen participation but I think term limits is one idea that has its flaws. Referendums are one idea that have their flaws. You know I'm not that confident about who would be deciding the question and how it would be worded and if this is the question we should be asking.

So with that, I think we should really look at this and we should really do something about the perception of what Council is today and the reality of what Council is today but I don't think this is the right answer. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. In view of the hour and there are others who wish to speak I'm going to suggest we call at twelve o'clock and then we'll resume debate after the lunch. We don't need a motion. So the hour is twelve o'clock. We will return at 1:30 and Councillor Benham will be next on the list. So, see you at 1:30 p.m.

Reconvened meeting of Winnipeg City Council of March 22, 2006 at 1:30 p.m.

Mr. Speaker: Order please, resuming the sitting. Order please. We do. Resuming debate. Resuming debate on the motion. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. First of all I would like to begin by thanking Councillor De Smedt for bringing this motion forward. I think Councillor De Smedt has shown some real political courage and I think has done us all a service. He has put forward this motion in order to discuss the matter of how we can better serve the citizens of Winnipeg as City Councillors.

He wants to discuss the system by which we're elected and I think this fits in very well with other things Councillor De Smedt has done including, he raised today the question of the entire, the entire region, the entire Capital Region around the City of Winnipeg. He's talked before in very politically courageous terms about annexation of that. He didn't use that word today but I think that shows some courage. And he also talked about the New Deal Mr. Speaker as Councillor Eadie did yesterday and I think that's a good thing as well.

So I want to say that I do, I thank Councillor De Smedt for raising this issue and I have... Yes Sir?

Mr. Speaker: Councillor I'm going to interrupt you for a moment. Get the noise behind here silenced please. It's very distracting. Just a moment. Just a moment. Okay. Thank you. Councillor Benham I shut your clock and now we'll start it.

Councillor Benham: Here we go, great, thank you Mr. Speaker. So, there really are three issues. There are two that are explicit in this motion and there is one that is sort of stated but I think it's worth talking about as well.

So the first is a matter of a referendum and whether or not this should go to referendum. And I think there Mr. Speaker, that I do feel strongly that, and I'm sorry I'm just trying to look for this motion while we're talking, I do feel strongly that referendums are something we should be very careful about Mr. Speaker. In principle I don't oppose them in every case but they can be an abdication of responsibility by elected representatives if we aren't careful. We could simply send any and every difficult question to referendum and I don't think we necessarily want to do that.

Sometimes on large systemic questions, and here I think Mr. Speaker of the Federal referendum on The Charlottetown Accord in the early '90's, 1992 I believe, sometimes it is a good thing and I think under those circumstances many Canadians read about The Charlottetown Accord and made up their own minds. I'm not sure that this would be an issue that is ideal for sending to a referendum.

Term limits themselves as a solution. So I believe that Councillor De Smedt has raised an important issue. We haven't defined the problem completely but I think what he is pointing to is the need for serious institutional reform of City Council by itself, by Councillors, but he has jumped to the conclusion that term limits are the answer and that is where, with great respect, I disagree with him and I know that some others are going to disagree with him as well.

Councillor Gerbasi has mentioned the example of New York Mayor Rudy Giuliani, who only a short time after he was, gained the respect of many people around the world for his handling of September 11th, 2001 and the subsequent events, the people of New York could not vote for him. Eight weeks. Eight weeks after September 11th they couldn't vote for him. It was illegal. His name was off the ballot. He couldn't run. When in fact I think if you took, if you took a poll around the world, many, many people would have supported him.

The, of course what can happen instead, Mr. Speaker, and it's open to any Councillor here, is voluntary retirement. People can promise their electors that they will only serve only one or two terms. That could become an election issue. That could be an election promise and of course voters can themselves decide that a Councillor deserves to be retired in an involuntary way at any election.

So those are the things I would support as to deal with the immediate situation that Councillor De Smedt has put forward. But I do agree with his suggestion that there is a need for reform, and I do agree for instance, with the, part of the, that part of the resolution which reads "whereas civic government functions best when fully responsive to the electorate". And I think that is part of the problem that Councillor De Smedt has tried to define is that this Council is not being seen as fully responsive simply because of the advantages of incumbency. And Councillor De Smedt outlined some of those and I agree with some of his analysis. Let's, and of course Dave Angus from the Chamber of Commerce and Nick Ternette talked about some of them as well.

There must be some real advantages to incumbency Mr. Speaker, because one simply has to look at the record and what's been the case. And we have the remarkable political science case in which when we look at the portraits around this room we see that there has not been an

incumbent Mayor of Winnipeg defeated at the polls in 50 years. I don't know if anybody has ever stopped to think about that, but it's the truth. Fifty years. No incumbent Mayor defeated at the polls.

During that same time, so you have Steve Juba defeating George Sharpe but as soon as that happens Juba continues in office for a good long time, is succeeded by Robert Steen who dies in office, is succeeded by Bill Norrie who retires, is succeeded by Susan Thompson who sets a two term limit for herself, is succeeded by Glen Murray who resigns as Mayor, was defeated at the Federal polls.

During that same time among the Premiers of Manitoba, Douglas Campbell defeated by Duff Roblin who resigned, was defeated at the Federal polls. His successor, Walter Weir defeated by Ed Schreyer. Ed Schreyer defeated by Sterling Lyon. Sterling Lyon defeated by Howard Pawley. Howard Pawley defeated by Gary Filmon. Gary Filmon defeated by Gary Doer. So every Premier of Manitoba, I'm sorry I'm hearing Councillor O'Shaughnessy from his seat, of course those Premiers continue to hold office as members of the Legislature, but they were no longer Premier of Manitoba, which is my point, whereas every incumbent Mayor retained his position.

So there is truly an advantage to incumbency. Why is that Mr. Speaker? We've talked about name recognition for incumbents being important. There are no political parties at Council so there is no grouping by which people are held accountable for consistent policy positions. There is no leader of the opposition who can maintain a seat on Council while challenging the Mayor for the top job as happens in our Legislature and our Parliamentary system. So there are some serious systemic weaknesses.

What would I propose in the brief time left Mr. Speaker to deal, to acknowledge the problem that Councillor De Smedt has outlined to say that I don't agree with the solution? What would be the solution? Mr. Speaker I think we should seriously consider and I know there are people here with experience who will say this is not the right way to go but I will say that it is.

I think we should expand Council again. We should request, of course we don't have the power to, but we should request that the Province expand Council and our model should be the number of seats in the Provincial Legislature assigned to the City of Winnipeg and I think our wards should be drawn on the same lines. We have an Electoral Boundaries Commission for the Province of Manitoba that readjusts those boundaries on a regular basis. If we did that it would open up 16 seats in the next election. There are 31 Legislature seats in the City of Winnipeg. We would have 16 non-incumbent seats, 16 new people for sure on Council and I think that that would be very healthy.

If we kept the per voter amount the same, then it means the cost of running an election in a ward would drop from about $30,000 dollars to about $15,000 dollars. That again Mr. Speaker I think would have the effect of encouraging people to enter the race and making it more available to younger people, to women, to the other people who have said that they see real barriers to entry this would reduce the barrier to entry significantly. Well it would reduce it by 50%.

I still think that the Councillors who would be elected, some people in discussing this have said well then would the Councillors then no longer be full-time and my answer is that yes I think they would continue to be full-time just as members of the Legislature are full-time. Extension Mr. Speaker? Thank you so much and I will wrap up quickly.

And I would suggest as well, Mr. Speaker that I think we should return to three year terms. I think four years, fixed terms, gives us a longer average than members of the Legislature or members of Parliament who of course are subject to minority terms and shorter terms and First Ministers pulling the plug after three or three and a half years. So I think a four year fixed term is simply too long and I would advocate therefore Mr. Speaker a three year term, expanding the number of

seats, having them match, having them be contiguous with Provincial seats. I think that would help with political education as well Mr. Speaker, people would know their Provincial seat and their City ward, so I think it would be positive in all respects.

So, Mr. Speaker I will be voting against Councillor De Smedt's motion but I hope he has heard in my speech my very positive feelings towards his overall goals and certainly my support for a look at systemic reform to our operations. Thank you Mr. Speaker.

Mr. Speaker: Thank you. Councillor Smith.

Councillor Smith: Mr. Speaker I do not want to thank Councillor De Smedt for this. You know we could sit around this chamber and debate everything that, it just seems we should devote our time to important matters.

Now I want a hit at the main argument that these people have. That incumbency gives you a lifetime career. The fact is I defeated Silva, Mr. Silva. Not only was he a Councillor, he chaired the Protection Committee. You know he had lots of airtime. He was really in the news quite a bit. His name recognition was very high. How did I do it? I went door to door and talked about issues. Democracy can work. And I'm suggesting you, you better go door to door. It's important. It's important to go ahead and have people tossed out because they make wrong decisions, because they irritate their voters. You know, and vote for people that they favour. They like what they're doing.

I mean for example, let me tell you this. Councillor Lubosch with the smoking ban, he did an amazing job. He got name recognition and went out and that was to his credit and he got re-elected. But that's how it should be. That's what we have elections for.

Now I notice by the way, that Councillor De Smedt didn't bring this up earlier in his term or last term. You know, like you could have been moving on this earlier. I think, I think, and you can resolve the question by not running. You allow one more person, a newcomer to come on Council, Councillor De Smedt. Thank you.

(Councillor Lazarenko in the chair)

Mr. Deputy Speaker: Thank you. Councillor Eadie.

Councillor Eadie: Yes thank you Mr. Speaker. I'm sorry in a way that we have to have this debate again. This is I think maybe the third time since I've been here Mr. Speaker, where we've talked about this. A little different twist this time, it calls for a referendum which is another issue.

Mr. Speaker, I don't think the representations that were made by the two delegations were worth the paper they were written on. If the Chamber of Commerce has nothing better to do than to come here to spend five minutes talking about a non-issue when as Councillor Clement alluded before the lunch break, they seem to be silent on the big issues in this City and this Province then that maybe speaks to perhaps the representative has too much time on his hands.

And with respect to the representation from Mr. Ternette who talks about transparency and accountability, I wonder why it is that in two mayoralty elections he has failed to file his election finance statements, breaking the law and not filing his finance statements. Where is the transparency when it comes to one of the laws of our City that all of us as candidates are expected to adhere to? So there is a hypocrite talking about transparency when it comes to elections, and we're still waiting to find out what his election finance statements are for 1995 and 2002. And I guess we'll be waiting Mr. Speaker, till that well-known place freezes over.

Now it's, we look at this resolution and it talks about having a referendum. Mr. Speaker I don't believe in government by referendum and I never have. And we've had that debate in these chambers in previous years on that subject as well. We've had two referenda in my time here

at the local level. We've had the Constitutional ones which I do believe in, Mr. Speaker, I do believe that if Canada's Constitution is going to be amended that before the, it's finalized it should be subject to a national referendum. We did that with The Charlottetown Accord and the people made their decisions and as a result we don't have an elected Senate today among other things. But that's history.

But former Councillor Fraser who represented the ward of St. Charles that Councillor De Smedt now represents, in a debate here, had a very apt term for government by referenda. He called it lazy democracy. And that term still stands. People who are elected here or to the Legislature or to the House of Commons have a responsibility to make decisions between elections, and they're accountable for it at the subsequent election, should they choose to re-offer. You don't pass off your decision-making to a referendum. That is what Councillor Fraser aptly described as lazy democracy. I don't support lazy democracy. If we want to have a term limit or something else we stand up here and we make that decision and then we're accountable for it to the, to the electors in a subsequent election.

I don't believe that incumbency has an automatic advantage. There are six members in this chamber Mr. Speaker who got here by defeating an incumbent. It does happen. And I think if you, I don't think there is any such thing as a guarantee about winning a seat unless you get acclaimed and I for one Mr. Speaker have never experienced that rapturous moment, and I doubt very much I'm going to experience it this year either. But you know we all take our chances at the polls and we do our best and if the voters want to send us back here they will do that and if they don't they'll send somebody else and that's what's called democracy.

Councillor Benham named Bob Steen, Bill Norrie and Glen Murray, as Mayors who chose to end their own terms. As a matter of fact, those three individuals would not have become Mayor of the City if we had term limits. All three of them would have been ineligible to become Mayor of the City. Douglas Campbell, Duff Roblin, Walter Weir, Howard Pawley, Gary Filmon and Gary Doer, could not have become Premiers of Manitoba if we had term limits.

As a matter of fact, talking about Gary Doer, he and six other MLAs on both sides of the House just had their 20th Anniversary of their first election to the Legislature last Saturday. I don't see any media writing and talking about term limits for MLAs. I didn't hear the chat from the Chamber of Commerce, he gave a vacuous answer to a question about term limits for MLAs, and there are six members of the Legislature today who just had their 20th Anniversary of their first election.

And somebody mentioned earlier Bill Blaikie, a long-time Member of Parliament from Winnipeg and from Manitoba just starting his 9th term. He didn't get to the House of Commons by appointment. He got there by a vote of his electors who think that he has done a better job for them as an MP than somebody from any other party could do. And the same holds true for those members of the Legislature who, I didn't name them all but the Premier is at the top of the list of one of those who are acknowledging 20 years of service.

John Thompson, Charles Tupper, Wilfred Laurier, Robert Borden, Arthur Meighen, Mackenzie King, Richard Bennett, Louis St. Laurent, John Diefenbaker, Lester Pearson, Jean Chrétien, Joe Clark, Jean Chrétien and Paul Martin, would not be Prime Minister of Canada, would not have been if there had been term limits. So but for some reason the people aren't allowed to have that say apparently.

Now Mr. Speaker, I know, I know that in many parts of the United States they do have them. Bully for them. This is a country that allegedly prides itself on having a democracy and often calls itself one of the strongest democracies in the world, which it is not. But you know how they, I mentioned this in another speech Mr. Speaker. They didn't establish term

limits for the President of the United States for some high falootin purpose of having change. You know how it happened? You know how the 22nd Amendment of The American Constitution happened, Mr. Speaker?

It was because somebody named Franklin Roosevelt had the audacity to get elected President of the United States for four elections in a row, always contested by a Republican. And the Republicans Mr. Speaker were so annoyed that after he died, and after a subsequent election when they gained the control of the American Congress and enough state legislatures, the 22nd Amendment was passed limiting a President, whoever they may be, to two terms in office. Not for any high and mighty, high falootin reasons we have to have change, and we have to allow new people to come in. It was political because the Republican Party at that time couldn't elect a candidate four times against Franklin Roosevelt. Check the history. That's how it happened.

And it's happened in other states and perhaps in other cities. Bully for them Mr. Speaker. It doesn't happen in Canada. That's why we have elections. Individual candidates can decide whether or not they want to re-offer in an election but at the end of the day it's the electors out there who make the final decision.

Interestingly enough, when this particular motion got a little bit of media flap last month I had some constituents who called me on it and one was particular, which is quite interesting and I think the kind of commentary that she left on my voicemail, but she didn't leave her phone number unfortunately, but I take it for granted or I take it she is a resident. But you know she said this: "why do we want, who wants term limits? Why should we have a law that says we the people, can't vote for who we want, as long as and as often as we want to, as long as the person is doing a good job?" And not only that, she said "why would we want to have a City Council full of rookies? Where is the experience?" Why should we want to eliminate the experience that can build up in this place whether you like some of those who are experienced people or not.

