COUNCIL OF THE CITY OF WINNIPEG
Wednesday April 26, 2006

The Council met at 9:35 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 Swandel.

ROLL CALL

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: Colleagues we have two pages who will be working with us for today's meeting. We have Elaine Manipol of Kildonan East Collegiate who resides in Transcona ward and Michael Dwilow of Fort Richmond Collegiate who lives in St. Norbert. On behalf of all Members of Council, welcome today. Any other guests or announcements.

MINUTES

Councillor Thomas moves the Minutes of the meeting held on March 21 and March 22, 2006 be taken as read and confirmed.

All in favour? Opposed? Carried.

DELEGATIONS

Mr. Speaker: Two delegations before us today, there's been an agreement amongst them to switch the order. The first delegation is Mr. Craig Sangster appearing in opposition to Clause 3 of the Report of the Standing Policy Committee on Infrastructure Renewal and Public Works dated April 11, 2006, report on the Dugald Sewer Rehabilitation Project. Mr. Sangster you have 10 minutes.

Craig Sangster: Good morning and thanks for hearing from us this morning Mr. Speaker, your Worship, Councillors, administrators and guests. My name is Craig Sangster and I'm here to address the Dugald Sewer Rehabilitation Project.

As Chairperson of the St. Boniface Industrial Park, Olywest opposition group, also with me today is Stephanie Haverstick also of Vita Health, Ed Shinewald, owner of Melet Plastics and Ed Martens of Wards North, our advisor.

I've been advised to be careful here today in using the O word. And, of course, O stands for OlyWest, OllyOp or as a reporter recently said, Olly-oops. A number of major businesses and employers in the St. Boniface Industrial Park have taken the unprecedented step to join forces in opposition to the location of the proposed OlyWest hog slaughtering and rendering facility.

You may have heard about us up to now. Clearly, we have serious concerns with this proposal. A hog slaughtering plant in an urban setting is incompatible, inconsistent and harmful to existing businesses in the area. It threatens the quality of business, social and community life of people and companies in this area and threatens the reputation and future business development of the city, to the city as a whole.

Speaking on behalf of Vita Health, I can tell you that this project will seriously impact on present and future expansion plans that we have for our facility. The threat of air and water contamination, increased pest infestations is a very serious quality control issue for us. This is not just a case of not in my backyard. We simply cannot coexist with an operation of this kind, and we know we are not alone in that.

Before this issue becomes an even greater blight on the city and the city's image, let me say that as business people we do understand the difficult job you have, trying to satisfy and balance the needs of the majority of people within the city.

On many issues, including fiscal responsibility we applaud you and your Council, and we hope that many of you

will be re-elected come October to continue on your service to the community.

That said, my purpose here today is to ask you to defer any further considerations and financial allocations to projects associated in any way with the current OlyWest proposal. I refer here to the Dugald Sewer Rehabilitation Project and while it may only be $280,000, today, goodness knows how many other "small and perhaps large expenditures" will be forthcoming in the future regarding this project.

It is naive for your administration to advise you that the Rehabilitation Project is needed for new residential and business developments in the area. Because quite frankly if you proceed with this motion and OlyWest builds at that site, no sane developer or business investment group will build anything within five kilometres of that plant, because no one will want to live there and no one will want to work there.

The bottom line is that a substantial majority of the Winnipeg voters today do not want that slaughtering plant in Winnipeg under any circumstances. And to approve additional spending in support of the OlyWest project when there is such strong well founded opposition would be irresponsible on the part of City Council.

It's time to reverse your decision of November, 2005. You were misled. There are live hogs; these are live hogs for slaughter. Live hogs not Harley Davidson's. We've heard that there's a Notice of Motion that will be put forward today that will give you the opportunity to do the right thing for the City of Winnipeg and we appeal to you in the strongest terms possible to take advantage of that opportunity for the benefit of us all.

In conclusion, Mr. Mayor, we respectively ask you to defer any further considerations of an urban hog slaughtering and rendering plant and second, that you enter meaningful discussions with all of the various stake holders on this issue, to help find an alternative Manitoba home for OlyWest. I thank you all for your time and consideration today.

Mr. Speaker: Thank you Mr. Sangster. Any questions, Councillor Wyatt.

Councillor Wyatt: Thank you for your presentation this morning Mr. Sangster and I would like to thank all the guests for coming out this morning to speak to this. Your organization, your group that has formed in the last number of months, how many businesses are involved and how many employees roughly, are involved with these various businesses? Can you give us an idea I guess of how long the businesses have been serving the citizens of Winnipeg?

Craig Sangster: The answer of that moves from day to day and I'll tell you why. We have a core of 25 to 30 of the 84 businesses that have clearly fallen behind us in support of this issue but the number grows and the number extends well beyond the park itself. Almost on a daily basis we're contacted by other businesses within the City of Winnipeg voicing the same concerns because they realize that this could happen in their area just as easily as it's happened to us, maybe not the same type of business but something similar. So we're all voicing concerns that there doesn't seem to be a clear, strategic vision for the economic development within the city.

Mr. Speaker: Supplementary Councillor.

Councillor Wyatt: Thank you, it's been said that the plant is going to employ 1100 employees. How many employees do you think combined with all the various businesses now involved would you be at.

Craig Sangster: Well exceeds the 1100 that they're referring to in the OlyWest project.

Councillor Wyatt: Thank you.

Mr. Speaker: Councillor Benham.

Councillor Benham: Thank you, Mr. Speaker and thank you, Mr. Sangster for your presentation. What we've heard comments in the media but I don't think

you said it precisely here today. What are the chances that we would lose companies and businesses that are currently established in St. Boniface Industrial Park if the hog slaughter house and rendering facility were to proceed.

Craig Sangster: Well I can answer that. From VITA Health's perspective there's a very real chance, as we move to expand and grow our business and you have to remember, VITA Health has been in this city for 75 years quietly growing and building and I think being a good corporate citizen. Most of you didn't even know about us except for the stores, which tells you I think we've done a pretty good job of that.

We're at a point now where we're looking at significant expansion to our business. We deal with pharmaceutical companies globally. We know for a fact they think like we do because they're all highly regulated and they will not tolerate and some people say this is all perception not fact. Well, their perception is clearly our reality. So, for our own personal existence within the park, I can tell you that if that plant goes in, we will be gone and likely gone from the province because we'll use the opportunity to perhaps move closer to our major customers.

And that would be a very unfortunate thing because we don't want to do that. We know that Melet Plastics has similar issues. We know that other businesses in the area have served notice that leased space there now that if the plant is going forward, they are not renewing their leases. We know another business that has already made the decision because they can't wait for the decision to be finalized that they're already looking at alternate sites outside of the park. So clearly, the impact is there.

Mr. Speaker: Supplementary Councillor.

Councillor Benham: Thank you very much for that answer. Mr. Speaker, I think Mr. Sangster sort of answered this at the end but just again to make it very explicit. If the plant were moved at least five kilometres from the city limits you don't oppose it being built in Manitoba, you accept the arguments about hogs that farmers needing a place to slaughter their hogs under the argument the Premier made under Manitoba control and so on. I gather you supporting that as a Manitoba business.

Craig Sangster: Mr. Benham I thank you for that question because from the very beginning our mandate on this has very clearly been stated. We do not oppose OlyWest. We do not oppose the industry. We think it's important that Manitoba as a whole work hard to develop all types of economic development. But we oppose the location that this plant has been planned to be built in.

Councillor Benham: Thank you Mr. Speaker.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: Thank you, Mr. Speaker. Just a very short question, thank you for your presentation this morning. You know, I have an impression that we're dealing with perception and you've been very clear by stating that your perception is reality with the businesses you have to deal with.

By the same token we're trying to deal with scientific fact and what I would like to ask you and your representatives of your committee would be to provide us with more scientific evidence why this perception is real. Why there can't be a coexistence with the evolution of the Olly mill site. We're not supposed to talk about that theoretically but let's face it this is what the discussion point is. We don't seem to have the scientific evidence that would indicate why we cannot coexist. I mean, this industry has been reregulated, you know the hog industry and the abattoir industry, with science that mitigates many of the concerns that we. I suspect there is a perception factor here.

Mr. Speaker: Question Councillor please.

Councillor De Smedt: So, are you going to be able to provide to this Members of Council some scientific evidence that will detail why these businesses can't coexist with yours.

Craig Sangster: Thank you for the question. I don't pretend to be an expert on the science, but I would say by the very fact that you require or asked that question is somewhat indicative of what we believe has been missing from City Councils' realm of information in making this decision.

There are tremendous numbers of academics that have studied this industry for many, many years. There is a tremendous body of scientific evidence out there. Not just in terms of environmental impacts, economic, social and business impacts of slaughtering house facilities like this on this scale. And I can't go into that for you today. I just am not qualified for it but I would say to you that you should do a Google search on it and you'll find a tremendous amount of information. There are a lot of experts out there with a lot to say. You need the balance. I think you need the balanced view on this issue.

Mr. Speaker: You have a supplementary Councillor De Smedt.

Councillor De Smedt: Very briefly. My supplementary really is my original question. Sir, you really need to provide the scientific evidence why they cannot coexist. I think Members of this Council and others have Googled, we're quite familiar with the industry factors but we need for you to tell us and that's the question, what is the scientific evidence why there can't be a coexistence with industries of this nature with your own. Thank you.

Craig Sangster: If you would like and obviously today I don't think is the place for it and I don't know if you're asking me to start quoting scientific facts, I'm just not prepared to do that but.

Mr. Speaker: Order.

Craig Sangster: But we could certainly provide that information at a subsequent meeting if would you like to sit down. We'll bring the reference people that can properly, I think, answer your questions. In fact, we tried to do that in the beginning on this issue, is meet with City Hall and have those discussions.

Mr. Speaker: Okay. Councillor Smith.

Councillor Smith: Yes, sir I'm wondering, when did you first hear the OlyWest proposal and did they consult with you at all.

Craig Sangster: There was no prior consultation with any company that we can find within the park. We heard the public announcement but to be honest with you, there were a lot of, in fact all businesses in that area, hard at work to keep their businesses running and most of us missed the real location of the plant or even the implications.

Quite honestly personally, it wasn't until we had a member of the business community in our area come and knock on our door in January that we gave it any attention whatsoever. I thought it was being built outside of the perimeter and Mr. Magnifico had been on the media stating how his smell test trip had gone so well, I thought what's the big deal and it wasn't until we sat down and got the full story that we realized that a company like ours, regulated by Health Canada in such a stringent way, had some grave concerns about this project.

So it wasn't until January that we were really informed and that wasn't by anyone here or within OlyWest. That was by another member of the business community.

Mr. Speaker: Do you have a Supplementary Councillor. No. Councillor Lazarenko do you have a question.

Councillor Lazarenko: Thank you Mr. Speaker. I want to thank you Mr. Sangster and the group for coming here today expressing your views. Just wanted to briefly say there is a motion that's before Council here today, moved by Councillor Clement and seconded by me that deleting that $280,000 from OlyWest

The one question I have, Mr. Sangster have you had any table talks with the Provincial Government, mainly the

Premier of Manitoba who is very instrumental of spear heading what we've got in here now?

Craig Sangster: We haven't. We tried. After several weeks, in fact a couple months of legitimate delays I think on their part for various reasons, as well as others, we were told in the end that there really was no point meeting with them because the decision for the location of the plant rested here at City Hall.

Mr. Speaker: Thank you very much. Your time for questions has expired. Thank you. The next delegation is Mr. John Petrinka with respect to Item 2 of the Executive Policy Committee report of April 5th. Please proceed.

John Petrinka: Thank you, Mr. Chairman. I'd like to thank everybody for being here this morning to review a situation that has existed for some time now. I'd like to thank his Worship and the other Councillors. You have before you a package that I presented. I'm not going to take much time because the issue is reasonably clear. It's reasonably front and centre and we'll just review very quickly the dozen pages I've left with you. Pages one and two are letters originating back in 1994.

Page three is a bill that resulted out of that acknowledgment that there was a deficiency in the so called level playing field which is described in page four and this is why I'm here today, it's the level playing field that Bill 36 in 1995 established. There's been numerous bills since then, namely Bill 34 and Bill 50, in 1998 and in 2005, which provided for a lease hold exemption, which originated with your Chinese Cultural Centre just across the street here, when they went to court in 1998 and argued successfully the difference between a long term lease and ownership is in legalistic terms only.

So the courts agreed with them and provided an exemption from school taxes for those people held under leasehold title. For some unknown reason in 1998 when the courts instructed the City and the Province to change the act, namely 231I and 231H which is shown at page, goodness, fingers are dry, which is shown at page, oh my goodness this is a little bit, I didn't number them. Anyhow if you go in through page nine I think it is, you'll see where section I and section H has a change to it.

It mentions and acknowledges leasehold title as being exempt from school tax. The section that we appear under, section F was not changed. We're asking for that change today.

We're asking for the change today because there has been confusion as to where this must originate. The City keeps telling us that it's the Provincial Act, it must be changed and we agree with you. We have no objection to that statement. But what we do not agree with you is where it must originate from. And the letter on the 20th of May, 2004 and in a discussion that I held with the PMA is very clear and I've underlined that particular statement which I a seeded to and agreed with.

It says be required to emulate from a request to the City of Winnipeg Assessor and basically that's what I'm here for today, is to encourage you to move the City Assessor to make that request.

So that's it. I've included a couple of extra pages here. The last page is, there seems to be a, I've been at this since 1994, there seems to be a change in the attitude of the Provincial Government. This came straight out of the blue a couple of Mondays ago dated April 5th where we now have the business tax beyond the perimeter exempted. We've been after them now since 1998 for this. There's been no material change in our materials we prevented us a lobby group and this is just as I say, straight out of the blue.

We're hoping now, given that this particular issue, leasehold title, was known to the PMA as being cleared by the Mayor's office as of last September the 9th, that's the discussion that we had between the PMA, myself and certain other people from the city, we expected this to have been done by now. Unfortunately it hasn't been. So what we're asking for today is that this August

group move forward on this and pass it on to the province in order for it to be done. That will then, of the four fronts that we started with in 1994, leave only one left. Fortunately, in closing, we were very fortunate to have had a Council that agreed that the Centennial Project Tax Status Act adopt and exemption back in 1997 constituted a reason to have equity amongst our local groups here in the City.

That courtesy has not been extended to the ones beyond the perimeter and that is all that we're left to address now. So we're looking forward to your co-operation and I'm open to questions.

Mr. Speaker: Thank you. Are there any questions? No. Thank you very much for your presentation. Okay, report of Executive Committee April the 5th Mayor Katz.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED APRIL 5, 2006

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the Report of EPC for April 5, 2006 and move adoption of consent Agenda Items 1 to 8.

Mr. Speaker: All in favour. Opposed? Carried. The report of April the 12th Mayor Katz.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED APRIL 12, 2006

Mayor Katz: Mr. Speaker I'd like to introduce the Report of EPC for April 12, 2006 and move adoption of consent Agenda Item 1 to 4.

Mr. Speaker: All in favour. Opposed? Carried. And the report of April the 19th.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED APRIL 19, 2006

Mayor Katz: Thank you, Mr. Speaker. I would like to introduce the report of April 19th and move adoption of consent agenda Items 1 to 5.

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

EXECUTIVE POLICY COMMITTEE MOTIONS

Motion No. 1
Moved by Mayor Katz,
Seconded by Councillor Eadie,

WHEREAS Winkler was originally incorporated as a Manitoba municipality on May 9, 1906 and received city status in 2002;

AND WHEREAS throughout 2006, the people of The City of Winkler will be engaged in numerous events to acknowledge and celebrate the centennial of their city's incorporation;

AND WHEREAS Winkler's centennial celebration is an event that should be acknowledged by all Manitoba municipalities;

THEREFORE BE IT RESOLVED that the Mayor and Council of The City of Winnipeg, on behalf of the people of Winnipeg, extend sincere Congratulations and Best Wishes to the Mayor, Council and people of The City of Winkler on achieving 100 years of incorporation as a municipality and further best wishes are extended to all the citizens of Winkler for an exciting and enjoyable centennial year.

Motion No. 2
Moved by Councillor Gerbasi,
Seconded by Councillor Thomas,

WHEREAS the City Council resolution enabling the building of a hog slaughterhouse in St. Boniface Industrial Park was introduced only seven calendar days before Councillors were asked to vote on it;

AND WHEREAS the haste with which the decision was made prevented Councillors from hearing from affected members of the public, both residents and nearby businesses;

AND WHEREAS many residents and nearby businesses have made it clear through meetings with Councillors and

media interviews that they are opposed to the building of the hog slaughterhouse in that location;

AND WHEREAS City Councillors want to be fully informed about the wishes of the people they serve;

AND WHEREAS Bernie Wolfe, the former deputy mayor of Winnipeg, has stated that the building of the hog slaughterhouse is incompatible with the original intent of City Council in establishing St. Boniface Industrial Park;

AND WHEREAS some businesses currently located in St. Boniface Industrial Park have stated they will move out of the area and possibly out of Winnipeg if the hog slaughterhouse is built in that location;

AND WHEREAS there are extensive environmental impacts and potential additional fiscal consequences that have not yet been determined;

AND WHEREAS the Clean Environment Commission process is not yet complete and should be completed before council approves any incentive package;

THEREFORE BE IT RESOLVED THAT:

1. City Council hereby rescinds its approval for the OlyWest Project: Economic Development Incentive Package approved at the November 23rd, 2005 meeting of Council.