Councillor Clement: Extension.

Mr. Deputy Speaker: Councillor Clement moves extension of time? All in favour? Contrary? Carried.

Councillor Eadie: I thought that commentary from that one resident was very apt. Why do we want to create a government that is constantly full of rookies? The electors might do that on their own and if the electors do that's their decision but why would we want to force that kind of thing.

So Mr. Speaker, I find this motion fails. I don't, I don't, you know I'm not critical of Councillor De Smedt for bringing it forward. I know he has had this point of view before and we've had this debate before Mr. Speaker but this type of thing is just so foreign to Canada and it is so anti-democratic, that I don't understand why anybody would want to support this when we have free and open and democratic elections in this City, in this Province and in this country.

And I am certainly a supporter as some of you may know, about electoral reform and many aspects of it. We have the new *Election Act* municipally that is going to work for us this fall. It's not as far as I want it to go but it's an awful lot better than the 100 year old quill pen statute that we were working with for so many years. That's the kind of reform I like to see where we give more, as many people as many opportunities, except for one ballot at a time, but as many opportunities as possible to be able to get out and vote when an election takes place and to make it as easy and as accessible as possible.

There are many other things that can be done. I'm not going to get into them now but I just simply wanted to put that on the record Mr. Speaker. I think unfortunately we've maybe spent more time than we should have on this. We have other issues yet to deal with today but I am not going to be voting for this resolution. I am a firm opponent of any kind of legislated term limits, just as I am an opponent of doing government by referendum. It doesn't work. It's not Canadian. The

people will always decide when it's their opportunity to do so.

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

Councillor Wyatt: Yes, thank you Mr. Speaker. I rise to speak but first would like as a seconder of the motion, I would like to move a friendly amendment to the motion if it's the will of the mover, for consideration and that is on clause 1, that it be amended as follows: "That 2006 general municipal election", I'll pick up the sentence there, "to seek public support for a three consecutive term limit for the office of Councillor and Mayor".

Mr. Deputy Speaker: You have to put that in writing.

Councillor Wyatt: Oh then I'll put it in writing. I'm just wondering before I put it in writing would the mover be prepared to accept?

Mr. Deputy Speaker: Just a minute, just a minute. Councillors, Councillors, this motion is before us is the property of Council. We're debating the motion that is before us. If you have an amendment to make, please write it out. Talk to your, to the mover and then you'll present it to the clerk. And if you want to Councillor Wyatt while you're doing it, would you like to ask Councillor Thomas to speak?

Councillor Wyatt: Well would I be able to speak again Mr. Speaker?

Mr. Deputy Speaker: Well yes because you haven't spoken yet.

Councillor Wyatt: Well I'd like to speak to the amendment and motion at the same time.

Mr. Deputy Speaker: Okay. Councillor Thomas. Just a moment here, Councillor Thomas, you speak. You, write out your amendment.

Councillor Thomas: Thank you Mr. Speaker. First, when the delegations came here, they challenged us and said that one of the reasons that they wanted term limits was to, was because they wanted us to have more solidarity, an odd reason for having term limits, but I think they may have gotten it today when I find myself agreeing with both everything that Councillor Benham has said and Councillor Eadie.

So, I won't repeat their comments, but I will say that someone who thinks that we don't have movement in this chamber has got to be aware that one-third of this Council has been here for less than one term. One-third of the Council. Thank you. Okay, seven, all right.

And suggesting that we might have a mix. Well, part of that mix, whether it is having more women on Council or more people from visible minority on Council, part of that mix should be the length of time that you're on Council. I think it's, it would be anti-democratic to have everybody in their first or second term. And I just want to look at a couple of the whereas that are here. And it says "whereas the public interest is well served through, whereas government functions best when fully responsive to the electorate" and then the second whereas assumes that this is served through a mandated rotation. I don't think that's being responsive to the electorate. Then "the public interest is enhanced when the electorate has the opportunity to unfettered access to public service of the office of Mayor and Councillor". Well, if you're putting on term limits, then that access becomes fettered. So, I would suggest that there is inconsistency in the whereas and to where they're going.

I would also suggest that I think this Council serves the people well in that it doesn't, when it doesn't lockstep its way to solutions, and that vigorous debate is a part of that good service that we provide people.

I got on Council by defeating an incumbent who had been on Council for 18 years. I had been told by people who didn't know me very well that I didn't have a chance. Well, you do have a chance when you knock on every door, when you present a coherent platform of things that you intend to be accountable for when you get elected and that's what I did and

that's what I continue to do for the people that I represent. What is not democratic is not having the option to choose the person who has served you well.

And I have a question with regard to term limits. There are some people who have run unsuccessfully oh six, seven, 10 times, is there going to be term limits on the number of times that they can continue to ask the public to be a representative when they have failed to catch the attention or the, or have the heart of the public?

I mean if they decided that term limits should be on people who have expressed, who have had the confidence of the people expressed by being re-elected, what about those who never got that confidence? How often can one try to unsuccessfully defeat an incumbent? I would suggest that as much as we wouldn't want someone to have their opinion to express themselves again and again and again, regardless of how successful they are, if we do not want that right trampled on, then we certainly don't want the right trampled on to continue to successfully represent the people.

And if you look at the people who have served for more than five terms, myself, Councillor Clement, Councillor O'Shaughnessy, Councillor Eadie, we are not all from the same bolt of cloth I'll tell you that. We continue to disagree on a number of issues. You are well aware of that. We represent our constituents and how they want to be represented and I think that's what keeps us coming back and it's a testament to the diversity that is our City.

I would suggest that those who might want us to speak with more unison that this might occur if we were to go back to something that we used to have before. We used to have strategic planning sessions at the beginning of each term and we used to have priority setting sessions. Those have been discontinued. I would ask the Mayor to look at starting those up again. Those worked very well for Council and there were a couple of terms when we had decided what our priorities were and when people brought motions that we had agreed that we wouldn't work on because we had all set our priorities together and decided as a team, then we worked as a team. And that happens once you're elected, speaking with all the other team members and deciding what you're going to move forward on.

Because we can debate our differences for a long time, but we all have areas of commonality that we can work on together if given the opportunity to do so and that will make for a lot less rancor on Council and make everybody, whether they're a member of Executive Policy Committee or not, feel like they're more a part of a team effort. Those are the things that we can do to make us more of a unified Council.

I'm disappointed to see this here. I won't even say it's trying to kill a fly with a sledgehammer because I don't even think it's using too much. I think it's not going in the right direction. I think that this motion is very anti-democratic in its nature in that it does not respect the will of the people, and the will of the people, whether they wish to have a Councillor for one term, five terms, or three terms, should be up to the people who elected that person to decide. And we all have term limits here. We all have to go out on a regular basis and ask for our jobs back. And that is what makes it a democracy. Thank you.

(Councillor Eadie in the chair)

Mr. Speaker: Thank you. Councillor Wyatt you can now introduce your amendment please.

Motion No. 4
Moved by Councillor Wyatt,
Seconded by Councillor De Smedt

THAT Recommendation No. 1 of the Executive Policy Committee Notice of Motion regarding term limits for members of Council be amended to read as follows:

1. The Council of the City of Winnipeg submit a referendum question to the electorate during the 2006 General Municipal Election to seek public support

for a 3 consecutive term of office limit for Councillor and Mayor.

Councillor Wyatt: Mr. Speaker this amendment is fairly straightforward. It calls for the clause to be amended to include instead of two terms is which the motion refers to, three terms and also refers to three consecutive term limits. So in other words, that it would be, if it were adopted, if this became a reality for example, a three term limit consecutively and then after that, if you're out of office for four years you could then run again for another three terms if the voters choose to elect you again. That's what it basically says and so it changes the motion in two manners.

Am I speaking to the entire clause or just to the amendment right now Mr. Speaker? No, just to the amendment, so. You know, I think, Mr. Speaker, it's very difficult clearly, to decipher or to take a step back from this debate, when really, this is involving us and it's very easy to allow this to get personal. And it's very difficult to take a step back and to look at this more kind of from an outsider's view looking in versus being part of the actual process and part of the system that we're talking about reforming. And this is one reform indeed. The reform is necessary, in my view. And I welcome the motion and I second the motion because it allows for the discussion, the debate that I think is long overdue.

And I don't see this as an attack on democracy. I think that again is part of the factor of when it's hard to step back and to make it less personal when you're part of the actual process that we're discussing here. So I think there has been a lot of talk and a lot of debate about this issue but I would say that a lot of it has been maybe a little bit to the extreme because of the fact that it involves people here, today.

And I want to say this as well, that I respect the amount of years in the service and knowing full well that many Councillors here who have served many years, keeping in mind that their service was largely done under a part-time Council, not a full-time Council, and they had other jobs and were doing other things prior to 1992. And so when you take that into consideration, it's questionable when you go back and you say they've been here 20 or 25 years, whether that's really a true picture in comparison.

So Mr. Speaker, I would say that as was mentioned earlier by Mr. Angus, that you know we should look at politics. This is not as a job but a mission. That's a very, that a nice way of saying it and you know, I think that's, that's, I don't know if I would use the word mission, but I would definitely say that to look at it in terms of just an ordinary 9:00 a.m. to 5:00 p.m. job that you know brings home the pay cheque is also probably incorrect because then, I think Mr. Speaker, we're assuming that we're on a path here of a career.

I think clearly, we have to defend ourselves and we have to be able to produce and to show the electorate of what we're doing day in and day out. And my view is that this is an honour. It's not so much a mission but a service to the public to be able to be here in this chamber and to serve. And it's an honour to be able to give that service and it's an honour that I think others should have the opportunity to provide as a service to the public. And not one person has a monopoly on wisdom or on good ideas or what's right or what's wrong with knowing exactly the truth all the time. That's definitely very subjective and that's why I think this is attractive.

I had, I had some very serious concerns with the eight, the two year term limit and I expressed that to the mover at the time when he asked me to second the motion, and I appreciate and thank him for allowing to move this amendment. I believe that in many ways if you're new to politics, the first term you are literally getting your feet wet and if you're off and running, great. But to actually achieve something you look at your years beyond that.

But having said that, if you've been on Council and you've been full-time and you've been here for a dozen years

already and I would say if you haven't achieved what you have set out to achieve or you haven't made the difference, then maybe it is an opportunity to let somebody else come and have another crack at the bat.

After all, Canadians we know as statistics show, Canadians right now Mr. Speaker, they will hold down an average of two or three jobs in their lifetime, maybe even more now with the changing economy. And why should politics be any different in that sense. When it comes right down to it, the power of incumbency is real. We know it's real. It's there. The ability to raise funds. The ability to have name recognition. And unless we do something, whether it be this, if this is not adopted today it's going to have to be something else.

There is going to have to be some sort of electoral reform take place to ensure that the democracy deficit that exists now, not only here in at the City level but I would say we have a problem right cross this country with the democracy deficit, and maybe the reform movement that needs to happen has to start at the municipal level and start from the bottom up.

Yes it doesn't, term limits don't exist at the Provincial level. They don't exist at the Federal level and there has been many people who have been there for many, many, many years. But does that mean that's right, to say that? Maybe not. Maybe it's one of the reasons why a lack of ideas has occurred. But there has been change and there has been turnover because of the party system that exists at a provincial level and a federal level that does not exist officially at the municipal level.

So I say that if we do not move forward and adopt something there is going to have to be a look at other models if we don't adopt this today. We have to start looking at whether or not we dissolve the ward system and run city-wide and have a coalition system like they do in Vancouver or a combination or whether we have to start looking at other options such as ensuring that we work together as Councillor Thomas said, as a group.

The best thing I can see we could do away with is EPC itself. We're a Council now of 16. We don't need EPC anymore. We needed it when we were a Council of 50 in Unicity. We needed it when we were a Council of 29. We don't need it now when we're smaller than the Provincial Cabinet Mr. Speaker. We can work together to resolve our problems and our budgets and our issues, if we really wanted to. So these are the kinds of reforms that I think we are going to have to approach if we decide not to move away from this.

On the issue of the referendum. On the question of the referendum itself Mr. Speaker, I would say that I'm not a big fan of going out and asking referendum for this and referendum for that, but I don't think that's been the Canadian tradition. I think the Canadian tradition and indeed the Manitoba tradition is once in awhile we do ask a question on a referendum ballot. It does happen here in Manitoba and it happens in the country. We're not like our neighbours in North Dakota to the south of us who literally ask referendum question after referendum question. That's not what we're saying. We're not saying throw everything to a referendum. But we're saying on issues of substance sometimes it's worthy to go to the public and to trust in their judgment.

And I believe that that is not a cop-out for democracy. That is I think democracy at its essence and that sometimes it's good to go to referendum just to ensure that the political leaders, the so-called political leaders are really in touch with the people. And I think we have seen that happen, back in the late '80s, when Meech Lake was basically, well was killed by Clyde Wells and Elijah Harper, but I think they were speaking for many Canadians, and then following that The Charlottetown Accord, which every Province in the country basically voted against, including Quebec, and said no way we're not going to have this.

So, I think that once in a while it's good to go to referendum and ask the public what they think and where they stand on an issue. And indeed if you do really believe that this is the wrong thing to do, that this

is the worst thing that we should be doing, that indeed we have term limits already, they're called an election. If that is the case and constituents believe that and if you believe that passionately, you have the opportunity to campaign on that. You may say well that's ridiculous. You know you can't campaign on that. This isn't popular. Well it doesn't have to be that way. If you truly believe that this is going to hurt democracy then stand up and say that and say why and say that you know what I've served on Council this many years and I've done this and this and this for you and I wouldn't have been able to do this had I not, had I had this term limit.

I think this is fair. This is reasonable. Twelve years is 12 years. That's a long time. Especially while, but working with you folks it goes by very fast, so it's not a long time at all I can assure you of that. Time flies. And I'm the last guy to want to see a party end, I can assure you of that. But, you know and so being on the first term on Council it's with mixed feelings but I'll tell you and I guess I had to take a step back and start thinking seriously about the issue when Councillor De Smedt approached me over a month ago on this. And I had to really think and I ran it across and I spoke to a lot of people in my community about it, just to get their thoughts on the issue, and the reaction was, well the first reaction was that people liked the idea but there was a reaction that maybe eight years is too short and 12 years can actually allow you to sink your teeth, get the job done and then move on to doing other great things.

We have an opportunity Mr. Speaker to make this happen if we want to make this happen. Does that mean if you want a career in politics it's the end of your political career? Absolutely not. If that's your goal in life to have a career in politics then there is always the opportunity and the municipal level has been the first step in the door for many people. We after all have 31 MLAs, over twice the number of Councillors, seats available and if you choose to go on to a Provincial career because of the fact that you've done well as a Councillor and enjoy it, that opportunity exists. Or on to MP and who knows maybe some day if we ever have Senate reform maybe the Senate might be available to run for.