2. The administration provide appropriate wording to amend Zoning By-Law 6400/94, that is currently under review to include intense land uses such as hog plants, emission factories and chemical waste storage facilities as conditional uses, so that public hearings will be required.

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

WHEREAS public transit provides essential and universal mobility to residents within Canada's urban areas;

AND WHEREAS public transit increases roadway capacity by offering people a transportation choice other than the automobile;

AND WHEREAS public transit reduces greenhouse gas emissions and air pollution;

AND WHEREAS transit infrastructure investment needs for Canadian transit systems in the period 2006-2010 stand at $20.7 billion, with over $5 billion of this amount not fundable under current programs;

AND WHEREAS municipalities have inadequate revenue tools to finance the full cost of transit infrastructure;

THEREFORE IT IS RESOLVED THAT this Council calls on the federal government to:

1. Make permanent the federal investment in public transit provided by Bill C-66 of the 38th parliament;

2. Ensure that this investment is distributed equitably to all transit systems across Canada;

3. Ensure that this investment is over and above any existing federal or provincial funding already in place.

Motion No. 4
Moved by Councillor Wyatt,
Seconded by Councillor Gerbasi,

WHEREAS in 2005 the Government of Canada approved an additional $1.6 billion for housing programs in Canada;

AND WHEREAS the Board of Directors of the Federation of Canadian Municipalities recently urged the Government of Canada to honour this funding commitment of $1.6 billion for housing;

THEREFORE BE IT RESOLVED that Winnipeg City Council urge the Government of Canada to live up to its previous commitment to provide $1.6 billion in additional funding for housing programs.

Motion No. 5
Moved by Councillor Clement,
Seconded by Councillor Lazarenko,

WHEREAS Council at its meeting of November 23, 2005 adopted Item 3 of the Report of the Executive Policy Committee dated November 16, 2005, which provided for an economic development incentive for the Olywest Project;

AND WHEREAS Olywest has yet to obtain its environmental license approval from the province of Manitoba's Clean Environment Commission;

AND WHEREAS the Dugald Sewer Rehabilitation Project change has identified a total of $ 4 million of sewer project changes, of which the Olywest development comprises $280,000;

THEREFORE BE IT RESOLVED that Recommendation No. 1 be deleted in its entirety and replaced with the following:

1. That the Dugald Sewer Rehabilitation project amendments proposed by the administration to accommodate additional wastewater flow and construction cost increases at an estimated cost of $3.72 million funded from sewer utility retained earnings be approved, excluding the project allowances for Olywest development, at this time.

Mr. Speaker: Point of motions I take it. Motion number 1 moved by the Mayor seconded by myself, taken as read I hope to congratulate Winkler on their Centennial year. All in favour. Opposed? That's carried.

Motion number 2 is a notice of motion that would stand for the next meeting. Motion number 3 is a notice of motion which would stand for the next meeting. And I'm told, I understand motion number 4 has been requested as notice. So they stand to the next meeting. By-laws. Mr. Mayor. By-laws.

Councillor Magnifico: Mr. Speaker.

Mr. Speaker: Councillor Magnifico.

Councillor Magnifico: Sorry, caught me by surprise, I'm just looking at Motion number 2. Is there a way, because this is an important one. Is there a way we can discuss that today and put it on the agenda for today? I'd like to discuss this one today.

Councillor Gerbasi: Point of order Mr. Speaker.

Mr. Speaker: The only way it could happen would be if it was, if the motion to suspend the rule is dealt with but we've already passed that by, so we're on to the next order of business now which is By-laws.

Councillor Gerbasi: Point of order Mr. Speaker as well there is a reason that a request for a Notice of Motion that.

Mr. Speaker: Councillor, there is no point of order, we're past that and we're into By-laws now.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: Mr. Speaker if I can go on to by-laws. I would like to move that by-law number 214/2005 be read a second time.

Mr. Speaker: All in favour. Opposed? Carried

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Mr. Speaker: We're in to questions? Councillor Smith.

Councillor Smith: Mr. Mayor why are you keeping secret the names of the 200 Winnipeggers invited to the publicly funded Winnipeg Summit?

Mr. Speaker: Is that the question?

Councillor Smith: Yeah.

Mr. Speaker: Thank you. Mayor Katz.

Mayor Katz: They are Notice of Motion.

Mr. Speaker: Mayor Katz please.

Mayor Katz: Through you to Councillor Smith, first of all thank you for the question. Number two, is that no one is keeping anything secret Mr. Speaker. The facts are that if Councillor Smith would like to see a list of those delegates that will be attending he certainly has that opportunity as does any other Councillor.

What I would like to add is that and I will share some specific information based on representation. I can tell all of Council that the delegates are broken out into categories. In the category of Aboriginal representation there are 11 delegates who have been invited for 5%. In the Academic, including student representation there are 16 which represents 7%. Architectural and Planning, 5 delegates have been invited which represent 2%. Community Groups, Non-Profit Groups and other associations of that ilk, 40 delegates have been invited which represents 18%. Cultural and Ethnic Organizations, 37 delegates have been invited which represents 16%. From the Business Community, 56 have been invited which represents 25%. Economic Development, two have been invited which represents .8%. Elected Officials with all three levels of government, 26 have been invited which represents 11%. Environmental representation, 2 delegates, which represents .8%. Seniors' Organizations, 1 delegate, .4%. Immigration Advocates, 2 delegates for .8%. Labour Representatives, 5 delegates, for 2%. Market Research and Communication, 9 delegates, which represents 4%. Faith Groups, 5 delegations, which represents 2%. Francophone, 2 delegates which represents .8%. Government, 6 delegates which represents 2.6% and others would be 2 delegates which represents .8%. There's a total of 227 delegates that have been invited. I believe 24 have been unable to attend so you will see approximately 203 delegates and as I started this off by saying there is a list which every Councillor here has the opportunity to view.

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

Councillor Smith: Yes, how do I get the list?

Mayor Katz: If you go to the administration they can certainly make that list available to you. The list has been available for a long time Mr. Speaker.

Mr. Speaker: Are you done Councillor Smith?

Councillor Smith: Yes.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. Again on the City Summit, there are 58 questions that invited delegates are asked to choose four of as priorities, you have to get a secret password if you are a delegate, and then for some reason these questions are not available to the general public.

My question is that if these 58 statements are supposed to represent an unbiased range of issues that all Winnipeggers might have thoughts on, and not just the Mayor's own views, why is the topic of rapid transit not mentioned in any of these? There is some mention of Transit but nothing about rapid transit in those 58 questions.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker if I may be able to number one is to correct the first statement, is that these are not, there is no relation whatsoever to the Mayor's views. That's number one.

Number two as I just mentioned and I think everybody would agree this is an excellent cross-section of our population and if anybody has any problems with the list I just read off and the percentages I would very much like to hear that. I don't believe there should be because of the broad based representation.

There have been pre-Summit events. Even last night there was one and obviously Transit was brought up. So I'm sure Transit will be one of the issues that will be discussed and hopefully there will

be some relevant information coming from that. But I can assure the Councillor that these are not my views or her views or any Councillors views, these are views for the whole City to participate.

Mr. Speaker: Do you have a supplementary Councillor.

Councillor Gerbasi: Yes I do and I just received those numbers and the percentages so it's pretty quick on my feet to try to respond to them, but 25% of the invited delegates are business people and frankly I'm not sure how balanced that is. I really don't know. And without the list of people available we don't even know who these people are and I don't understand.

My question is, my question is, I don't under, I'd like the Mayor to explain why they couldn't simply have a waiver or something at the, I've been hearing people saying something about privacy legislation that they can't release the names. I mean we've had things like this before and it's all on the public record.

Mr. Speaker: Your question is Councillor please?

Councillor Gerbasi: So my question is why cannot some waiver or something have been arranged so that people's names could be made public, simply to restore some confidence that this is not a biased process?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I think the best way to answer that question is to start off with the understanding that it is not a biased process. If one has to have the opinion that it is then I guess that's an opinion that you cannot argue.