But Mr. Speaker, the opportunity exists or even to come back after four years and serve. And other Councillors have done that. Councillor Smith is an example of that where he has went on to another level of government and has come back to serve in this chamber again.

So Mr. Speaker, this is something which I think would strengthen our democracy and it sends a message to the electorate that we recognize the concerns that they've expressed about the lack of democracy or the lack of changeover if you like, that takes place for new ideas and energy and that we're willing to see a system that works. And indeed we might be the first municipality to adopt this in the country. There is nothing wrong with that Mr. Speaker, especially if we find that it works and I think it will. It's working in other jurisdictions as was noted today earlier. Thank you very much.

Mr. Speaker: Councillor Swandel on the motion and the amendment.

Councillor Swandel: Thank you Mr. Speaker. I'll start out with making some comments on what some of the previous speakers have said. I heard Councillor, yourself Mr. Speaker and Councillor Benham give a litany of people in other areas of government, and I wish I could recite them in chronological order but I don't have that capacity. But you know there is a great difference between what civic politicians do and what politicians in other levels of government do. And why there tends to be people defeated at provincial or federal levels is because they tend to end up with at a specific election an issue that really polarizes the electorate. And that's where that happens from.

We tend to deal with the day-to-day issues. You know people see us on television sitting here in the chamber once a month. But for the majority of our time what we're doing is ensuring that people's garbage gets picked up or that a pothole gets repaired or snow gets cleared on our street or, these things that

affect the day to day lives of our constituents are looked after, taken care of to the best of our ability.

And that's why there is a huge difference. And what it is, is that people have somebody that is effective for them and they want to keep that person and to take that person away from them, where it may not be my personal desire to stay here for more than two or three terms, I don't know that's it's appropriate to actually have a referendum on the particular issue.

And I'm you know six of one half a dozen on the other when it comes to the issue. I sort of tend to believe in term limits in general. I think they should be self-imposing. And I know for myself personally after if I'm willing, able and fortunate enough to sit here for two terms I'll be in my mid 50s and I know that I'll need to spend a little bit of time in the private sector trying to generate some money for my mid 60s, so… I believe it will be self imposed for myself.

We do have issues here to address and we are addressing some of them. In the election in the St. Norbert ward, which was a non-incumbent by-election there were nine candidates to run. There were inequities. There was one female candidate I believe. There wasn't a great deal of ethnic representation that was similar to the demographics of the constituency. But there was something that was there for us that made it much more, the process much more accessible for everyone and that was the current rebate program that is available and makes it much easier to run for office for everyone and anyone.

And I'll tell you something else. That one of the things that is very difficult to attain in this building and I'm very fortunate that I have spent five years here as an assistant before running for Council. There is a mammoth amount of knowledge that you need to gain in order to effectively represent on the issues that we deal with here once a month or at Standing Policy Committee once a month. A huge amount of knowledge.

A reporter the other day just asked me casually you know who has the most knowledge down at City Hall and the first names that rolled off of my tongue were Councillor O'Shaughnessy, Councillor Clement and Councillor De Smedt. And I, not for any particular political reason but it's just that people that I've interacted with, you know I consider them my elders, I don't know if Councillor Clement is older than I am but I'm pretty sure Councillor De Smedt and Councillor O'Shaughnessy are. But there is a great deal of knowledge and wisdom from the people that have been here for at least two terms and some more.

Mr. Angus just spoke to us earlier on and I respect what the Chamber of Commerce does and I respect what they represent in our community and who they represent. Mr. Angus can resign his job at the Chamber of Commerce and basically have a referendum in October of this year on term limits if he chose to run against Mayor Katz on a single issue. And then we would have that debate publicly and with public.

But I'll close by saying that I'm not going to support the clause and certainly not the amendment. But I, we need to address this issue. I look forward to seeing the Chamber's report come forward with its recommendations on the shape of Council. And we need to get new fresh blood here that's highly skilled. Thank you.

Mr. Speaker: Councillor Steeves on the motion and the amendment.

Councillor Steeves: Thank you Mr. Speaker. I'll be speaking mostly to the main clause not so much to the amendment. Although I would note Mr. Speaker that in looking at this amendment it may be time to get together a Standing Policy Committee on penmanship. We could be voting to amend the motion as worded or we could be buying a bridge in Florida, I can't tell. (Laughter).

We've talked a lot about the problems of a motion like this and I think they've been brought to light and I hope what's come to

bear is that it's difficult to do something this important on the fly. I think this was brought to Council as a Notice of Motion. There has been no chance for real discussion and no chance to really look into it.

I think the referendum issue in and of itself virtually guarantees this motion won't get off the floor of Council. So if anything is to happen on this and perhaps it's worth looking into, then I think we have to spend some real time and we have to look at the issue of specifically of taking the referendum part of it completely out.

As a Councillor I'm a little concerned about being the only jurisdiction in the entirety of Canada, at any level, to impose such a rule on sitting politicians. Clearly, there's a great body of Canadian thought that goes into not doing this and to do this on the fly, I don't think would be responsible in that.

And we've talked a lot about the U.S. model and it's been brought up, I think, time after time after time specifically with the delegations. And I would be very, very careful embarking on any path that holds up the U.S. model as a model that's greater than our own. I think back to my own conversations with City Councillors from San Diego and Portland respectively, both of whom in their term-limited council seats would expect to spend around a half million American dollars on their re-election campaigns. And they are partisan.

Mr. Angus had indicated, Mr. Angus would have no way of knowing this but what he might not realize is in virtually all large centres in the United States where there are term limits for Councillors, those are partisan elections, actually. Those people do run as Councillors representing either the Republican or the Democratic Party. Virtually exclusively that's the case.

And I have to say, that the voter turnout as a result of all of this, really shouldn't leave us envious of them at all. In fact, I don't think they do as well as us generally in terms of voter turnout. That's the impression that I get. So I don't know that you could at first blush hold up a different system as a great way of getting new people out. It doesn't appear to be the case, at least in my experience.

The issue of term limits also is particular in the laboratory that is Manitoba. We would, I guess, be the only body of government at municipal, federal or provincial that would be held to term limits in this Province. So there would be other Councillors outside of the City of Winnipeg who opportunely wouldn't be subject to this rule and under their Municipal Act, and their Elections Act, I don't know how the changes would go, but of course this might have ramifications outside of our boundaries and who knows, in the same way that the changes made to *The Winnipeg Charter* in the last round are now being implemented into the regulation and governing statute that covers the outlying municipalities in the rest of Manitoba, specifically whether or not they can run for different office, etcetera, etcetera, etcetera. Obviously in those very, very small communities it's often very difficult to find people to run. That's my sense in any event.

I don't know if I'm the only person in this room that feels this way, but as I look at municipal government over the course of the last half decade to decade, I feel as though there is a different feeling in municipal politics. I feel it's been granted a lot more exposure. I think people are watching us a lot more closely. I look at cities like Regina and Saskatoon and Prince Albert. All of which I believe in the very recent past have had mayors elected over top of incumbent mayors who ran again but were defeated. I think, I think that's been the case and I think you're seeing that more and more and more. I know in Toronto right now, Mayor David Miller feels like he is in a very, very close race. We saw the same thing in Montreal.

I don't think that was necessarily the case a half decade ago or even a decade ago. I think things are changing. I think there is more focus on municipal politics. I think it's being treated more as a level of government that's worthy of watching. That's worthy of contesting. And when I

look around this Council I see, I guess a couple of different generations of Councillors and I don't see any generations being stronger than the other generation but, as I look at the Councillors who are a little more recent I frankly don't get the sense that any of us are going to be around here for a lifetime and I'm not talking about situations where we may well be defeated in our own wards at election time.

I think that has changed and Councillor Wyatt had alluded to the former part-time structure that existed and some Councillors moving part-time to full-time and I think that's why you might see a bit of an anomaly around this Council table right now. I don't think as we sit here right now that Councillors really see this as a job for life. I know I certainly do not and I don't believe that my colleagues do either. That's the sense that I get.

Whether or not you like our current system Mr. Speaker or whether you don't, one thing you have to admit is that it is at its essence, a pure system. It is absolutely pure. Anybody can run unless there is certain extreme situations. Anybody can run as often as they run. As many people can run as possible. There is no parties. It's non-partisan, although people are members of parties they don't run directly as a partisan representative. That doesn't really happen although some people come close.

There is an opportunity if people want to get together and run a slate, that's well within the bounds of the rules and I think that has happened before as a matter of fact. People can run as slates if that's their desire. Those opportunities do exist. People can do whatever they want. It's a pure system. It might not be a perfect one but it's defensible. It's a very defensible system and there's accountability to the electorate regardless again of how you feel about the system. The public at large is responsible for the people who sit in this chamber whether it's us or somebody else. Start imposing term limits and then the accountability sort of shifts to something else where people can be here for a certain amount of time but they have to leave and then possibly they can come back.

It is a pure system and it's not that you can't change a pure system Mr. Speaker. It's not that sometimes you don't want to change a system. And I would look at change in this system if we can answer one simple question. Would the imposition of term limits result in better government? If we had term limits here, would we have a better Council? I don't really know. I don't even know if that question, if it's possible to even answer that question Mr. Speaker but before I would seriously consider that question, I would at least like us to try to answer that question. Would term limits mean better government? If the answer is yes then we should seriously look at that but not before.

Mr. Speaker: Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. I had mentioned to you that I was not going to speak but after hearing some of these speeches here I just can't understand what the meaning of all this, what are we trying to prove.

You take a look at the "whereas the city government functions best when fully responsive to the electorate". That's right. "And whereas the public interest is well served through the mandated rotation of its elected officers." That doesn't make any sense to me. You say you are best served, if you have fully responsive then you're best served if it goes on a rotation.

Mr. Speaker, this year it's going to be 40 years the first time when I got involved in politics in 1966. I was active in a union. From the union I got active in a political party. And I was active until 1971 when I ran the first time for City Council. That was formation of Unicity. I lost by about 90 votes. I ran back again in 1974 and I was elected to a 50 member Council. I ran in 1977. I lost by about 80 votes. In 1980, I lost again by about 200, 150 votes. Then I ran in 1983 with a 29 member Council and I was elected in '83. I was elected in 1986, elected in 1989, and in 1992 when Council was cut down

to the 15 members, we had ran, incumbents ran against incumbents and the problem was now who do you pick to choose and run against who?

Well I had an incumbent that I was running against. I had to go through a judicial recount Mr. Speaker. It took 10 bloody days. The longest, longest, that was like having about five elections and our City Clerk was present at that judicial recount. Yet ballots were counted, they were challenged, they were counted, 10 on each pile and then you go home, you come back the next day, it's the same thing, same thing. More than once I said you know what the hell am I doing here? Go back to my job and forget about this. But I stood fast and the recount was in my favour.

In 1995 I won by acclamation along with Councillor Clement. In 1995 and I kept wondering what did I do, how did I get acclaimed but I had to do something wrong, something right, no one ran against me. And then in 1998, I come back in and in, you better watch you don't get a kubasa somewheres, and in 19, I mean 2002, I ran and I was elected till present. '79, 1979 I ran for Mayor for the City of Winnipeg. I guess I was, that was about the 5th or the 6th to Bill Norrie had won that time after late Robert Steen had passed on.

Councillor O'Shaughnessy: Did you beat Nick Ternette?

Councillor Lazarenko: Nick Ternette wasn't around. And if you take a look at what's before us now, of the first motion that is here, it talks about two terms. So that gives you eight years. Then you're out for four years, for a period of 12 years, you have to wait.

Now it's easy for someone who is representing a number one an organization like years back in the '70s and '80s, there was the real estate people were very active, were putting their people in here, an outside person never had an opportunity, never had a chance. You couldn't. Number one you couldn't afford it. I ran and each time I had to borrow money. For three years paying out a loan payment and then the election call comes along and I just finish making my payment, go back into debt again for another three years. It kept on and on and on. But I was determined because I wanted, I wanted to do what I had pledged myself to do.

Now Nick Ternette was here talking in the tone he did. If Nick Ternette would have been elected, I'll guarantee you Nick Ternette would have never have talked that way. Angus from the Chamber of Commerce, since when does the Chamber of Commerce get so involved with City politics? The Chamber is full of people that think one way, one direction. And I would suggest to the Mayor, when the Mayor gives his state of address at the Chamber it should not be there because they come back then negative to us.

Now when you talk about limitation, what about a director of a government agency? Would a mover and seconder agree then that the director should be only limited to the period of time that he or she can be running that government agency which is paid by the taxpayers? Where do you draw the line? Where do you stop? The seconder is still young. He's got a long, big future ahead of himself. If this would be, Russ you'd be jumping back and forth. You'd be here then out, back and out providing that you can last that long by finding money to be able to pay for your campaign.

The MLAs are not mentioned. Members of Parliament are not mentioned. They're the people who tell us what to do. The Manitoba Legislative Assembly, they tell us what we must do by *The Charter*. Before it was *The Winnipeg Act*. They will never agree on this because they'll be cutting their own toes. Who in his right mind, and I have to use the terminology in right mind, would come here, dedicate, research day after day, sit and get material to present a motion or something, and sometimes to takes four months to six months, sometimes a year before you can get your message across, gets to be a reality, that's passed now and goes on as a by-law, to find out that hey next year I'm going to be out and the hell

with it I'm not going to be doing what I have been doing, I'll just coast now. I'll miss the odd meeting and I'll wait because then another four years people will forget that I was absent a lot of times and not coming to the meetings and I'll go providing that that person happens to be well to do, he can afford the $20,000 or $25,000 dollars for an election.

Who in his right mind will go in to say spend $25,000 dollars for an election and then another $25,000 and then find out, after their second term you're out? All the work that you've done. All the work that you've left behind is going to be taken over by someone that campaigned against you each time. Now this person gets the credit. It's like a jigsaw. There would be no solution. But if you give the people the right, let the people decide, people who vote, each and every election, give them that opportunity. If they like the person who is a candidate that person will get re-elected or will get elected.

You cannot dictate what Fidel Castro did in the early '60s when he started a revolution in Cuba. He chased out all of the so-called democracy and said that I will give you a better democracy. I will give you what you want. So what happened later on, after he killed off most of his opponents, shot them, executed them, he went and set himself up as a President for life. As long as he lives. Now is that democracy? Is this what you would call, that this is something that people believe in because you've taken their rights away?

And Mr. Speaker, the one thing, the one thing Mr. Speaker, Mr. Speaker the rights of individuals, the rights that you have, the rights do not grow on trees. That's one thing I learned many years ago, the late Tommy Douglas had taught me that. Steve Juba had taught me one thing also. He had said that if you think that you're indispensable put yourself a pail of water, a full pail of water. Put your thumb in that water and if you pull out that thumb and an imprint of the water of your thumb stays in that water you are indispensable, otherwise forget it.

So it just shows there is always, there is always someone wants to help. But if a person, not everyone, I've seen members of Council that lasted only one term. They did everything what they could. They could not get re-elected because they did not prove themselves. They did not listen to the people that elected them. They were on their own and until just about six months before election then all of a sudden I'll do this, I'll do this, hey I promise, I pledge, I've placed so many pledges and people bought that and some people said no, no bloody way. Because someone else come along, they followed, they said hey just a minute, I will do better.