The facts of this is this is all about politics. This has nothing to do with politics. Although there may be some people who want to make this a political issue and make issues of something that aren't there. If organizations have representation and for example, if an organization has twelve board members, does it make a difference which board member is representing that organization? The facts are that an organization is being represented.

On top of that Mr. Speaker every single Councillor in the chambers has been invited. Every single Councillor will have the opportunity to see who's there. You can make your list if you so desire. And as far as anything to do with Privacy Act, etcetera, that's something that I'm not an expert on. I know what people say, but I know that every Councillor here can access that list and can see who's on it.

So for all intensive purposes why don't we start off with an open mind believing this is going to be productive, believing we will get results of it, as opposed to attacking it before it even starts? Thank you Mr. Speaker.

Mr. Speaker: Final supplementary Councillor Gerbasi?

Councillor Gerbasi: Yes. The fact of the matter is and I do, I appreciate, I don't have a chance to respond to what's being said so I can only ask a question.

Mr. Speaker: No preamble.

Councillor Gerbasi: Which puts you in a difficult spot because there's new, there is all these things being said. But I would point out that I appreciate being represented there, but what about the people I represent? They aren't in the room. And why can't the people I represent and any other citizen of Winnipeg have the names of the people that are there and have the topics that are being decided on and prioritized made public on the website so that they can decide for themselves whether it's biased. I'm not saying, I can't answer that.

Mr. Speaker: Okay Councillor there is no preambles you know on supplementary but your question has been asked. Mayor Katz.

Mayor Katz: Mr. Speaker we have a population of approximately 700,000 people. I think even Councillor Gerbasi would agree that there is no way we are going to get input and have the time from 700,000 people. So what you try and do

is you try and get organizations and individuals that represent large groups.

I read off a very significant list and I can even be, I would love to read off the rest of the list that represents other organizations Mr. Speaker, but to be frank with you all that would do would kill Question Period. I have no intention of doing that. But I would certainly be happy to provide the Councillor with this list and she gets a complete list that encompasses every organization, every entity of any kind that's been asked to provide representation.

I think we are fulfilling a very objective process and if Councillor Gerbasi sees something that's been overlooked I would be happy to discuss it with her and see and talk to the Chairs, and maybe these questions should be asked of the Chairs and see if there is a mistake. I'm certain that it could be corrected. But until I know that there's not much I can do. But I'm happy to maintain an open mind and provide the Councillor, if she has not got the list with the list and listen to any suggestions she or any other Councillor may have.

Mr. Speaker: Thank you. Councillor Benham.

Councillor Benham: Thank you Mr. Speaker and just briefly before we begin, the Mayor represented all of us yesterday at Yom Hashoah, the Holocaust Memorial Day and gave a very moving speech and I want to commend him for that.

Back to Question Period Mr. Speaker, in view of statements made by Vita Health that we heard today, by other major businesses in the St. Boniface Industrial Park, that if the hog slaughterhouse moves in they will move out of that park and quite likely out of Winnipeg as we just heard.

And given that experience in Brandon proves that low tech, low paying jobs at the slaughterhouse will be filled by migrant workers, not by Winnipeggers, Mr. Speaker why is the Mayor spending millions of dollars on creating jobs for migrant workers while driving out high tech, high paid jobs already employing and filled by Winnipeggers?

Mr. Speaker: Mayor Katz.

Mayor Katz: Through you to Councillor Benham, I thank you for the question. First of all why is the City spending millions of dollars? Mr. Speaker this project is approximately a $31 million dollar partnership between the Province and the City. Approximately $27.5 million dollars from the Province and a number that's approximately $3.4 million dollars from the City.

Now when the Councillor refers to spending money, Mr. Speaker I would very much like to have that identified because as yet I am unable to identify any cash outlay. The economic package put forward by the City of Winnipeg is one for land that has been sitting there for so long underutilized that our pipes are rotting away because no one's using them number one. The land has been sitting there. The demand is not there for that land. We are giving land that no one wants. In addition to that we may be able to sell some additional land and broaden our tax base.

Number two, the other portion of that basically comes from property taxes that would be phased in over a period of time. Mr. Speaker I ask you what money is someone referencing when right now we are getting zero, nada, bupkis, gornisht, absolutely nothing. So I'd like to know what cash outlay someone's referring to because I don't understand it. Thank you Mr. Speaker.

Mr. Speaker: Supplementary Councillor Benham?

Councillor Benham: Mr. Speaker I note that the Mayor avoided the question of the jobs. The jobs are being driven out. We heard today directly from a business owner who warned every one of us, and I hope Councillor Magnifico is following this as well because those jobs are located there.

Mr. Speaker: Your question Councillor please.

Councillor Benham: Who warned every one of us that those jobs will go. Why should the City of Winnipeg provide any economic development incentives for something that is going to provide low tech, low paid jobs for migrant workers while driving out high tech, high paid jobs? Let's deal with the question of jobs for Winnipeggers in this question Mr. Speaker.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I'd be happy to address that because I pay very close attention to what the delegation said. The delegation's comments it appears were based on perception. They themselves said they're not based on fact. They're based on perceptions. I like to make decisions based on fact.

Number one, someone saying that they may leave a certain area, they may, but you know what, I've heard people say they may leave if a certain Mayor was elected. Guess what they stayed. The bottom line is, is that there are businesses there that I believe will stay. Some of the same businesses that were here today failed to mention the fact that they got economic incentive packages as well.

I would like to think that we live in a city, a province, a country that we treat everybody fairly and objectively. There is a process that is followed. We are following a process. I don't think we should discriminate against any individual or any entity. And right now that's exactly what we're doing.

I'm not going to speculate Mr. Speaker. I'm not going to project on what people don't know, on what may or may not happen. I will deal with what we know is on the table. I will try and deal with facts and I certainly hope all of the Council deals with facts Mr. Speaker. Thank you.

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

Councillor Benham: Yes, thank you very much Mr. Speaker. Yes Mr. Speaker the Mayor talks about a process being followed but the process was that City Councillors and Winnipeg residents had only seven calendar days notice of this. We heard the delegation complain about that.

Will the Mayor now commit to supporting Councillor's Gerbasi's motion to rescind Council support for the hog slaughterhouse and hold proper public hearings so that all Councillors may hear from all residents and all businesses affected in a full public forum? Thank you Mr. Speaker.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I would hope we have the opportunity to refer to Hansard and I think the Councillor when he has that opportunity will see that the delegation made no reference to the fact about seven days. As a matter of fact the delegation specifically said that after it was announced it was two months later that they actually understood what was taking place. That was their words Mr. Speaker. That's number one.

Number two, Mr. Speaker, I am always open-minded and I'm always happy to hear from all of Council as well as any delegates that appear in Council. Thank you Mr. Speaker.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. Watching the Premier the last two weeks is like watching those old, those old advertisements from the 1950's telling the children to stop, drop and cover with regards to a nuclear attack. The Premier has been stop, dropping and covering with regards to the Olywest issue lately and I'd like to ask the Mayor to set the record straight.

Did the Premier, did the City initiate the Olywest process or did the Province contact the City and ask the City to come to the table with regards to building and making an incentive package with regards to Olywest? Who contacted who first?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker through you to Councillor Wyatt, as my recollection goes this was a project that was negotiated with all three parties at the table, the Province, the City and representatives of Olywest. This process, I'm sure it took at least six months. It was an ongoing process. And I know as a result of the Province coming to the table to the degree they did that is what basically solidified the deal.

I am not, I'd be happy to check and confirm of who came to who. I can tell you that our administration was dealing with the Province and you know I don't think I would point the finger at either or. You know this was a partnership between the two and that's the way I'll leave it for the time being. But if the Councillor wishes me to get further details I'm happy to do so.

Mr. Speaker: Supplementary Councillor Wyatt.

Councillor Wyatt: Yes Mr. Speaker and I appreciate the follow-up offered up by the Mayor. Thank you. Yesterday in the presence of the honourable and venerable and long serving Councillor Lazarenko in his office, Councillor Magnifico indicated to Councillor Lazarenko and myself, that he was up in your office and had indicated that he was going to change his support on the Olywest deal and move away from not supporting it anymore. I just want to confirm had he indicated that to yourself or to maybe a member of your office that he was now moving away from supporting Olywest?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker it appears that Councillor Wyatt has much more information than I have. I am not aware of anything to that ilk. By the same token if there are Councillors who did not support it, the economic incentive package in November and want to support it this time that's their prerogative and I would say the reverse is also anyone's prerogative.