So talking about being indispensable if somebody can do better, there always somebody that can do better. I've been around here a long time. I believe I'm the only one that's been running for Council since the formation of Unicity and that's a number of years ago. That's got to be four decades from the time of the first, well four decades from when I got involved in politics. But I'll tell you I've learned something along the line and the main thing what I've learned Mr. Speaker is that democracy cannot be defeated.

Democracy is every right, fundamental right of every human being. Whether it's in Winnipeg, Manitoba or Canada, or any other place. That is their fundamental right and if anyone tries to overdo it and say just a minute you don't have the right now to run again because I said so because I was able to convince others to put that into law. It stinks! How could anyone be stopped, go through the court system, they would throw it out because your Constitutional rights give you that right.

So Mr. Speaker, Councillors please, vote with a common sense and make sure that we do things right.

Mr. Speaker: Thank you Councillor. Some of us were waiting to hear about the autobins being tied into this and we were disappointed. Councillor Clement.

Councillor Clement: Thanks Mr. Speaker. And it's turned out nice again

hasn't it? You know the guy that coined that phrase was a sports writer until he was in his 80s and you know why because everybody in Winnipeg loved the guy and he was a bit of an institution.

You know it's interesting. We talk about how you do this. I can tell you that when I first got elected I had no idea I was going to be standing here today. It certainly wasn't on my mind at the time. I just wanted to fix something. The problem is I fixed it and then something else needed fixing and then something else needed fixing. Frankly I always got a list. I don't know what it is about living out my way, that's just the way it's been.

And I've had other opportunities. I can absolute guarantee I could be sitting in Ottawa right now if there was a nomination to be had. Hey, I said no. That's right I would have beaten your party too. And there have been opportunities to go to the Legislature too but I don't know why I would want to take a demotion, frankly. Why would I want to go over there? And sit there like a gooney for three or four years while somebody else is in power and you do absolutely nothing for three years, four years at a time, you do nothing but sit up on the third floor and play cards I think.

It's a little different over here. We're actually able to deal with the people on an ongoing basis and it's a whole different level of government over here and I'm proud to be able to say that I've been given a stay here for a long time because you don't do it by accident. And I guess you can tell that I'm not going to support the motion or the second motion or any part of it.

You know it's interesting too we talk about how long you've been here. You know that in terms of boundaries, when I first got elected I represented Charleswood and south Headingley for the first six years. And then they changed the boundaries because of how many people we represented and I didn't have all of Charleswood, but I had about two-thirds of it and I still had south Headingley. Well of course south Headingley seceded the following year and that's when we were reduced from 29 to 15 Councillors and that's when we went from part-time to full-time, according to some folks.

Well it was interesting because my new area, my boundaries seemed like half of south Winnipeg. I had two-thirds of Charleswood. I had Tuxedo, Whyte Ridge, Linden Woods, east and west Fort Garry south of Jubilee all the way to Bishop Grandin. And you know it wasn't a fun election and I didn't win by a lot but it was an interesting time and I was told by people who were close friends of mine, don't even bother going over there. That's all NDP, you're a Tory.

I've never looked at it like that. Never ever have I done that which is why I don't like slates, which is why I didn't like the ICEC and that's why they were getting turfed let and right around the time I got elected here the first time. And that's exactly what was going on with Winnipeg Into the Nineties later on, frankly. People don't like groups. They want to be represented by somebody that thinks like them and whether we like it or not, and whether we buy into the fact that we are one big city and there are some people that keep wanting to look at the big picture, the fact of the matter is we get elected very parochially.

And the people when you look and I'll, god you just have to look at the regional streets, you know. Pembina Highway is a regional street. Roblin Boulevard is a regional street. Is there a difference? Absolutely. Roblin Boulevard is mostly residential houses. Pembina Highway is almost all commercial. Similar to Regent until you get into Transcona. They are not all the same. They're just not all the same areas. And everybody has different types of problems and different types and forms of philosophical bents on issues.

Well an interesting thing happened in that Fort Garry area Mr. Speaker. I called a meeting to deal with a traffic issue one night. We didn't even have enough seats in that community club. There were people shaking hands with each other that you could tell they hadn't seen each other for 15 or 20 years. Probably since they stood in the snow banks watching

their kids play hockey. They were probably grown up with their own kids by that time. It was an interesting thing to watch.

But the next election Mr. Speaker, after having some of those types of meetings, and getting to meet people, an interesting thing happened. Notwithstanding that it was this real strong NDP area and I was a Tory, I won it in a landslide. Now why was that? Because the people got to know me, because the people knew that it didn't matter whether they were NDP, Liberal, nondenominational or pick one, they knew that if they phoned my office they a) would get their call returned personally, and b) I would follow up on whatever it was that they were calling about. And everybody knows that I've done that.

And you know that's all it was. That's all it was about with all those people. And that's the problem when you get into these slate issues. The gentleman that I replaced was exactly like that. He was a Tory, same as me. But he didn't acknowledge anybody that wasn't. That was his problem. So you know you get into these situations.

The other thing that's been interesting is how these boundaries have moved around. All of a sudden in 2002 the boundaries changed again. Well now I don't have Fort Garry. Now I don't have Linden Woods. Now I've got Whyte Ridge, Tuxedo and now I've got all of Charleswood again. And the interesting thing about west Charleswood, hell in 1989 to '92, I represented them. In 1992 to '95, George Fraser represented them. From '95 to '98, Pat Phillips represented them. From '98 to 2002, Peter De Smedt represented them and now they've got me again. They've had six straight elections with different Councillors, that end of Charleswood. You know I mean, like there is all kinds of strange situations like that out there so, and then you get into this issue about part-time and full time and I'm not even sure how to deal with that.

And I hear about you know we've got all this money to spend. Well I guess we do if that's how you choose to spend it. I think last year I didn't spend $40,000 dollars of it. I think I'm right with the Speaker on that one. The year before I think $38,000. I don't use my Councillors' Assistant's account to get re-elected. I use it to buy a cell phone and return phone calls. I use it for my parking and my postage and those kinds of things. Some folks have executive assistants. If they need them, great, I've got no quarrel with that.

My only point is, is that we are here and we are seen to be full-time, whatever that means, and I'm not sure what that means actually. Does that mean we supposed to be here from 8:30 a.m. to 4:30 p.m. and have Friday and Saturday off? What a joke. I don't know about how many of you folks go out but I know that I'm in meetings at least a couple nights a week, sometimes more. Almost never a weekend goes by. You can hardly go to a funeral and somebody doesn't come up to you, gee I know it's not appropriate to talk to you about this here Bill but, and away they go. And they start talking to you right? How many times have you experienced that? And it's not just there. It doesn't matter where you go you. You get that. We're 24/7. It doesn't stop. I got off the ice of my curling club last night and was sitting down with my team and a guy came over and talked to me about his back lane problem. Big deal, you know. We know that when we get into these jobs that that's the way they are and they are 24/7 and they're important.

But you know there's not that much broke here, I don't think.

Mr. Speaker: Extension of time.

Councillor Clement: You can talk about change all you want. You can go back to the old system if you like. We have a strong mayor system today. The first nine years I was here or thereabouts or six years I was here, the chairmen of the Committees were elected by their peers. Some liked that system better. It got changed. There's always, there's always things that change. Everything is in flux and if you can't change with them Mr. Speaker, then you shouldn't be here.

But you know what I mean today we talk about environmental issues. I can tell you that you that 15 years ago they didn't come up very much. They come up a lot more now. Bicycle paths and walkways. If I'd of thought 15 or 18 years ago that that was going to be a huge issue I'd have told somebody they were crazy. But you know what it's a huge thing out my way which is why I fight so hard to try and build some of them and connect to the various communities because people want to do that.

There is ever changing things but I'll tell you something else and you can talk about two terms and three terms and those kinds of things. I look at the Charleswood Bridge and I know when it got built. It took me 12 years to get that built and a lot of luck. And I can tell you there were votes in this chamber, 14 votes on that thing in this chamber, and one vote I even got Rick Boychuck to vote for it, from Transcona. He owed me, he owed me and he said this one time Bill. And he saved that bridge frankly for me that time because I got it I made it by one vote and hung onto it and it kept on going like that but that's a true story.

The fact of the matter is that bridge got built and then a parkway and a community club in Whyte Ridge that was not supposed to have one and ditto Linden Woods. And I'm not going to apologize to anybody here for having the experience to know how to make those things happen and why should I or why should anybody? But I would do them all again Mr. Speaker because they were the right thing to do, and turning this down is right as well. I don't think there is anything broke here Mr. Speaker.

Mr. Speaker: Thank you. Councillor Wyatt closing debate on your motion please.

Councillor Wyatt: Mr. Speaker I think there has been a lot of different feelings expressed. I think the motion is with regards to having three consecutive term limit would allow Councillors to achieve a lot of the goals that they've set out to do. I believe that a lot can be achieved over a dozen years. If you work at it and know there is a time limit on your work at the same time. That is, assuming that you get re-elected in the interim.

And so I think it's fair and I think it's balanced and I think it would give an opportunity to allow for process. I think the two year term, the two term would be just far too short a period of time to allow for someone to achieve, if they have certain things they want to see done, not only for their community that they represent but also for the City at large. And I think Mr. Speaker it allows for new blood to come into the chamber and to become part of the system which I think is an opportunity to serve.

I think a lot has been said. There is no doubt that this is not a 9:00 a.m. to 5:00 p.m. job. We know that we go from here often into community meetings in the evenings. After a meeting like this many of us will have them. We know we have meetings on the weekends with constituents. We know we have functions to attend where constituents expect to see us, to support their causes, and events and to be part of the community. So it's not a 9:00 a.m. to 5:00 p.m. job and that's why it is not necessarily a traditional job and that's why I don't think we should be viewing it as such, as a traditional job as per se, or expect that the job should be there as well.

And I know it's hard to say, to be part of the debate because it's personal because we're part of it but if we take a step back and we look at it and look at the objectives of what we're trying to achieve here, I think overall it would create a better system, it would create more public policy debate and discussion and allow for more flow and engagement of the public and getting individuals involved in politics that may not have gotten involved before because they know going up against an incumbent is simply is it's a hard mountain to climb and involves a lot of resources.

So you know Mr. Speaker, I think this is balanced, I think it's fair, and I think it's a worthy amendment and I would encourage Council's support. Thank you.

Mr. Speaker: Thank you. Councillor De Smedt closing on the main motion please.

Councillor De Smedt: Thank you very much Mr. Speaker. I feel like a skunk at a garden party. (Laughter).

Mr. Speaker I do appreciate the fact that democracy prevails here today. We had a good open discussion as we should have. This item has been around. It's not my own idea. I mean it has obviously been floating around to our neighbours to the south by a significant amount. It's been floating around in Edmonton by the way. Councillor Nicol moved a motion just before Christmas and it was received as information on an administrative report about term limits and it's rather intriguing the debate is exactly the same as we have here today.

There is no question that we will have differences of opinion. There is no doubt about that. How this would work in a municipal government, in my view, is one that would improve it. I'm not saying that all that has happened in the past is bad. I wanted to acknowledge that again as I did earlier on this morning because we're not insensitive and the people aren't insensitive to what their elected representatives have done for them during the course of the last, where are we now? Since '72, count the years. Twenty-six, twenty-six years of civic government. Have I got my math right?

The fact is, is that the people have been very, very understanding. We are a City that is changing, and we should be anticipating change and there is nothing wrong with looking at a change to our governance model. Now should it be through a referendum or not? I understand that this raises tremendous sensitivities around this table and elsewhere. What's ironic of course is that the people who are managing the system, us today, are denying that opportunity to the people out there to have what is always the purest poll.

I'm not a polling kind of person. We know, we've all been through that through elections and depending how active you are provincially or federally, I mean you get surprised a lot by polls. Some of them are very accurate and of course it only measures a very small, small amount. And the trend lines are there. We all know the art of statistics and economics will make sure that they sound good. But the purest poll we could take would be to ask the people. What do you think about term limits? I know some will say that gee, the question may not be clear. This is a pretty clear question here.

I will be supporting the amendment by Councillor Wyatt simply because I think he's bringing to it a sensitivity that says look at eight is a little tight if we are going to try and accomplish something, leave it at twelve. And who knows in the future we could drop that back to eight. It would be up to the will of the people and the will of Council. But you know the question is clear.

You stand down for a term and you come back again if you wish. Gracious, you could serve for 24 years out of 28. Is something wrong with that? It allows that opportunity to still be there available for others to run. So when you read through the kind of term limit protocol which is exactly what occurs in the City of Denver on the eight year term protocol, just change the numbers to 12 with a four year stand down.

We will have this difference of opinion. There is no way that obviously I'm going to convince you to allow the people to speak which I think we should do and see how it would result in the purest poll ever. It wouldn't cost a lot of money to put it on the ballot. And it would be intriguing.

My own personal polls as I walk around and talk to people and nobody indicates to me that they want term limits because so-and-so is a real blip-it in the system. They say it would be healthy and it would be good. So in talking to a variety of groups and individuals, all over the City, who feel that term limits would be appropriate. So I'm motivated by that.

Including a referendum was intended to just see if we could move that out there so that we would be convinced if the poll came back with significant numbers, that

you would be convinced this is the right thing to do in a democratic process. Obviously I can't convince you of that today. That's regrettable. I do think we have to change the culture for the future. It would make a lot more sense to have people rotating on a regular basis that the public can identify with.

So I stand on that. Mr. Speaker, I guess my time is up and I would move the question.

Mr. Speaker: Okay we vote first on the amendment proposed by Councillor Wyatt. Do you wish a recorded vote on this? Okay, we'll do a recorded vote on the amendment which is Motion No. 4, all in favour of the amendment please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors De Smedt and Wyatt.

Nays

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

City Clerk: The vote Mr. Speaker, Yeas 2, Nays 14.

Mr. Speaker: The amendment is lost.

On the main motion. All in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors De Smedt and Wyatt.

Nays

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

City Clerk: The vote Mr. Speaker, Yeas 2, Nays 14.

Mr. Speaker: The motion is defeated.

EXECUTIVE POLICY COMMITTEE MOTIONS

Motion No. 1
Moved by Councillor Pagtakhan,
Seconded by Councillor Swandel.

WHEREAS today, March 22, 2006, is World Water Day;

AND WHEREAS one in six people in the world do not have access to clean drinking water;

AND WHEREAS the UN Conference on Water in 1977 in Mar del Plata affirmed the rights of all persons to access clean drinking water in order to satisfy their fundamental needs;

AND WHEREAS the Canadian Catholic Organization for Development and Peace has asked Canadian municipalities to assist in its effort to have the federal government recognize water as a common good and access to drinking water as a basic human right;

THEREFORE BE IT RESOLVED THAT this Council support in principle the statement put forth by the Canadian Catholic Organization for Development and Peace, which states:

- Water is a sacred gift that connects all life;

- Access to clean water is a basic human right;
- The value of earth's fresh water to the common good takes priority over any possible commercial value;
- Fresh water is a sacred legacy, a public trust and a collective responsibility.