Mr. Speaker: Councillor Wyatt final supplementary.

Councillor Wyatt: Yes, again in the presence of the venerable Councillor Lazarenko who said way to go Franco and I said I would fully support him, could you find out whether or not somebody in your office was informed that Councillor Magnifico as he indicated to us, and he was going to tell the Province, the Province is not supporting that 100%, I'm not going to support it 100%, were his words. (In Audible).

Mr. Speaker: Councillor your question is out of order.

Councillor Wyatt: The question is…

Mr. Speaker: Out of order.

Councillor Wyatt: Can we find out…

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Can we find out that information.

Mr. Speaker: Sit down.

Councillor Wyatt: Can we find out that information.

Mr. Speaker: Sit down and be quiet Councillor until I tell you. Your question is out of order. Office gossip is not the subject of Question Period. Final supplementary on, at matters of administration.

Councillor Wyatt: When will we know with regards to the hog plant and exactly whether the Premier contacted the Mayor or the Mayor contacted the Premier with regards to the beginning of the negotiations of the hog plant issue?

Mayor Katz: Mr. Speaker I will endeavour to try and get that answer to Councillor Wyatt before the week is over. Thank you.

Mr. Speaker: Thank you. Councillor Thomas.

Councillor Thomas: Thank you. First in the form of a brief preamble on my first question as the rules allow. I laud Executive Policy Committee for tabling

clause number 5 of April the 19th, the recommendation that we just passed to honour our Olympic athletes through naming of facilities. Second I laud the City's attempt to honour our Olympians.

However, at the public ceremony there was a serious misstep by the Mayor reported in the media referring to himself as Hugh Hefner and by implication inappropriately labelled our Olympians as Playboy bunnies. When will the Mayor unequivocally apologize for those remarks?

Mr. Speaker: Sorry, Councillor De Smedt do you have a point of order?

(Point of Order)

Councillor De Smedt: I think Mr. Speaker that Councillor Thomas is frankly out of order in taking attributions.

Mr. Speaker: Councillor Thomas please sit down while this point is (In Audible).

Councillor De Smedt: from the press and trying to put a personal slander towards the Mayor in this issue. I really object as a member of Council that she is taking this approach and I think she should not be proceeding along this line. Thank you.

Mr. Speaker: I…

Councillor Thomas: Before you rule on his point of order may I point out if those comments were repeated in the chamber, under 8.17 Disrespect, they would not be allowed and they would be requested to be withdrawn.

Mr. Speaker: Order please. I am not convinced that there is a valid point of order here and I think Councillor Thomas has asked the question. I'm going to allow it and the Mayor can respond if he wishes.

Mayor Katz: Mr. Speaker my response will be no response.

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

Councillor Thomas: Is the Mayor suggesting that the comments that he made were appropriate and not necessary to be withdrawn?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker once again I believe the Councillor is entitled to her opinion but there is nothing for me to comment on. I think it's all been said. Thank you.

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

Councillor Thomas: Is the Mayor suggesting that referring to himself to Hugh Hefner and by implication referring to other females surrounding him as Playboy bunnies is appropriate comment to be doing representing the City at a public forum in which we were to be honouring people? Is this the way the Mayor chooses to honour people in our community?

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker it would be really nice if the Councillor would get their facts straight. The only person who I've heard mention the word Playboy bunnies was the Councillor. No one else mentioned such a word.

By the same token, I believe I am quite capable of representing the City. As a matter of fact from the people that were there they thought it was a wonderful event. And I think it's unfortunate that there might be one or two people, and obviously Councillor Thomas is one of them, who decided to put the focus on something other than honouring our Olympians. Thank you Mr. Speaker.

Mr. Speaker: Councillor De Smedt, you have a question?

Councillor De Smedt: I defer any questions at this moment of time.

Mr. Speaker: Okay. Any others. Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker and I will not be speaking about

bunnies. Mr. Speaker the question I have.

Mr. Speaker: Order. Order please.

Councillor Lazarenko: The question I have, I know some members of Council would love to be in a Playboy bunny magazine. Mr. Speaker the…

Mr. Speaker: Keep digging the hole Councillor, you're doing a good job.

Councillor Lazarenko: Especially the men, especially the men.

Mr. Speaker: Get to your question please Councillor.

Councillor Lazarenko: Mr. Speaker, my question that I have to the Mayor and to Executive Policy Committee lately we've had misinformation provided to us on issues that were very important to Council such as the roll out auto bins.

I'd like to ask the Mayor will he be able to see, talk to the Chief Administrator to see that this does not happen. There is the detailed printout, every contract we sign, detailed of anything that may be controversial that we should get that information before it gets carried away such as this case it happened with Olywest.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker through you to Councillor Lazarenko. It would be my pleasure to speak to the CAO. I enjoy it immensely. I take it up as an opportunity to discuss that issue if that's what he would like me to do I am more than happy to do it.

Mr. Speaker: Do you have a supplementary Councillor?

Councillor Lazarenko: Thank you Mr. Speaker. Last evening at the Community Committee meeting of Lord Selkirk-West Kildonan I had moved a motion on the serious problems we've got the overfill of auto bins in parts of the City where they are located.

I'd like to ask the Mayor if he can look into this serious matter and start asking the proper directors to start enforcing a by-law that we have implemented many years ago and that is the Unsightly/Untidy By-law that this in itself what is happening that we should use enforcement and clean up, clean up the parts you know the problems we've got with those auto bins.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I would be very happy to do that. I would also add that you know I've heard that it's not the easiest by-law to enforce but I believe enforcement is important. I have seen pictures of auto bins and how they're overflowing and there is garbage all over the place and I believe the Councillor is making a very valid point and I would certainly take up that initiative and have that conversation.

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

Councillor Swandel: Thank you Mr. Speaker. Short of a request of the Mayor to get some more information regarding the business park where the Olymel Plant is being suggested and what I'd like to have provided is a list of the businesses in the Industrial Park, what the required zoning is, whether they require environmental licensing and whether they have received economic development packages from either the City or the Province. I think it's important to have all that information if we were dealing with this any further.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I would be happy to endeavour to do that. I hope, I think I remember all the questions but if Councillor Swandel would be so kind as to email it so I don't miss anything. It would be my pleasure Mr. Speaker.

Mr. Speaker: Thank you. Do you have supplementary? No. Any other questions on the first round? On the second round Councillor Wyatt.

Councillor Wyatt: Mr. Speaker it's becoming clear that when it comes to our planning processes a simple housing development of 20 homes or even something as large as Waverley West is subject to an extensive planning analysis by our Planning department. Yet it's clear as was indicated during the Council debate of November that a lot of the due diligence was not done and it's becoming clear that the Planning department only provided a limited onsite analysis and that a planning analysis of the area which would normally be the case in many of our planning agreements and reports was not done.

I'm wondering why this due diligence and scrutiny was not conducted by our, or requested of our Planning department prior to Council approving the decision in November?

Mr. Speaker: Mayor Katz.

Mayor Katz: Not quite sure how to begin. It's my understanding that number one that the City did have its economic development representative working on this. I think a lot of work has been done. Obviously they explored potential sites that had the proper zoning.

To me that was the process they went through. If there is something further that the Councillor would like me to gather some information, if the Councillor gives me details Mr. Speaker I'll be happy to try and get as many answers to those questions as possible. I'm not quite sure exactly what Councillor Wyatt is looking for from me on this and maybe I didn't quite understand it but I'm sure he'll get the opportunity to explain it to me.

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

Councillor Wyatt: Sure. Yeah, this is regarding Olywest and the question is, is there was no detailed planning analysis done. There was only an onsite analysis done according to our Planning department. There was no detailed planning analysis done of the neighbourhood, of the area, with regards to this report coming forward and my question is why that was not done and will that be done now because that would have caught the issue with regards to the businesses and the concerns we are hearing today.

Mr. Speaker: Mayor Katz.

Mayor Katz: Thank you Mr. Speaker. Mr. Speaker there are a lot of potential issues that appear to be out there and I say potential because until there is thorough presentation made on any environmental issues, any water issues, any odour issues, no one really knows for sure.

There is a process which I know that Councillor Wyatt and every other Councillor in this chamber knows, it's called the Clean Environment Commission. That is their role. That is their job. That is where people make representations, where you present the facts and decisions are made.

And if the proponent is granted a license, they are granted a license based on the fact that they've met the stringent regulations. If they are not granted a license then nothing proceeds. I think that is obviously a large part of what Councillor Wyatt is referring to but that is the process. If the Councillor feels that we should be doing more I'm happy to look into that as well but there is a process here that follows.

Mr. Speaker: Final supplementary Councillor Wyatt.

Councillor Wyatt: Yes.

Mr. Speaker: Very quickly.

Councillor Wyatt: For sure. Very briefly, in light of the fact that we are the off site service provider with regards to our wastewater should we not also be one of the proponents at the table at the CEC, since we are doing the unprecedented step of providing all the sewage handling for this plant, other than the primary handling?

Mr. Speaker: Mayor Katz.

Mayor Katz: I would believe that we will be there because anyone in this chamber has the opportunity to appear as a delegation whether it's myself or whether it's Councillor Wyatt.

I would also like to just make one point here that, or read this; an environmental assessment report is part of any official Environment Act license application submitted to Manitoba Conversation. While the environmental assessment will assess information on how the proposed plant is expected to effect the environment it will also assess anticipated effects on people living in the community, the local economy and business. Public consultation is a vital part of this process. I think that answers the question Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. Time for questions is expired. We'll move to the report of the Standing Committee on Property and Development April 4th Councillor De Smedt.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED APRIL 4, 2006**

Councillor De Smedt: I'm sorry. I'm in a daze this morning, Mr. Speaker. I'm very pleased to move the report of April 4th, 2006, Items 1 to 20, 22 to 23 and I believe Councillor Benham would like to stand down number 21.

Mr. Speaker: Which clause is being set down?

Councillor De Smedt: 21.

Mr. Speaker: 21, any others? Councillor De Smedt moves the balance of the report be adopted by consent. All in favour. Contrary? Carried.

**Item No. 21 - Winnipeg Parkway System Review
File PR-4**

Councillor De Smedt: Thank you very much Mr. Speaker. I'm sure Councillor Benham would like to speak eloquently on the subject but I think the administration and private citizens and dedicated group of people in our community have come together to develop a park way system analysis and provide some highlights for you, so, Councillor Benham's questions or comments.

Mr. Speaker: Councillor Benham on the clause.

Councillor Benham: Thank you very much Mr. Speaker and I will be brief but I am just pulling this off to do exactly that, to commend the administration and Councillors that were working together on something that I think has genuine value.

I am a cyclist as I think some Councillors are aware, and I have actually gone out and tested this system on both sides of the Assiniboine river, the part that runs through my ward and Councillor Clement's ward, the part that runs through your ward Mr. Speaker and Councillor De Smedt's ward and I've also gone up and down the Red River out to St. Vital Park as a cyclist and quite far north past to the perimeter as well along the Red River.

So, Mr. Speaker, what I found was indeed what is exactly described in the report which is a patch work system that was quite deliberate in its nature. The idea was to build different parts of the system according to some priorities and then some day, link them together. It has been a long process as the report notes. That this started in 1993 and it wasn't anticipated that more money would flow and that it would be a better system by now but we are finding that this fits in with our active transportation strategy which was passed unanimously by this Council.

It does fit in with the additional money for bike paths that Executive Policy Committee has set aside in this capital budget and indeed Mr. Speaker it's simply a wise investment in the health and quality of living for all of our residents to make sure that people can use bicycles or wheelchairs or roller blades or roller skates to get out there, scooters, motorized scooters, lots of different mechanisms to get out and enjoy our natural settings along the river.

This report also makes provision for using smaller residential streets and so on as alternatives in some cases and Mr. Speaker it even raises the subject of using sidewalks along busy streets sometimes as designated bicycle routes. I think Mr. Speaker as long as that's properly supervised and properly signed and everyone involved, pedestrians and cyclists know the score. I think that can be a valuable way to ensure that these pathways are there and are continuous.

So Mr. Speaker I will of course be voting in support of this report but I just want to note that I think it is a significant step forward and something that should be supported by all Councillors. Thank you Mr. Speaker.

Mr. Speaker: Any other debate on the clause? Councillor De Smedt closing.

Councillor De Smedt: Thank you very much Mr. Speaker. I think I will just take the opportunity to commend Councillor Benham for bringing out the notion that we will have a protocol established to start using some of our concrete such as sidewalks for bicycle in certain areas.

This is very much a European model in which we share between pedestrians and cyclists. I mean we cannot continue to always have additional right-of-ways put in for bicycle paths when they're not available but as many of you know, some of our sidewalks are so vacant you could shoot a canon down them, you're not going to hit anybody but a bicyclist if they were on there.

So I see this as a positive thing and I also in a humorous way would like to say that I've just taken my bicycle into a shop in Councillor Eadie's ward to get finally upgraded again and I'll get it in shape and intend to hound you all in the month of October as you go around your ward and I'll be on my bicycle and I'll be watching. So I'd like to move the report.

Mr. Speaker: All in favour of the clause. Opposed? It's carried. By-laws, Councillor De Smedt.

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

Councillor De Smedt: I would like to move By-laws No. 98/2006, 120/2006, 121/2006, 122/2006, 123/2006, 124/2006, 126/2006, 127/2006, 128/2006, 129/2006, 130/2006, 131/2006, 132/2006, 133/2006, and 139/2006, 140/2006, 141/2006 inclusive be read a first time.

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

Clerk: By-laws No. 98/2006, 120/2006, 121/2006, 122/2006, 123/2006, 124/2006, 126/2006, 127/2006, 128/2006, 129/2006, 130/2006, 131/2006, 132/2006, 133/2006, 139/2006, 140/2006 and 141/2006.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: I move that By-laws No. 98/2006, 120/2006 to 124/2006 both inclusive, 126/2006 to 133/2006 both inclusive and 139/2006 to 141/2006 both inclusive be read a second time.

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

Clerk: By-laws No. 98/2006, 120/2006 to 124/2006 both inclusive, 126/2006 to 133/2006 both inclusive and 139/2006 to 141/2006 both inclusive.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: I would move that the rule by suspended and By-laws No. 98/2006, 120/2006 to 124/2006 both inclusive, 126/2006 to 133/2006 both inclusive and 139/2006 to 141/2006 both inclusive be read a third time and the same be read and same be signed and sealed.

Mr. Speaker: All in favour. Opposed? Carried. Any Property and Development questions? Councillor Wyatt.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT QUESTION PERIOD

Councillor Wyatt: Thank you Mr. Speaker, through you to the Chair. Is it correct that there has been a, I don't know what you would call it whether it be an expression of interest being offered by the City or an invitation maybe is a better word, to the, to some of the surrounding municipalities in the Capital Region or all of the surrounding municipalities in the Capital Region, to enter into a pilot project with the City to offer services to them on a pilot project basis such as animal services, such as sewer services, such as water services, and that there was a deadline for them to reply by the middle of April, April the 14th I believe. Is this the case? Are we doing this as an experiment that Council is not aware of, just out of curiosity.

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: Well I'm surprised Councillor that you're not aware of it. I think we passed, if I recall by motion or clause from EPC that we have an Inter-Municipal services protocol to be examined on a trial basis and that an invitation was put out to all the municipalities. Indeed the administration I believe in late January, early February went and met with representatives from our Capital Region Municipalities to discuss what the protocol might look like and invite them to submit any proposals for consideration as a trial, a pilot project.

And I think it's ongoing. If something is going to be coming forward then it will be examined accordingly but I think the highlight point here is that it's to be an Inter-Municipal agreement between a municipality and the City and we are going to establish what the services might likely be and I think one other keynote point if you might recall where we share services and we share revenue. I mean it's got to be a two way street.

I mean this is obviously to foreclose on the notion regrettably from certain perspectives around here about whether we are going to have an annexation protocol in the longer term. But I can certainly tell you that this is ongoing and I was hearing very closely to this morning you know the issue which we really should have had a debate on at Council today about the Olywest issue whether you know this is an appropriate business to have within the City. If it isn't somebody should please tell me in which adjacent municipality that it ought to be in and who is going to pay for the services that already exist within this particular City.

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

Councillor Wyatt: Yes. No I appreciate that Mr. Speaker and the Chair understands that quite often members of EPC have access to more information then the rest of Council so would it be possible if that information could be supplied on the status of the work being done with regards to the closing date and if anybody has been accepted as part of the pilot project if you like.

Councillor De Smedt: Yes thank you very much and it's certainly a matter that would obviously come to EPC but by way of your question and I would ask the forbearance of the clerk to make sure that you have a copy of the report that we considered and the administration will be asked by way of this discussion here today to provide an update if there is anything imminent that we would be considering.