Mr. Speaker: Additional motions under EPC, Motion No. 1 moved by Councillor Pagtakhan and Swandel, taken as read. All in favour? Opposed? That's Carried.

Motion No. 3
Moved by Councillor Lazarenko,
Seconded by Councillor Smith,

WHEREAS on June 29, 1998, Royal Assent was given to amendments made to s. 23(1)(i) of the Municipal Assessment Act (MAA), which amendments provided an exemption from school tax to the leasehold-titled property of the Chinese Cultural Association;

AND WHEREAS on January 1, 2005, Bill 50 provided a school tax exemption to community centres owned by the City of Winnipeg and leased to non-profit community organizations;

AND WHEREAS in 1995, the Province enacted Bill 36 to re-establish a "level playing field" between non-profit organizations such as veterans' associations and cultural and athletic associations;

THEREFORE BE IT RESOLVED that the City request the Province to assert in 2006 the equity intended in Bill 36 by amending s. 23(1)(f) of the MMA to include an exemption from school tax for veterans' associations that operate in premises held under leasehold title.

Automatic Referral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Mr. Speaker: Motion No. 3 by Councillor Lazarenko and Smith is an automatic referral to Executive Policy Committee.

By-laws.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mr. Speaker: Mr. Mayor second and third reading.

Mayor Katz: Thank you Mr. Speaker I would move that By-law No. 72/2006 be read a second time.

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

Clerk: By-law No. 72/2006.

Mayor Katz: I would move that By-law No. 72/2006 be read a third time and that same be passed and ordered to be signed and sealed.

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

Additional By-laws Your Worship.

Mayor Katz: I would move the following By-laws be read a first time, By-law No. 1/2006, By-law No. 2/2006, By-law No. 73/2006, By-law No. 104/2006 and By-law No. 112/2006.

Mr. Speaker: Right we have to stand aside By-law No. 125/2006.

All in favour? Opposed? Carried.

Clerk: By-laws No. 1/2006, 2/2006, 73/2006, 104/2006, and 112/2006.

Mayor Katz: Mr. Speaker I would move that By-law Nos. 1/2006, 2/2006, 73/2006, 104/2006 and 112/2006, be read a second time.

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

Clerk: By-laws No. 1/2006, 2/2006, 73/2006, 104/2006 and 112/2006.

Mayor Katz: I would move that the rule be suspended and By-laws No. 1/2006, 2/2006, 73/2006, 104/2006 and 112/2006 be read a third time, and that same be passed and ordered to be signed and sealed.

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

I believe Councillor O'Shaughnessy are you moving 125/2006? All the addendum By-laws?

Mayor Katz: There is the walk on By-laws Mr. Speaker.

Mr. Speaker: Okay I just, where do I have them? Okay, Mr. Mayor do you want to yeah, move the addendum ones please.

Mayor Katz: Thank you Mr. Speaker. I'd move the rule be suspended and the following By-laws be read a first time, By-law No. 118/2006 and By-law No. 119/2006.

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

Clerk: By-laws No. 118/2006 and 119/2006.

Mayor Katz: Mr. Speaker I'd move that By-laws No. 118/2006 and 119/2006 be read a second time.

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

Clerk: By-laws Nos. 118/2006 and 119/2006.

Mayor Katz: And Mr. Speaker I'd move that the rule be suspended and By-laws No. 118/2006 and 119/2006 be read a third time and the same be passed and ordered to be signed and sealed.

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

All right on By-law No. 125/2006, Mr. Mayor on a Point of Order.

(Point of Order)

Mayor Katz: Mr. Speaker I would like Councillor O'Shaughnessy to take care of By-law No. 125/2006 and I'd like to recuse myself as I'm in a conflict of interest.

Mr. Speaker: So noted. Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Mr. Speaker I would move that By-law No. 125/2006 be read a first time.

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

Clerk: By-law No. 125/2006.

Councillor O'Shaughnessy: I would move that By-law No. 125/2006 be read a second time.

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

Clerk: By-law No. 125/2006.

Councillor O'Shaughnessy: Move that the rule be suspended and By-law No. 125/2006 and be read a third and that same be passed and ordered to be signed and sealed.

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

I think we've covered them all. Executive Committee Question Period in any? Councillor Gerbasi and Councillor Swandel.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Councillor Gerbasi: Mr. Speaker the Mayor is just coming back in, so I'll wait till he…

Mr. Speaker: Okay.

Councillor Gerbasi: Okay, thank you. Mr. Speaker my question, the City Summit scheduled for May 3rd and 4th will bring a high profile former Mayor of New York to Winnipeg. There will certainly be costs to the public purse over and above the $100,000 dollar fee to bring in the speaker. And furthermore the Summit itself will bring a lot of profile to the Mayor, photo opportunities with a world famous Mayor, and requires significant staff resources.

Since the campaign period for the mayoralty race begins May 1st and the Summit will take place during that campaign period, will the Mayor assure Council that holding such a Summit is appropriate and fair during a mayoralty election campaign?

Mr. Speaker: Mayor Katz.

Mayor Katz: Thank you Councillor Gerbasi. Mr. Speaker, Councillor Gerbasi is absolutely correct. We will have a very high profile individual, former Mayor Rudy Giuliani. As was pointed out someone here thought it was very disappointing that as a result of term limits he could not continue his office after 9-11 but don't fret he may one day be the President of the United States of America. So things could work out in the end.

Mr. Speaker the realities of life are, I am not even thinking about the next election. I have lots of work to do and I will be doing my job as normal during this Summit on May 3 and 4.

Mr. Speaker: Thank you. Do you have a supplementary Councillor Gerbasi?

Councillor Gerbasi: Yes, we've been advised that the cost for attending the dinner with Mayor Giuliani at the Summit will be $250 dollars per plate and I'm wondering if the Mayor would please explain how people of more modest means will be able to be included in this event in Winnipeg.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker as was shared with the media and I'm, I believe that Councillor Gerbasi is aware but if not I'm happy to respond, is that the cost of bringing Mr. Giuliani into town will basically be funded by the private sector. There will be no dollars coming from the City of Winnipeg. Vis-à-vis the dinner will be paying for those expenses. A table of 10 is $2,500 dollars or $250 dollars. There are also delegates that have been invited to the Summit by the committee and they will be able to access tickets that way. I mean I don't know of a dinner that takes place where every single individual of the City can easily access this. This is basically a fundraiser to pay for the expenses. I believe it's very appropriate. I think it's much better than having the City pay for it and I'm glad we'll be able to sell the tickets because to date the response has been phenomenal. Thank you.

Mr. Speaker: Final supplementary.

Councillor Gerbasi: Thank you for that explanation. So the delegates will be provided with access to the dinner. Will the Mayor provide members of Council with a list of the people who have been invited as delegates to participate in the City Summit?

Mayor Katz: Mr. Speaker, I don't have a list of the delegates. There is a volunteer committee headed by Dr. Axworthy and David Asper, I'm sorry, Leonard Asper and Ida Albo. They are the ones who are in charge of this and I'm sure if Councillor Gerbasi would ask them they would provide it. If not I would be happy to act as a conduit and make arrangements.

Mr. Speaker: Thank you. Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. Mr. Speaker over the lunch break I was able to provide the Mayor with a sheet from the, a page from the 2000 audit, department audit of the Real Estate Management division. In particular on the acquisition, sale and external leasing of City-owned real estate. And the section that was highlighted was the following words: "Knowledge and skill gaps need to be addressed and there is a need to improve the due diligence process. Information requirements of divisional staff, senior administration, Standing Policy Committee, Executive Policy Committee and Council, need to be reviewed to ensure that all parties receive sufficient and appropriate information to make good decisions. We believe that the implementation of these recommendations will lead to a stronger controlled portfolio and increase the likelihood of achieving business

objectives by mitigating the significant risks associated."

Mr. Speaker the, we've just accepted the Auditor's report of the red light camera issue and it would appear that while this was put forward in the year 2000, it has not transcended the organization. While it may be implemented in Real Estate the Auditor's reports need to transcend, or the Auditor's recommendations where appropriate need to obviously transcend the entire organization. I'd like to ask the Mayor if he has any plans or means by whence this might happen.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I want to thank Councillor Swandel, is that I'm looking at this right now and I would say to you that if a concrete recommendation or suggestion is made that applies for one department, I think common sense should and would dictate that we certainly use it for other departments. I very much believe that as a result of the audit, there were many recommendations made. They are being acted on, some of them have already been acted on and many more will be acted upon.

I certainly would agree with Councillor Swandel. It certainly is important for all members of Council to receive the appropriate and as much information as possible in order to make proper decisions when representing the City of Winnipeg and I can assure you that I am happy to look into this further and to make sure that that is the process we are following.

Mr. Speaker: Do you have a supplementary Councillor Swandel?

Councillor Swandel: Just one quick supplemental Mr. Speaker. Would the Mayor consider using one of his Standing Policy Committees as, tasking one of the Standing Policy Committees with the assembly of recommendations that would be appropriate to transcend the entire organization from the number of audits that have come forward?

Mayor Katz: Through you to Councillor Swandel, I am more than happy to take that under advisement and I'm happy to look into it. And once again I will personally get back to you on that matter.

Mr. Speaker: Final supplementary. Are you done? Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker last week the, excuse me Mr. Speaker. Mr. Speaker last week the Mayor toured Fire-Paramedic operations in three U.S. cities with Chief Shoemaker and Alex Forrest, President of the United Firefighters of Winnipeg. Since the Paramedics were excluded from the trip they have withdrawn their support for Fire-Paramedic integration and called for an audit of the Fire Paramedic Service. Mr. Speaker why did the Mayor not include the Professional Paramedics Association of Winnipeg on his tour?

Mr. Speaker: Mayor Katz.

Mayor Katz: Through to Councillor Benham, thank you very much for the question. Just some clarification for Councillor Benham's consideration. And number one Mr. Speaker, this was not my tour. Although some people may have that impression, it's inaccurate. This was a result of a meeting that took place between myself and the President of the UFFW, as well as I had a meeting with the President and other reps of PPAW. At both those meetings I basically told them that I believe that integration was what was best for the City. If you gentlemen have some suggestions, my office is open. I'd love to hear from you. As a result of that UFFW came up with the suggestion, they talked to the Chief, they organized a trip, they invited me and I was happy to go.

I should also let you know that it is not accurate to say that as a result of this trip that PPAW has withdrawn their support because I know that Councillor Benham has read the paper on January 10th of '06 it was stated in the *Winnipeg Sun* that PPAW has withdrawn their support, that integration, amalgamation, consolidation are dead. Thank you.

Mr. Speaker: Supplementary Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Instead of blaming the people who organized the trip why didn't the Mayor simply insist that the Paramedics be invited or else he wouldn't go?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker no one is blaming anybody. Maybe some people on this floor may want to blame somebody but I certainly am not blaming anybody. The facts are I have met with PPAW and I have told them that if they want me to come on a trip with them I'm happy to do so. As a matter of fact I have a meeting with PPAW this week to discuss it and I can assure Councillor Benham that the dialogue between PPAW and myself has been very constructive.

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

Councillor Benham: Thank you Mr. Speaker. Who paid for the trip and how much did it cost?

Mayor Katz: Mr. Speaker I can't tell you exactly, it appears like everybody paid a portion of it but I'm happy to take that under advisement and get the numbers as soon as I can get them to the Councillor. It would be my pleasure.

Councillor Benham: Thank you Mr. Speaker.

Mr. Speaker: Councillor Smith.

Councillor Smith: Yes, through you Mr. Speaker. You know, I went to your website for the Winnipeg Summit, as you know from the last meeting, my questions, and I phoned the office today to find out some information. For example the dinner, the figure in the press and on the website is $250 dollars. When you phone your office it's $260 dollars. I'd like to know which it is.

Mr. Speaker: That's your question?

Councillor Smith: That's the first question.

Mr. Speaker: Okay you can sit down now.

Mayor Katz: Forgive me Mr. Speaker and Councillor Smith, unfortunately you asked the question. Councillor O'Shaughnessy answered saying that must have been the entertainment tax they added on.

As I shared with Councillor Gerbasi and obviously she does have the right information, the tickets are $250 dollars and I know a table can be purchased for $2,500 dollars. I would also like to let you know that there is a committee that's dealing with this. It is not my office that is doing this on a regular basis. There are people who are working on this specific project. But the answer is $250 dollars, not $260 dollars.

Mr. Speaker: Do you have a supplementary Councillor Smith?

Councillor Smith: Yes, you know this whole thing, this Summit. Does everyone that has an invite do they get a free meal? Do I have to pay for my dinner? Does everyone who got it get it? How is this done?

Mr. Speaker: The question has been asked.

Councillor Smith: Okay.

Mayor Katz: Mr. Speaker it is my understanding that delegates are being invited and that the committee is putting together a list of delegates from a broad cross-section of the City of Winnipeg. That's number one.

My understanding is is that all Councillors will be invited. I must confess usually when you're invited to something, I consider that to be an invitation and if there is a problem, it appears there are many people who volunteer to purchase the dinner but Councillor Smith I believe that should be included in there, is my understanding and if that is inaccurate I

will gladly get back to you no later than tomorrow.

Mr. Speaker: Final supplementary.

Councillor Smith: Yes. Also when you inquire, all the 200 spots are taken up already. How does someone who wants to come to this, who is not included in the 200, how do they get a fair hearing? For example let me tell you this. Nick Ternette told me he with like to go to this Summit and he has not been invited. And you know he's an activist. He has lived in other cities. He follows all the criteria that you set out. What's going to happen with that?

Mr. Speaker: Maybe he should file his election statements. Mayor Katz.

Mayor Katz: Mr. Speaker through you to Councillor Smith is that number one there are many ways of participating in this. Obviously there will be workshops, etcetera, and I believe that's what Councillor Smith is referring to and that is correct, that the committee and I've told you who is chairing the committee, they have set out a list.

By the same token there are other ways of participating. Either you know through the Internet as well you can participate. It doesn't take an Einstein to understand that not everybody can be present there. That's unfortunate but that's just the true realities of life and I think the important thing is to make sure that the committee came up with a good cross-section that represents the City and I believe they have. You know, does that mean all 672,000 people have been invited? No it does not, but that's the reality of numbers and there's not much I can do about that.

Mr. Speaker: Councillor Thomas.

Councillor Thomas: Thank you, Mr. Speaker. I was shocked, disappointed and baffled to say the least to find out that there was an inspection of three cities in the United States. And while it was purporting to look at both sides of both the Fire and Paramedic Service that the Paramedics had not been invited to participate. And my first question for the Mayor on this regard is when they toured those cities, did they see both the paramedic and the firefighting side of the tour?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker to Councillor Thomas. In the cities that were mentioned, they are not divided, they are brothers and sisters standing side by side. Firefighters are paramedics, paramedics are firefighters. They all work together. If a firefighter goes down a paramedic is qualified to step in. So I can tell you we met with paramedics, we met with firefighters, we met with the Mayor, we met with city managers, we met with people from finance, we met with everybody. And there were many questions that were asked by all.

Mr. Speaker: Thank you. Supplementary Councillor.