And, but you should realize that once we have a proposal coming forth it will have to go through the analysis by the department and politically about is this an acceptable to the intent of what the purposes of a trial or pilot project had been decided upon by members of EPC and members of Council. I mean you approved around this table that particular protocol and if I recall I think it was the December meeting that this was put forward.

Mr. Speaker: December.

Councillor De Smedt: December the 21st, 14th thank you.

Mr. Speaker: Final supplementary Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. The, I guess if the chairman could just comment, one of the, from talking and discussions with rural municipalities on this issue one of the concerns that they have expressed or fears, is that if they enter into service agreements with us that it could lead down the road to annexation and this is a concern that they have.

I'm just wondering how in an attempt to do this and I'm not saying that I'm against it, I'm just saying how we can ally the fears with regards to annexation that are real.

Councillor De Smedt: Thank you very much Mr. Speaker, we could spend all day here talking about, you know the Capital Region strategy. We've tried to have a pro-active Capital Region strategy for many years and our Mayor, Mayor Katz took the initiative to try to develop a protocol, you know this is a perception issue. Whether there is an impression that it could lead to annexation or not annexation they have to deal with that themselves.

The practicality of our City and our region is that we are growing and at some point in time in our history it will happen that there will be what I presume would be a voluntary annexation. And in fact a lot of this kind of voluntary annexation occurs in the City of Calgary. The City of Calgary city limits are huge if anybody has been out there. It's different then Edmonton because Edmonton has a different approach to life. But the fact of the matter is in certain areas it works.

This policy that's been put in place by Council and by the initiative of our Mayor, is intended to seek cooperation, mutual understanding of our strengths in each of the municipalities and how we can buttress each other in the years ahead that satisfies both our needs in growth and revenue demands or whatever you may want to describe it.

So there is no intention of trying to put that issue out there of annexation. What will be will be. If people want to take that twist on it it's regrettable. They have to be I think optimistic about what they are trying to propose and enter into an agreement.

I would dearly love to know which of these municipalities if you could share with me are expressing this concern so I can get down to brass tax. I mean I sit on the Mayor's, on the Committee of the Mayor's of the Capital Region, we discuss it all the time. Please let me know. I would be willing to talk in a very proactive way. What are their concerns? There are some of them that I will never be able to answer their question. It doesn't matter it becomes a political issue and it has nothing to do with the reality of fact and how our region is and should grow in a reasonable responsible way.

Mr. Speaker: Any other questions? Move on to the… Oh you have a second round Councillor Wyatt.

Councillor Wyatt: Just to pursue this issue on a different, It's my understanding that the municipalities of East St. Paul, West St. Paul, St. Clements, St. Andrews and Selkirk have formed a new organization called the Red River Infrastructure Committee and they are talking about an expression of interest to look at offering services and building services for sewer and water.

Would you agree that it would be better since we have capacity in our existing treatment facility for example, that we be the ones extending sewer services as a potential revenue future for the City rather than going out and building their own independent services now in direct competition with the City?

Mr. Speaker: Councillor De Smedt.

Councillor De Smedt: Thank you very much Councillor Wyatt I think you really need to understand, you know what's at stake here. We have capacity today, and as you well know that we are well underway right now by mandate of this Provincial government to spend something like $900 million dollars to upgrade our wastewater systems.

Whether that will lead to the existing capacity that there is today is rather doubtful. Why would we build a 45% capacity system at this time?

These systems are modular and so you can add it on when required and so we are not going to upfront a huge cost as we are upgrading for the nutrient loads, etcetera, by mandate of the Clean Environment Commission and the Minister of the Environment, we'll build capacity.

Will it be reasonable for us to enter into an agreement to provide that instead of another level of government or two levels of government providing those municipalities with a grant to build a system? I don't know the answer to that. You just do a spreadsheet, you make an analysis, they make a proposal that look it might be cheaper for us to connect to the City of Winnipeg, blah, blah, blah. We could do that and then we would say if we're going to provide services to allow their growth to happen that could be in competition with our growth we need to understand what the upside and the downsides of that are for both sides of the issue, in their community and ours and look for what we've always said, service sharing, revenue sharing. There is an opportunity.

There is also in this Province today an excellent example by the City of Portage La Prairie and the municipality Mr. Speaker, of the R.M. of Portage in sharing services for industrial sites. It exists. It just is whether there is a will in this case on the part of our adjacent municipalities to enter into the same type of agreement. They've agreed in Portage where industrial sites ought to be, who will provide the services, in this particular case it was a growth model for Simplot outside the city limits to connect to the city wastewater system for a share of the revenue that the municipality was going to get. It all comes down quite often to how the investment ought to occur and how would we share that growth revenue.

Mr. Speaker: Okay.

Councillor De Smedt: So I leave that with you Councillor Wyatt. I'm quite familiar with the issue up in that particular area. They have not I don't believe come forward any; they at one time had a proposal. They've decided to go on their own. When they do their spreadsheet analysis maybe they will find out they want to come back to the City. I don't know, it's up to them.

Mr. Speaker: Do you have a supplementary Councillor?

Councillor Wyatt: Well yes. So based on that if they were to approach the City again, because I think they are doing their own thing out of a sense of frustration and a sense that the City is reluctant for maybe political reasons to address this issue, that if they were to come forward again with an offer to the City for services which I think they're still very keen on, would we be looking at this in a positive framework, from what I'm taking from your response on the last question.

Councillor De Smedt: Well I hope you take it that it would be a positive framework. We're obligated by Council. We've said we would do this and we would examine, for pilot project reasons.

Should this be the first one? I don't know. I know the R.M. of Macdonald has some interests. I know the R.M. of Rosser would like to have some interests but you know they have to lay out the issue for us to consider and we will do that.

This Council is committed because we've agreed that it is wise for us to have a pro-active dynamic Capital Region strategy. It doesn't make sense for us to continue to be in competition with each other. We know where the boundaries are. We know there are frictions there. I've, you know been quoted as saying it gets frustrating to see somebody else wanting to build right on your border when we have other opportunities to have infill development and housing. How do we reconcile that? Well carefully and with a plan.

And if this Province, no matter what level of government is there and I'm saying this in a non-partisan way, had for once sat down and created a Capital Region plan

that had people buy into the notion where you build development, what is in the best interest of all the citizens of this, of some 730,000 people within the Capital Region in our own population. What's in our collective best interest would be much better off. And hopefully what Mayor Katz had introduced on the 14th of December last year was this opportunity for us to create the dynamics to cooperate and to discuss the issue.

That's what this is all about. And it's in their hand and we are committed. As the Mayor is often quoted as saying and my mind is so open, I don't know what's going in it these days, we have an open mind. Let's listen to this issue.

Mr. Speaker: Okay.

Councillor De Smedt: Thank you.

Mr. Speaker: Do you have a final supplementary?

Councillor Wyatt: No.

Mr. Speaker: No, you're done. Standing Policy Committee on Protection and Community Services, report of April 10th Councillor Steeves.

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

Councillor Steeves: Thank you Mr. Speaker regarding the report of April 10, 2006, I would like to introduce the report and move adoption of the consent agenda Items 1 and 3. Item 2 laid over by the Executive Policy Committee for 30 days Mr. Speaker.

Mr. Speaker: Councillor Smith.

Councillor Smith: I would like clause 1.

Mr. Speaker: Clause 1 stood down. That's it. Councillor Steeves moves adoption of Clause 3 by consent. All in favour. Opposed? Carried. Clause 1.

Item 1 - Access to Information - Food Establishment Health Inspections File EH-1.6

Mr. Speaker: Councillor Steeves would you introduce the clause.

Councillor Steeves: I'd be happy to, Mr. Speaker. This clause has do with the food establishments and the food handling. It received some attention in the media. People were fairly interested in it. We had some fairly extensive consultation with folks from the industry. Our administration took the opportunity to compare what we're doing with different jurisdictions from across Canada.

What you see before you represents as far as I know, a fairly complete consensus with respect to the industry, and our administration. So what I might do is, is lay this in front of Council if anyone has any questions. I'll obviously wait to hear what Councillor Smith has to say but I can tell Council that this was not done in isolation.

There was a bit of a hiccup in the way that it moved through our committee in that the consultations were done, it appeared at our committee. At committee, the committee amended the report. At that stage we wanted to send it back to get more consultation with the associations from the industry on the amendments. It now, as I understand it, based on written correspondence, sits before this Council, enjoying the consensus of industry and our administration. So I'll put that to Council.

Mr. Speaker: Councillor Smith on the clause.