Councillor Thomas: Thank you. How can one fairly comment on the accuracy of the statement that it works well together when only one half of the amalgamated unit was asked to participate and ask questions?

Mayor Katz: Mr. Speaker unfortunately that's not accurate. The Chief was the one there initiating the questions. And the questions were being answered by as I said before, paramedics and firefighters and a slew of people who were basically there to help, not to hinder. So the reality is, if you walked into those rooms with an open mind and listened to these people, there was a great deal to be learned.

Mr. Speaker: Final supplementary.

Councillor Thomas: Does the Mayor think it's fair that when two unions are representing one workspace, that only one of the unions is asked to participate in it and not the other?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker as I mentioned before, is that the head of the PPAW who I had personally spoken to, has the exact same opportunity if they so desire. They

can take that initiative any time. We discussed that before I left town. We discussed that again yesterday and I think there are many people here that are probably taking more exception to this than some members of PPAW.

I would remind everybody here that half of our paramedics to date are cross-trained. They are both, they are fire-medics, they're not paramedics, they're fire-medics. And I think the whole purpose of this is to find out how people can live in harmony and have a good working relationship.

And to be very frank with you Mr. Speaker, that is the problem that we have here, is we need to have a good working relationship. And I believe there is an opportunity to get there, keeping in mind that over the last eight years it has not been the case. Hopefully we will make it the case.

Mr. Speaker: Thank you. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker on the second round. Mr. Speaker in December's Council meeting the Mayor voted against the proposal to continue the Environment Committee in place. There was an opportunity to renew its mandate and to continue it in place and to have that continuity. The Mayor voted against it and he said at the time by vote on the floor of Council and through the media that he would be appointing a different Environmental Committee. He didn't make it clear exactly what the parameters would be and I'm wondering Mr. Speaker what happened to that promise.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker, through you to Councillor Benham, thank you and I think everything you stated is accurate. To the best of my recollection, one, we've already had a preliminary meeting with many quality individuals as well as members who represent organizations, to all participate in this new Committee. I can tell you that Councillor Steeves chaired that and I believe, I may have to refer to Councillor Steeves to bring us up to date on that later on, but the first meeting did take place and when I left that meeting we were waiting to find out who was committed to being part of this new Committee. This original meeting was to basically discuss what was going on and who was prepared to be part of it and what some of the challenges were.

Mr. Speaker: Supplementary Councillor.

Councillor Benham: Thank you Mr. Speaker. In light of the fact that the Civic Environmental Committee that was gotten rid of met in public and its agenda was published on the Internet so that it was available to the public, could the Mayor indicate whether or not those two requirements will be a requirements of this new Committee. That is to meet in public and to publish the agenda on the Internet in the normal way?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker first for clarification, the Committee, no one got rid of them. There was a sunset clause that Council put in, it came up, that's number one.

Number two, I have no problem whatsoever with the suggestions made by Councillor Benham. Before I make any commitments I would certainly like to discuss it with the chair of the Committee and I'll be happy to get back to you on that.

Mr. Speaker: Final supplementary.

Councillor Benham: Thank you Mr. Speaker. Mr. Speaker the Mayor did indicate in his first answer that my preamble was correct and that he had voted against a motion that would have continued the Civic Environmental Committee and renewed its mandate.

Mr. Speaker, I take it then that just to confirm with the Mayor then, no decision, he hasn't discussed nor has he considered or made any decision about whether or not this Committee would

meet in public and publish its agenda on the Internet.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker, I have not made any decision to do that or not to do that. As I just reiterated earlier, I think that is a reasonable request but I certainly think it would be incumbent on me to talk to the chair first and I guess I'll repeat again and then after doing that I'll be happy to respond to the Councillor. Thank you.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. Further on the issue of the Fire Paramedic tour, the day that the press release came to us announcing that that tour was happening, and then it was in the media subsequently, that is when the PPAW union also became aware of this tour according to them, who I spoke to.

And I guess I'm wondering if the Mayor agrees that whether it was intended or not or whether somebody else arranged it, or whether it was an oversight not to include that other union in that tour. Will the Mayor concede that there has been damage done to the morale of that union and that some action needs to be taken to deal with that?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker first of all I can tell you that PPAW was notified by my office, number one, not through the media. Number two, is that I am of the opinion as a result of that, we may actually have the opportunity to make some positive headway. This is a situation as I acknowledged earlier has been dragging on for years with no end in sight and nothing constructive taking place.

I believe with the dialogue that's taken place in the last 48 hours, I believe there is an opportunity to accomplish something positive, because there is no one here who could state that anything positive was going to be accomplished. As I stated earlier, January the 10th in the *Winnipeg Sun*, PPAW announced amalgamation, consolidation, integration, was dead. We want no part of it. A month ago they reiterated that to me in my office. So I guess I'm baffled to try and understand how much worse could it possibly get Mr. Speaker, than that?

Mr. Speaker: Councillor Gerbasi do you have a supplementary?

Councillor Gerbasi: No.

Mr. Speaker: Okay. Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker, through you to the Mayor, I would like to know that in all the dealings with this nine year old issue on Fire and Paramedic amalgamation, has the safety of our citizens been the highest priority?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker through you to Councillor Swandel, I believe the safety of our citizens, the safety of our Firefighters and the safety of our Paramedics, should most definitely be the highest priority, that's number one.

Number two, I can tell you that when we spoke to representatives and told them that we had five different bargaining units, they looked at us like we've lost our minds and maybe now people understand that all year around the Chief is continually negotiating.

I think what really has to take place here is that we have to accept the fact Mr. Speaker, that we have a compliment of 900 approximately, firefighters and we all know that there is a part of that day where they are not out answering fire calls, which means, you have to use that resource. Which is why members of firefighters and paramedics are being cross trained. It's very efficient and it certainly does serve the public, especially when you have an aging population.

Mr. Speaker: Supplementary.

Councillor Swandel: Thank you Mr. Speaker, through you to the Mayor again, to his knowledge, does he know if the two unions at the forefront of this whole

citizen safety is the highest priority in moving ahead on the amalgamation issue?

Mr. Speaker: I don't know how the Mayor answers for an agency outside of the City government. It's really a grey area.

Mayor Katz: Mr. Speaker, there are many things I think I'm qualified to answer but I don't think I have the ability to answer that question but I do thank Councillor Swandel for it.

Mr. Speaker: The question is out of order that's why. You can't answer for an outside agency. Do you have a final supplementary?

Councillor Swandel: Sure. Rephrasing Mr. Speaker, if I may, can the Mayor tell us if there are any plans moving ahead with the two primary units, unions involved, in addressing citizen safety as a key priory in the amalgamation process?

Mayor Katz: Mr. Speaker, I can certainly tell you from the department's point of view and certainly from my point of view that citizen safety should definitely be number one. And I think in order for us to get there and do the right thing, we need to have an environment of respect in the workplace.

I don't think it will come as a surprise to anybody who is sitting in this chamber right now, that that is not what exists today. That hasn't existed for a long, long time. I'm sure many of you have read comments made by one about the other. That is not addressing the problem.

To address the problem, one is safety, two is the cost to provide the service to our citizens, and I would say safety is number one. And I believe that is the direction we are going in and I hope we get there.

Mr. Speaker: Any other questions? None. We'll move on to the Standing Committee of Protection and Community Services, report of March 6th, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED MARCH 6, 2006

Councillor Steeves: I think Mr. Speaker.

Councillor Thomas: Mr. Speaker.

Mr. Speaker: I'm sorry just a moment on a Point of Order?

(Point of Order)

Councillor Thomas: Could I request that this clause be referred.

Mr. Speaker: Well we haven't even got it moved yet Councillor, so can we just…

Councillor Thomas: Well I would like it referred back because I didn't get an opportunity to come and speak there. I'm sure that the recommendation…

Mr. Speaker: Councillor thank you but just wait a minute please we haven't even got it officially on the agenda yet. So can I get it on our agenda formally and if Councillor Steeves wants to, on your behalf, move it back to his Committee for reconsideration. Councillor Steeves presenting the report of March the 6th.

Councillor Steeves: I'll introduce the report and move adoption but I can't see any reason not to move it back, Mr. Speaker.

Mr. Speaker: Do you ask that clause 1 be referred back to your Standing Committee? Is that agreed?

Councillor Steeves: That's fine.

Mr. Speaker: Agreed and so there we go.

Report of March the 10th.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED MARCH 10, 2006

Councillor Steeves: Thank you Mr. Speaker now that we have the very

delicate item of the Glen Elm Children's Centre out of the way we can move on to the report of March 10th, 2006 in which case I'll introduce the report and move the adoption of the Consent agenda items 1 and 2.

Mr. Speaker: All in favour? Opposed? That's Carried.

Do we have motions? None. Are there any questions? None.

Infrastructure Renewal and Public Works report of March 7th, Councillor Clement.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED MARCH 7, 2006

Councillor Clement: Thank you Mr. Speaker, I'm pleased to move the report of March 7th for the infrastructure and Public Works Committee, and I'll move clauses 1 through 5 as Consent items.

Mr. Speaker: All in favour? Opposed? That's carried.

There is a motion coming which would be an automatic referral but it will get there whenever it gets there.

Mr. Speaker: All right we'll deal with By-laws, Councillor Clement.

STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS CONSIDERATION OF BY-LAWS

Councillor Clement: I'll move that By-law No. 102/2006 and By-law No. 103/2006 be read a first time.

Mr. Speaker: All in favour? Opposed? That's Carried.

Clerk: By-laws No. 102/2006 and 103/2006.

Councillor Clement: I'll move that By-laws 102/2006 and 103/2006 be read a second time.

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

Clerk: By-laws No. 102/2006 and 103/2006.

Councillor Clement: I'll move that the rule be suspended and By-laws No. 102/2006 and 103/2006 be read a third time and that same be passed and ordered to be signed and sealed.

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

Any questions for Public Works? Councillor Smith.

STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS QUESTION PERIOD

Councillor Smith: Yes, Mr. Clement, I'd like to know what's going to happen to these 1,800 garbage cans that the City has purchased. Can you please explain what we're doing with them?

Councillor Clement: We're going to sell them.

Mr. Speaker: That's it? Councillor Swandel do you have question?

Councillor Swandel: Can we use the money to fill potholes? I'd like to ask the chair, through you Mr. Speaker, if he can in light of the fact that we are entering into the worst time of the year for potholes and we are all going to be inundated with calls from constituents and their favourite pothole location, what action is Public Works taking in this year to deal with our ongoing seasonal pothole issue?

Councillor Clement: I'm assuming that what he means by the question is what activity are we doing to deal with it? As I understand it the Public Works people have got crews in every area. They're working each day. They are not taking weekends off. They are working Monday through Sunday and they are working 10 hour shifts to deal with the pothole issues.

Mr. Speaker: Supplementary Councillor, do you have one?

Councillor Swandel: Just a question, is there any conversation, is there any conversation around lengthening the hours in the day that potholes will be repaired? From 10 to 12, 15, 24 hours?

Mr. Speaker: Councillor Clement.

Councillor Clement: I haven't been privy to any conversations in that regard. My understanding is that it's somewhat difficult to do in the dark and there are safety issues and that's why it hasn't been done like that.

Mr. Speaker: Final Supplementary? No. Any others? Seeing none, this motion that is being distributed now is Motion No. 5. It is an automatic referral to the Public Works Committee, so it's for your information.

STANDING POLICY COMMITTEE ON INFRASTRUCUTRE RENEWAL AND PUBLIC WORKS
MOTIONS

Motion No. 5
Moved by Councillor Wyatt,
Seconded by Councillor De Smedt.

WHEREAS on March 22, 2006, Council is considering a Conceptual Land Use Plan for the use on development of the Public Markets site;

BE IT FURTHER RESOLVED that the Public Works Department, in consultation and cooperation with the Ward Councillor, provide a report on the required street upgrades and infrastructure improvements to Dugald and Plessis Roads to support the growth of the St. Boniface Industrial Park and the adjacent industrial areas; said report to be submitted to the Standing Policy Committee on Infrastructure Renewal and Public Works in 30 days and proceed to Council in 60 days.

Automatic Referral to the Standing Policy Committee on Infrastructure Renewal and Public Works in accordance with Rule 16.1 of the Procedure By-law

Mr. Speaker: The Standing Committee on Fiscal Issues of September 13, 2005, Councillor O'Shaughnessy.

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

Councillor O'Shaughnessy: Thank you Mr. Speaker, I would like to introduce item 1 and move adoption of clauses or recommendations 1 and 3.

Mr. Speaker: All in favour? Opposed? That's carried.

The report of March 7th, Councillor O'Shaughnessy.

REPORT OF THE STANDING COMMITTEE ON FISCAL ISSUES DATED MARCH 7, 2006

Councillor O'Shaughnessy: For the report of March 7th, the Consent agenda item 1.

Mr. Speaker: All in favour? Opposed? That's Carried.

By-laws Councillor.

STANDING COMMITTEE ON FISCAL ISSUES
CONSIDERATION OF BY-LAWS

Councillor O'Shaughnessy: I believe that will be my last Entertainment Tax exemption ever. Move the following By-laws be read a first time, By-laws No. 110/2006 and 111/2006.

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

Clerk: By-laws No. 110/2006 and 111/2006.

Councillor O'Shaughnessy: Move that By-laws No. 110/2006 and 111/2006 be read a second time.

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

Clerk: By-laws No. 110/2006 and 111/2006.

Councillor O'Shaughnessy: Move that the rule be suspended and By-laws No. 110/2006 and 111/2006 be read a third time and that same be passed and ordered to be signed and sealed.

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

Any questions for Fiscal Issues? None. We move to the Standing Policy Committee on Property and Development, report of February 14th. Or Downtown Development, oh sorry. Do I have that?

Councillor De Smedt: Thank you very much Mr. Speaker. We have an amendment.

Mr. Speaker: Sorry I missed one Councillor it was in my stuff. The report of Downtown Development. It's an additional report that came through Executive Committee this morning, report no. 1, item no. 1, Union Bank Tower.

**REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT
DATED MARCH 20, 2006**

Mr. Speaker: Councillor Magnifico moves the clause.

Councillor Magnifico: Yes I'd like to move suspension of the rules to introduce the report on the Union Bank Tower.

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

Councillor Magnifico moves clause 1.

All in favour? Opposed? Carried.

Sorry I missed that one. Now any questions for Downtown Development? We move to Property and Development report of February the, wherever I was, February the 14th.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED FEBRUARY 14, 2006**

Councillor De Smedt: February the 14th.

Mr. Speaker: Clause 1 and there is an amendment to this clause.

Councillor De Smedt: There is an amendment.

Mr. Speaker: Motion No. 2.

Motion No. 2
Moved Councillor De Smedt,
Seconded by Councillor Magnifico,

THAT Item 1 of the Report of the Standing Policy Committee on Property and Development dated February 14, 2006 be amended as follows:

· *Delete Recommendation 1 in its entirety and replace with the following:*

"1. That the Conceptual Land Use Plan dated March 9, 2006, be approved as the preferred land use and development plan for the Public Markets site";

· *Amend Recommendations 3 and 4 to delete reference to the "Conceptual Land Use Plan as outlined in the Report of the Director of Planning, Property and Development dated December 16, 2006" and replace with "Conceptual Land Use Plan dated March 9, 2006"*

· *Amend Recommendation 4, pertaining to declaring surplus the City-owned lands at the Public Markets site, to delete reference to "the proposed Public Works Yard" and to add reference to "the future regional storm water retention basin areas (±10 acres)";*

· *Add the following as Recommendation 8*

"8. That the Public Works East Yards Consolidation Project be located in the St. Boniface Industrial Park, and that any Council / Standing Policy Committee

decisions which are inconsistent with the above be and are hereby rescinded",

and renumber the balance of the recommendations accordingly.

Councillor De Smedt: And just for the benefit of Council, the amendment is describing that the Public Works yard, will not be part of the Public Market site so the Public Work yard is being recommended to move to St. Boniface Industrial Park. There, the appended map that you're now getting will describe the surplus lands with the exception of the land drainage called the future regional storm water retention basin in the southeast part of the Public Market site, will not be declared surplus because we have to keep that within the public infrastructure. But that the rest of the site can be declared surplus and I think the ultimate plan colleagues is to see an expression of interest go out so that we can start moving this piece of land towards a "M1", "M2", light industrial, institutional, medium industrial site that can bring benefit to the City.

On balance, the shift from the Public Works yard from this site over St. Boniface is neutral. It's sort of the capital investment and as you all know, the City has been growing very rapidly and continues to grow rapidly east of Lagimodiere. Lagimodiere Boulevard and where we have already Silver Acres and there is other potential growth and to the north in Transcona so that actually, I think the move of the Public Works yard is probably going to be ultimately in the most desirable location and we will then not foreclose on an opportunity to see the Public Market site evolve with hopefully private sector interest coming forward in the very near future.

So I move the motion to amend and the clause. Thanks.

Mr. Speaker: Okay. The amendment does all of that. Councillor Wyatt on the clause and the amendment.

Councillor Wyatt: Thank you Mr. Speaker, where do I start with this issue? At the beginning maybe. This matter is, you know we heard the presentation at the last Council meeting. This as you recall Councillors was laid over from the last Council meeting and because of, exactly that's how I feel. Because of the, because of some presentations we had, and now we are being asked in a motion before us, an amendment to a report, it's actually quite a fundamental amendment because of the fact that the report itself, if you read the report before us here, it has very little detail about exactly the different options and indeed, the St. Boniface Industrial Park site.

You have to go back to the report that was discussed at the Standing Committee on February the 14th to get that kind of detail. Why that information did not flow here in this report is very questionable or it's a question worth asking because the data contained in that report directly impacts the decision that you as Councillors are being now asked to make and that is to move the site.

And I guess I start off with saying, Mr. Speaker, why do we employ administration to give us their best advice based on costs, based on efficiencies, based on what they think can work, and then basically ignore that advice completely. Not only are we not selecting their site, their second choice site, their site B but we're going on to site D.

If you read the report that was before the Standing Committee Mr. Speaker, it's very clear, the Public Works department indicates that the St. Boniface Industrial Park is not an acceptable location because it is not a central location for the service delivery that will be consolidated at this works yard and if it was located at this location, it would require additional operating costs.

So what does that mean? It means that today this Council is being asked to make a decision to locate, consolidate all of our Public Works yards, a plan by the way adopted by this Council six years ago, all right to change that decision and move it to a different site that will not only cost us more money to do, which I'll get to in a minute but on an annual operating basis it's going to cost the City more.

The estimated cost, the present value of the alternatives, the Public Works site, the one site that the Public Works department is recommending on the Public Market site to consolidate there, net present value benefit $147,000 dollars. A potential alternative site, $62,000. The St. Boniface Industrial Park site, $1,132,000 dollars in the hole, an actual cost to go out to that site.

And I asked Councillors why are we doing this when I can tell you right now, we have an east yards. We have a Public Works yards on the east side. It's literally up the road, on Plessis Road about a mile away. We have all the buildings there. We have the facility. We have 40 acres of land and now we're being asked to build a brand new site, a separate site literally down the road with more operating costs to the City on an annual basis.

Mr. Speaker, the Committee made a decision back in February, and it was a sound decision based on the analysis provided by our administration. And since then, there has been a heavy lobby by the area Councillor to prevent this from happening because he sees it as destructive to the good of his ward. I don't understand that to be quite honest. I don't understand the logic.

The logic here is that this is going to centralize our services in one area. The benefit to St. Boniface is it is going to actually clean up the Public Market site. There is actually a pit there full of dead animals buried, from the days that it was a stockyard. That's going to be cleaned out. New water retention basin will be built and landscaped. The future widening of Marion, the land will be set aside. The future opening up are assets, opening up the rest of the site for development for light industries will be available, as well as recreational uses.

The Councillor says he is doing this because he has some sort of plan or some sort of vision and we have not yet to see that plan or vision yet. There has been no business plan put together. There has been no, all we hear is just a fantasy of what could happen in that site potentially and I'm sympathetic to the Councillor. If there is a group of individuals who are prepared to come forward now and say we have a vision to redevelop the site for some sort of entertainment or recreation or what have you, great, let's see it. But nobody is prepared to do that or hasn't been prepared to that with regards to a business plan.

And yet we are now being asked because of some sort of fantasy, to relocate the site that has been planned now for six years to another site to cost the taxpayers not just the one time costs of constructing this facility Mr. Speaker, but millions or, well definitely it will be millions down the road because of the costs, the operating costs increase because of location going into the St. Boniface Industrial Park.

Mr. Speaker this makes no sense to me. I think the Standing Committee made the right decision back in February. And it was definitely a decision that made sense because they were not only looking at the use of the site for Public Works and the arguments presented by the Public Works department and how it makes sense to centralize this location but also they were looking at the future development of the rest of the site and how that would benefit the area.

The area is going to be down zoned from "M3" to light industrial, so "M1" or "M2", to also recreation. It's a benefit to the community, a benefit to the area. Why, and chance to clean up the area. Why now are we doing this at a time when we know it's going to cost us more in the long run to do this when we know we have a Public Works yard up the street is beyond me. At the very least I would hope and pray that some member of EPC would be able to stand up and refer this back to the Standing Committee or some member of Council refer this back, let this decision have the fuller light of day and discussion. Or at the very least defeat the motion and vote on the actual report which is a solid report done by the administration with the arguments presented.

This is not how we should be you know all of a sudden in the middle of a plan to consolidate our Public Works yard, just to

throw everything out the window and knowing how much this is going to cost us down the road. It doesn't make any sense. If we're going to do this keep the Public Works site on Plessis Road where we have it now in Transcona. Centralize it all there. We've got the land. We could save a fortune. We got the buildings and we've got the land. This doesn't make any sense, Mr. Speaker. This doesn't make any sense.

For a Councillor who says he's in favour of fiscal responsibility and good fiscal management to be standing up and be pushing this for the last month behind the scenes and to bring this here? This is fiscal irresponsibility Mr. Speaker, complete fiscal irresponsibility that if I've ever seen it, this is it. And this is going to cost all of us more down the road and Councillors we should realize what we are doing. A Committee, a Standing Committee that we delegate the authority to look at these matters voted on it and made a sound decision and now because of the backhand and arm twisting behind the scenes we're now being asked to do something completely different.

This is wrong and I would encourage Council to defeat this motion before us, this amendment or at the very least if somebody wants to stand up and refer it back, let's do it. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Swandel on the clause and the amendment.

Councillor Swandel: Thank you Mr. Speaker. I just want to stand and speak, just for clarification I'd like to hear from the chair of the lands that are designated as Public Works yards in this plan that's put in front of us that are no longer going to be Public Works yards what designation will they have for zoning. I see medium industrial, light industrial on the page but there is nothing here that designates what this will now be.

And further to that if in fact the amendment shows that it is not, we are not able to move ahead with Public Works yards or it is ridiculously costly to relocate to the south St. Boniface Industrial yards, then what options are on the table? And if the option is as Councillor suggested to going and expanding on the 40 acres, then the existing yards at Plessis Road then, will the monies that are allocated for this relocation be made available for some other Public Works yards like the Henteleff Nursery relocation which has been on the books for a couple of years and hasn't even made the Capital Budget yet as a project but getting it out of the back yards of the St. Vital residents and along the passive green space would certainly, these monies would certainly go a long way in moving that to its newly identified location on the outskirts of the City. So I would like to hear some comment from the chair in that regard. Thank you.

Mr. Speaker: Councillor Magnifico on the clause and the amendment.

Councillor Magnifico: Yes thank you Mr. Speaker. I appreciate Councillor Wyatt's concern for my ward. It's touching that you care so much about it. Five years ago when this decision was made by Council to move the Public Works yard to the Packers site, it was done, I think in a bit of frustration and in a bit of nothing will ever go there, let's start it with something and that was part of the initiative behind it.

And today it's a different climate. It's a different world. Infill land is very, very, very important to the City of Winnipeg. There is people out there, there is proponents looking for things to do on a large piece of land close to downtown and there has been a lot of interest.

Now, are they dreams? Are they fantasies? Maybe they are Councillor Wyatt, but you know I think a lot of what we have is built on things like that. We have an obligation to the citizens of Winnipeg to follow some of those dreams. To see if some of them could become realities otherwise we wouldn't have anything. The Human Rights Museum, you know it's just a dream, that's what I heard 10 years ago. We'll never get that. Someone like you Councillor Wyatt might say forget it it's too big, we'll never get it.

I think it's important that we all chase dreams like that.

Now I have a meeting scheduled that I have nothing to do with at Archwood School with a whole slew of residents that don't want a Public Works yard, April 11th, Archwood School. Maybe you'd like to come there and tell them why this Public Works yard should go there. Apparently there is nothing wrong with it. Well there's 200 brand new homes that got built just south of there, Park Promenade that bring in about half a million to a million dollars a year of new taxes that would not be there today if they knew that Public Works yard was going there. Should they have known? Possibly. The point is they didn't. And they've got a whole brand new neighbourhood sitting right there. You don't put Public Works yard next to new neighbourhoods. They can go anywhere.

We know it's important to amalgamate, I agree. We found a site in St. Boniface. Maybe it's not the best site. Maybe you have a better site. I don't mind. There is two issues here. The Public Works yard should go somewhere else and the Public Market site should be used for something better than that. There is two issues.

I'm worried about the Public Market site right now. The Public Work's yard yes it has to go somewhere. If that site we've picked or they've designated isn't good enough or there is a better one I have no problem with that but there are two issues and today we're looking to declare the land surplus at the Public Market, the whole piece of land other than the piece that we need to keep for our retention ponds.

The move to the Industrial Park to me is a secondary issue. It has to be done. We know we'd like it done quickly so they can get on with it. That's the main thing with that part. But it's important to know that this is important to the people of St. Boniface. This isn't about being financially irresponsible, and the updated numbers, just to clarify that, which were given to us last week, make this deal pretty well a wash. Number one.

Number two, the amount of money that it shows losing annually will probably reduce and possibly improve as the developments secure in Genstar, Silver Acres Estates, in that part of the City. This is a forever move. It's not for 10 weeks, 10 years or 20 years. Forever. So maybe today we'll lose a little bit but in 20 years you start making that back. It's something to plan. The future, we plan for the future. This is it.

These are the issues. These are the things that were given to us by the administration last week at EPC and you have the facts now.

Mr. Speaker: Councillor Thomas on the clause of the amendment please.

Councillor Thomas: Thank you. I think I'll just move referral back to the Committee and I think a lot of these problems can get solved.

Mr. Speaker: To Executive Committee?

Councillor Thomas: Back to the Standing Committee.

Mr. Speaker: To the Standing Committee, okay. Councillor Thomas has moved that the clause and the amendment be referred back to the Standing Committee on Property and Development. Councillor De Smedt if you wish to speak against that referral you can otherwise we just put the question.

Councillor De Smedt: Yes, Mr. Speaker I regret that I would have to speak against a colleague on this but I guess the, if the colleague had been at EPC I think the information would have been available to understand it more.

Councillor Magnifico had indicated that the residents of St. Boniface don't want this and I appreciate his passion for his community. But I look at this and I think we all do as a strategic vision for what this site can become in the longer term. And as Councillor Magnifico had indicated, I mean it is a very well placed site for light, medium industrial, institutional considering its proximity to the downtown.

You know the site that has been chosen to move to St. Boniface Industrial Park for the Public Works yard is not just fourth down the list. It was a highly competitive site at the very outset.

Mr. Speaker: If I can just interrupt Councillor, just to speak, if you wish to speak against referring it back, just to why it should not be referred back rather than getting into too much debate.

Councillor De Smedt: Thank you Mr. Speaker. I'm going to have to speak about this again anyway. And the reason I wouldn't want to it refer it, I think it's important that we move ahead. The yards has to get underway now. We are rationalizing a whole bunch of other sites. It's important on timing. Tempus fugit, time is moving rapidly and the season is here to start building and moving, and so I would not recommend referral at this point. Then, I'll speak further on the issue later Mr. Speaker.

Mr. Speaker: Okay that's fine.

Councillor Thomas: Can I speak for referral.

Mr. Speaker: No you…

Councillor Thomas: I thought I had three minutes to speak for referral.

Mr. Speaker: Actually, yes you should have had three minutes at the beginning when you indicated you were going to move. What if I give you two minutes? We've already had somebody speaking against.

Councillor Thomas: Thank you. The reason that I'm moving referral is I think that Councillor Magnifico has some excellent points. I think that Councillor Wyatt has some excellent points and I wouldn't want to see us put a Public Works yard where it would cost us a lot more money. I think that the Standing Committee on Property and Development can do their due diligence on this and maybe, maybe consolidation in the Transcona area under Plessis would solve both of it and Councillor Magnifico can still have some time to scope out his vision and then we wouldn't be wasting a million plus per year.

But all these issues that I'm asking more in the terms of questions rather than answers I think would be stuff that would be the purview of the Standing Policy Committee. And I think that that's what we are debating is more questions than answers here and if it takes us an extra month to do it, I think that doesn't interfere with Councillor Magnifico's development of his vision, because he knows what he doesn't want and where he doesn't want it.

And Councillor Wyatt knows what he doesn't want where it doesn't want to be, and I think mostly what we need is a positive recommendation and not some negative recommendations and I think the Standing Policy Committee on Property and Development is the best way to do that, or else I'm going to have myself in a position of voting with not sufficient information and I think we would all be better served by taking that additional month to get all those things worked out.

Mr. Speaker: Good thank you and I should have caught that little blip right at the beginning so, I didn't.

We vote on the motion to refer.

All in favour? Recorded vote. Okay all in favour of the referral please rise.

Councillor Magnifico: Point of Order.

Mr. Speaker: Point of Order, yeah.

(Point of Order)

Councillor Magnifico: Before the vote is made though, there is numbers thrown around.

Mr. Speaker: Sorry that's debate and debate is, there is no debate on referral. It's already done. Thank you.

All in favour of the referral, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Benham, Gerbasi, Lubosch, Thomas and Wyatt.

Nays

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

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

Mr. Speaker: The referral is Lost.

Councillor did you wish to speak to the clause and the amendment?

Councillor Thomas: Yes.

Mr. Speaker: Councillor Thomas.

Councillor Thomas: I find this disappointing that Council has chosen not to get the accurate information that it needs in order to satisfy me that we're going in the correct direction here. I have heard some people say that it's going to cost us over a million dollars. I hear some people say that that's not true. The problem is that we don't have an appropriate administrative report that tells us that information.

We have an amendment that has come up on the fly. We have an inadequate document that's come forward. This matter was laid over last month in order that we could get some of these questions answered but they haven't been answered. So I am disappointed that that time hasn't been taken to do that, which leaves me in a frustrating position of voting against something that I really don't know whether that's the correct thing to do. But I think it's incumbent upon Council to give me that information if they want my support. And I'll tell you, you haven't done that and that's your fault.

(Councillor Lazarenko in the chair)

Mr. Deputy Speaker: There is no further speakers? Councillor Benham you're next to speak.

Councillor Benham: Thank you, Mr. Speaker, I'll be very brief. Just to say absolutely ditto to what Councillor Thomas said. I have real reservations about this. I had no idea this amendment would be coming forward. I'm surprised that it is moved by the chair of the Committee and I'm just, I feel very uncomfortable that a report that we have in front of us is amended in itself and then is amended on the fly, and I just think that this is not the way we should be doing things.

I think we should have a report from the administration that tells us exactly what this would do. To simply have one piece of paper changing things, these are plans as everyone agrees. These are plans that have been made over a good long time. I think Councillor Thomas; I supported Councillor Thomas' motion to refer because I thought that was the best way to do it. I would like to see a report back at Council that says what it is we're going to do, not a report that says what we're not going to do followed by an amendment, that as several people have said, is simply done on the fly.

I think it's bad policy. It's a bad way to do things. As I say I'm surprised and I remonstrate with the chair for being part of this. I certainly don't blame the ward Councillor for doing everything he can but again I think he has to, the ward Councillor, Councillor Magnifico should understand that it would be much easier for other ward Councillors to support him if we had the solid information in front of us, if we had an administration report on what it is that's actually being proposed and if we had the Committee that is supposed to consider these things, consider them. But we are absent all three of those things, Mr. Deputy Speaker and I'm not sure why the power group on Council wants to go ahead with this. I don't know why they wouldn't agree with us, that all of us as Councillors deserve better than what we're getting today.

So I will be voting against the amendment Mr. Speaker, Mr. Deputy Speaker, simply because it's a bad process and I do not feel fully informed as a Councillor and I would think that other Councillors would feel the same way and I thank Councillor Thomas for her intervention and her statements. Thank you.

Mr. Deputy Speaker: Thank you. Councillor Lubosch.

Councillor Lubosch: Yes thank you Mr. Speaker. As I guess the architect of the layover of this matter at the last meeting, I was convinced that what would come back to us would be a scholarly report, one that we would have an opportunity to review. This is a very important site, it took an awful lot of effort, time and a great deal of money to have it cleared and prepared for new development and I'm not prepared to make policy on the fly which is ultimately what we're doing if we approve it on this basis today.

And I'm quite surprised, quite frankly, that we are rushing headlong into this decision without a sober second thought. We gave ourselves more time when we laid it over. I believe the parameters were up to 60 days and while the construction season is ahead of us, I can tell you that by looking outside we are nowhere near breaking ground at this point in time and waiting another 30 days to have an opportunity for all members to have the benefit of the same information and enough information to make a sound decision, is not a bad idea.

So I'm hoping that we can put our collective egos and pride aside here and make the right decision which would ultimately be to give every member of Council an opportunity to know what is going to be happening with the site and how it's going to affect, not just this site but other wards, notably the Transcona ward. And I think this issue is so important, that a Council seminar called by the Mayor at his discretion would not be a bad idea.

This site has a lot of history and making decisions on this site today is going to have a significant and long impact on the development of this area and other parts of our City. Not to mention the operational considerations that should be given with respect to the location of our Public Works yard and that sort of thing.

So while we had a very interesting debate about term limits today, and learned maybe a little bit about ourselves and certainly a wonderful history lesson from some of the members that have been around here for almost as long as I've been around, alive on this earth, I'm hoping that we could send this back for 30 days or 28 days, it's not too much to ask, and give everybody an opportunity to have the benefit of the kind of information that those people who are confident in making a decision today, have had the opportunity to do.

And I see this as good governance. I see this as collegiality and ultimately it raises the bar of this City Council and shows the public that we are not here to try to take advantage of those colleagues that may not have the benefit of being on Executive Policy Committee, that we all work together and that we are pulling in the same direction for the betterment of our City. And for this reason I'm also going to support that we lay it over just for another 30 days so that we have an opportunity to learn more about this very important issue. Thank you Mr. Speaker.

Mr. Deputy Speaker: Thank you Councillor. No further speakers? Councillor De Smedt.

Councillor De Smedt: Thank you very much Mr. Speaker. Well this is an interesting challenge. Colleagues you recall that we had the, this was to be stood down for up to 60 days, so that we could reconsider some of the, some of the potential strategic growth for this Public Market site.

As articulated by Councillor Magnifico, which got a bit exacerbated because of the issue of a field of dreams but from the perspective of City Council, I think we should be looking at this as a development of a marketable site as it's being designated "M1", "M2", institutional, recreational property that will have

immense value as our City is really in a continuing growth spurt and of course it's so attractive because it's located within about 10, 12 minutes of downtown.

I need to just answer one matter that Councillor Wyatt brought up when he had indicated that you know why not pick the Public Works yard that already exists on Plessis? But that one is in the north Transcona area. It's north of Regent. I hope you say yes it's north of Regent. And the fact is it's mal-positioned to serve the whole east sector of Red River.

The public yards going to the St. Boniface industrial site right on Dugald, about 1.5 or 1.7 kilometres east of Lagimodiere, which takes them all over the City to service the City, is a pretty good location and it's a pretty close second to the first location identified by the department for the Public Market site.

I'm not sure what would satisfy our colleagues. We're talking about a matter of integrity here. There is nothing hidden in terms of the information that EPC received to review this decision, and I guess why we're moving it in this time line, it is important that this rationalization process proceed for the Public Works yards, oh I think 12 or 13 locations, small, some larger, and that they move ahead this year with the construction season on to a St. Boniface site.

I think if it would be of some consolation and I hate to put it in those terms, I respect people that were not, are not on EPC and receive the same information, but I do believe it would be, I know it's possible that we would immediately ensure that other members of Council receive the information that we did from the department on re-analyzing the numbers. Okay and with those stop processes. I think that should be public information and you should have that. And you will see that this is not, I guess a nefarious decision, bending to the tune of one particular Councillor.

As I said before, I did hear Councillor Magnifico speak. It was not about the field of dreams. It was about a strategic opportunity for the City of Winnipeg. This is a property matter. This site can evolve and if there are people of significant means in our private sector that are willing to come forward I think we should be willing to listen to them.

So, I understand fully the comments that have been made by several of the colleagues about this. My instinct is to recommend to you that we proceed. We'll provide you that information and I think you will be confident that what we are doing is the right thing for the City of Winnipeg.

This Public Market site as many of you have known has been a real thorn in our side. I can't understand any public sector company in a country like ours closing shop and leaving the mess they did when we had that huge vacant building and it cost us about a million and a half dollars of our taxpayers money to take down.

We need to try and move this site ahead. I know it will not impact negatively to those people that are adjacent to St. Boniface ward which is Transcona. This is St. Boniface Industrial Park by the way, of course is in Councillor Magnifico's ward. That is the St. Boniface ward, right adjacent to Councillor Wyatt.

I think there is a good decision being made here. You will have seen an automatic referral of Motion No. 5 which Councillor Wyatt and I had proposed to ensure that the Public Works yard fits in with the St. Boniface site, with all the other things that are happening that there will be analysis of some Public Works requirement in the future, okay. And it will have to be capitalized and prioritized.

I would like to move the question imperfect as it is, Mr. Speaker but I think it makes sense for the City of Winnipeg.

Mr. Speaker: Okay, thank you. Debate is closed on the clause and the amendment.

We first vote on the amendment, which is Motion No. 2.

All in favour? Recorded vote has been asked for. Councillors.

On amendment Motion No. 2, all in favour please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Smith, Steeves, Swandel, Mr. Speaker Councillor Eadie.

Nays

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

City Clerk: The vote Mr. Speaker, Yeas 10, Nays 5.

Mr. Speaker: The amendment is Carried.

On the clause as amended, all in favour? Opposed? Carried.

Councillor Wyatt: Recorded vote.

Mr. Speaker: Same vote.

Councillor O'Shaughnessy: Plus one. I could leave.

Mr. Speaker: We can add Councillor O'Shaughnessy to it. It will be 11 to 5. Is that right? Agreed? The same thing. It will be recorded that way.

All in favour? Opposed? That's Carried.

The report of February 28th, Councillor De Smedt.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED FEBRUARY 28, 2006**

Councillor De Smedt: Thank you Mr. Speaker, I'm pleased to move report of February 28th of our Committee and I would like to stand down 15 for about 30 seconds. So I move 1 to 16.

Mr. Speaker: Any other clauses? With the exception of clause 15 then, Councillor De Smedt moves that the balance of the report of February 28th, be adopted by Consent.

All in favour? Opposed? That's Carried.

Clause 15.

**Item No. 15 – Acquisition of 546 Sherburn Street for Green Space
File FI-2(32)**

Councillor De Smedt: Thank you Mr. Speaker. I won't spend too much time except I'm very pleased to indicate to you that the Committee was unanimous in its support to the request by the Councillor of the area to ensure that we could have an inner city park, a very small park. And I commend Councillor Smith and his colleagues in the Provincial government, I don't always say that, but it made a lot of sense.

We understand the inner city. Many of us are not blind to how the City has evolved and anything that we can do particularly in this light we would be prepared to support. So that's my opening remarks.

Mr. Speaker: Councillor Smith.

Councillor Smith: I would really like to express my thanks to the Committee because you know here is a question where the Provincial government had this land and for a number of years made it available to the surrounding neighbourhood. Just green grass and kids came there to play and so forth. So if this had not gone through it would have meant that houses would have been built there and the neighbourhood would have lost something that they've had for the last 15 years. So it's not, it wasn't proposing something it was taking away if this was not accepted.

I found it hard to believe that the Public Works department was so against it because they didn't want to cut the grass. I thought the Committee was very, very good in its decision, and I hope it will be unanimous in support of this clause. Thank you.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Just a couple of quick words Mr. Speaker. As wonderful the good news story that the green space is in the inner city, I thought the delegation this morning was particularly encouraging that something good is happening in our inner city not just with green space but with people and families like that our inner city is certainly seeing a turnaround and I was very pleased to see that delegation here this morning.

Mr. Speaker: All in favour? Opposed? The clause is Carried unanimously.

The report of March 14th, Councillor De Smedt.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED MARCH 14, 2006

Councillor De Smedt: Thank you very much Mr. Speaker. I'm pleased to move report 1 and 2 as Consent.

Councillor Benham: Clause 2 Mr. Speaker.

Mr. Speaker: Clause 2 is stood down.

On clause 1.

All in favour? Opposed? Carried.

Clause 2, Councillor did you wish to introduce it, Councillor De Smedt?

Item No. 2 – Southwest Corner of Waverley Street and Taylor Avenue – Short Game Golf Corp. and Manitoba Cardiac Institute (Reh-Fit) Inc. File FI-2.2(32)

Councillor De Smedt: This is the Short Game golf course property adjacent to what's called the Manitoba Cardiac, The Reh-Fit Centre and I think what we do is we have a report here that I hope is seen as a common sense approach to life. These people have made a huge investment in the City and we support them. And I think it moves this thing in the right direction. So I would like to listen to Councillor Benham's comments and I hope it's supportive.

Mr. Speaker: Councillor Benham.

Councillor Benham: Yes, Mr. Speaker again, I just want to indicate very briefly my support for this matter. This was a long, complicated matter. Reh-Fit is a very important city-wide institution that happens to be located right in the strategic centre of River Heights-Fort Garry. Councillor Clement has pointed out that right across from the Piazza Di Nardi, and the question of what was going to happen to that property Short Game Golf, was a very troublesome one for Reh-Fit and for the City generally.

That property has been under used and in fact is almost derelict at this point. So this is a good solution and I support it. I thank the Committee for putting it forward and I will certainly be voting for it. Thank you Mr. Speaker.

Mr. Speaker: All in favour? Opposed? That's Carried.

By-laws, Councillor De Smedt.

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

Councillor De Smedt: Mr. Speaker, I would move the following By-laws for a first time, 99/2006 to 101/2006, 105/2006, 109/2006 and 113/2006 to 117/2006, be moved first time.

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

Clerk: By-laws No. 99/2006, 100/2006, 101/2006, 105/2006, 109/2006, 113/2006 to 117/2006, inclusive.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: I would move that By-laws No. 99/2006 to 101/2006 both inclusive, 105/2006, 109/2006, 113/2006 to 117/2006 both inclusive, be read a second time.

Mr. Speaker: All in favour? Opposed? That's Carried.

Clerk: By-laws No. 99/2006 to 101/2006 both inclusive, 105/2006, 109/2006, and 113 to 117/2006 both inclusive.

Councillor De Smedt: I would move that the rule be suspended and By-laws No. 99/2006 to 101/2006 both inclusive, 105/2006, 109/2006, 113/2006 to 117/2006 both inclusive, be read a third time and that same be passed and ordered to be signed and sealed.

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

Mr. Speaker: Property Question Period if any? Councillor Swandel.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT QUESTION PERIOD

Councillor Swandel: Mr. Speaker one quick question. Several months ago I had asked the chair of Property and Development if he would be kind enough to provide us with information if any permits were issued or occupancy permits were issued for properties without an architect stamp. At the time there was a court injunction on the issuing of permits without an architect stamp to specific types of buildings. To date I haven't received an answer to that question. I would suggest that he would do it informally but as yet I haven't received it. So just a reminder.

Councillor De Smedt: My apologies Councillor Swandel and if the clerk would just jot that down and put it on my desk and I'll make sure we get the administration to give all members of Council that information. Thank you.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Chairman, or Mr. Speaker. I rise with a quick question on housing. The Housing Committee has inquired with regards to, or I was watching carefully hoping the report with regards to the Multi-Family Grants Program would be coming forward. What's the status of that? Well first of all the Multi-Family Grants Program right now exists but it's to extend it and the administration I understand was looking at extending it into BIZ zones across the City. That's being revised now. What is the status of that report? The building season is starting upon us. There are those who want to apply for Multi-Family Housing Grant Program. When is that report going to be coming forward for consideration at EPC?

Councillor De Smedt: Thank you very much Councillor Wyatt. I'm sorry I don't have that answer. I'll certainly look forward to it but considering your new matrimonial circumstances I think multi-family grants are going to be important to you, so we'll make sure we get them.

Mr. Speaker: That's it. Councillor Smith moves adjournment.

Roll call please.

ROLL CALL

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

COUNCIL ADJOURNED AT 4:17 P.M.