Councillor Smith: Yes, Mr. Speaker I support this clause whole heartedly but you know, I want to say it's about time we did this. You know, we have all these other cities have been better at informing their citizens. We've been done a pathetic job and it's because the department, for example in the last year, has anyone been, has any notice to the citizens about the closing of the establishment. No.

We haven't warned anybody. I think it's about time that we do this. I think this clause is an excellent clause. But it's, you know, I'm critical of EPC for allowing this to go on for so long without anything happening.

Mr. Speaker: Councillor Lazarenko on the clause.

Councillor Lazarenko: Thank you, Mr. Speaker. Speaking in support of this clause, I know it's high time that we did but all of us I guess are in the same boat because neither one of us could have moved a motion on the floor of Council to proceed to go in this direction. Not to put the blame on any other committee.

But the concern I have, Mr. Speaker, is that we had within the last week or so, a restaurant that people who were contagious with tuberculosis, visited the premises and each of the customers that the proprietor was able to tell the inspectors, the Health Inspectors who they were, able to visit them, why wasn't that information given to the general public, because when you talk about having food being served to the general public and with the contamination of certain diseases, why wasn't that released to the media. Because the health officials had said that they will not release that information but if this is the case, why would they be excluded, would something like this be excluded? I'd like to get the Chair to respond to this.

If something like this would that, what we have in place, what we do here today, will that exclude of releasing that information, the restaurant where someone has a contagious disease was visited there and the authorities were there to talk to the people that paid the visit there. Will that be released? Such as this case, the tuberculosis problem, the health officials said that they will not release that information and my question is, why not? It's to protect other people that would not go in there.

Mr. Speaker: Any other debate on the clause. Councillor Steeves closing debate.

Councillor Steeves: Just briefly Mr. Speaker, I'll point out that we spent a lot of time debating in this chamber. This is I think a great example of the system and how it can work I think, pretty positively. I want to thank our committee, Councillors Benham, Councillor Gerbasi and Councillor Smith for the co-operation on this, somewhat difficult report.

We have to work with industry; there were at first competing positions on this. Consensus I think was arrived at and I think we actually have a report that everyone is pleased with.

I was trying to follow exactly what Councillor Lazarenko was requesting. I might, Mr. Speaker through you, request that maybe during question period Councillor Lazarenko you could just put a finer point on what it is exactly you want me to answer and I'll try and get back to him on that. Other than that. I trusting we'll unanimous support on the clause.

Mr. Speaker: All in favour of the clause. Opposed? The clause is carried. No motions, no By-laws, oh yes I'm sorry the additional report of April the 25th Councillor Steeves moves suspension of the rule to deal with this report all in favour. Contrary? Carried. Proceed with clause 1.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED APRIL 26, 2006

Mr. Speaker: Yes, regarding the report of April 26, 2006, the photo enforcement program report, I will move that, put that before Council.

Mr. Speaker: Any discussion, Councillor Clement.

Councillor Clement: Yes, I'd like to speak to this, Mr. Speaker. First of all, everybody knows that we entered into this initiative a few years ago and a short time back as we do with most of the initiatives that we are involved in and recognizing that there's a new contract that would have to be initiated to continue with this program.

There was an audit done and the audit was somewhat critical of the original package. And what this is, although limited because there is only one year left in this package is a review, if you like, or a renewal of that existing deal with a change which hopefully will be somewhat more beneficial than what it would have be if we had just rode it out for one more year and that's what this is really all about.

Why I rise is because I want to make it very clear where I'm coming from on this initiative. And it's the same place I came before.

This whole issue to me was about public safety and I think, in fact I don't think, I know for a fact that when this was before us about five years ago or so, I was quite critical of what I believed the revenues were going to be, what some people thought they were going to be, sorry and I said so at the time. I was widely quoted suggesting that I didn't believe the revenues that were being projected were real.

And I had huge frustrations because I was directly involved in our budgeting and I argued very directly in most of those cases and didn't carry the day completely, but bottom line was, is that over the last three or four years, the amount that we have budgeted for revenue to offset the roughly eight million dollar cost we have each year has never been attained.

And it started with an original amount that was several million dollars too high. We pared it back, pared it back, pared it back and we finally I think this year have put a number in our current budget that reflects the reality of what the revenue stream will be.

And I don't care frankly; it's nice if it will break even. If it breaks even or even if it costs a little bit of money, if it's saving lives because people are slowing down and because they don't want to receive tickets at these locations or from the roving vehicles that have photo radar, that's a good thing and that's the only reason why I supported it originally.

I'm disappointed that some people have the view that this is about revenue, because it's not about revenue to me. I frankly found that offensive in the beginning. I continue to find that offensive. Some people don't understand or don't seem to understand how we can differentiate between the two.

Well obviously, first of all, if somebody breaks the law, they have to pay and in this case they pay money. There's a cost for this service. We all know that it's roughly 8 million dollars a year that it's costing us and so far the program has managed to break even or thereabouts. And that's all that some of us were ever hoping for in the first place.

Certainly, there were other people who believed that there were going to be other revenues. That hasn't been the case but it was never the issue in any of the discussions I was ever involved in. And I was usually pretty close to the hub of the wheel on most of those discussions, Mr. Speaker in the past.

So, I wanted to make it really clear where I'm coming from, because I read some things today that kind of suggested something a little different and those aren't my comments and it's certainly not where this Councillor is coming from. Thank you.

Mr. Speaker: Any other debates. Councillor Steeves closing debate.

Councillor Steeves: Thank you, Mr. Speaker. I remind Council, the report before us has to do with essentially an amendment to the existing contract with the company in question.

We are about 80% of our way through this contract and I think a good point was raised by Councillor O'Shaughnessy this morning. This amendment has nothing to do with ongoing contracts with anybody, company or otherwise past the term of this existing contract. These amendments represent, I guess a reaction by our administration to a perceived Council wish, direct or indirect, that we look into this contract and some of the concerns.

Interesting comments, how this has nothing to do with revenue and never has, I believe there was a lot of concerns about revenue indeed when in fact the anticipated revenue wasn't realized, interestingly. The genesis of this existing contract was that I assume it was discussed under the former Mayor and his then Executive Policy Committee behind closed doors. I don't know. I wasn't part of Executive Policy Committee at the time. It was then presented and was passed quite quickly following that. I was a member of Council but I think that although I didn't have access to the discussions leading up to the public surfacing of the original contract, as a Councillor, was a quick time to try and deal with that and in retrospect I think there were some projections that everyone now knows were not exactly what we expected.

A lot of discussion, Mr. Speaker, with the public safety issue versus the revenue issue and that's a fair comment. I think it would also be a fair comment to say that this Councillor sort of stuck its foot in it as it were, a bit with respect to that issue.

I've always been quite clear though, that the issue is trying to stop people from driving their cars too fast in the city. That's what we've also tried to do. That's what was the intent of the original contract was. That's the intent of the amendment was.

And in this particular case, I think the more focused attempt is to try and stop them driving their cars too fast in school zones. If that means more tickets, I regret to inform, I guess that might mean more revenue, the idea being that if people get ticketed for their behaviour that they might in fact react by not speeding.

I don't know of anyone who would challenge that premise. I think everybody in Winnipeg understands that whether it's mobile unit, whether it's traffic intersection cameras or whether it's our uniformed policemen who have set up check stops, radar stops at the side of the road, the idea is that from time to time people are going to see us enforcing the speed limits in the City of Winnipeg and either by virtue of them seeing that or by virtue of them getting ticketed. There's going to be a general deterrent to speeding in our city.

I don't think anyone is standing up here and saying that we're blindly going after as much revenue as we can produce, but the revenue is built into the program to try and support the costs of the program with the ultimate goal being safety.

Now we can get discussing how some people are talking about exclusively revenue and how bad those people are and how some of us are just all about safety but at the end of the day I think we're all supporting the exact same program.

And I take a little bit of offence to the idea that some of us are better than others by virtue of what they say. We've all entered into this program knowing full well what it entails and we all entered into this report knowing full well what it entails. It is what it is, and if people don't like the report they are free to vote against it. If people don't like the revenue projections that are built into this report, they are free to vote against it. So with that Mr. Speaker I will put this report before Council.

Mr. Speaker: All in favour. Opposed? Carried. You record against it, Councillor Smith? Yes, got it. Questions? Any? Councillor Wyatt.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
QUESTION PERIOD

Councillor Wyatt: Yes Mr. Speaker just to get clarification. Is there any, through you to the chair, is there any negotiations taking place now with the Provincial government to expand the ability of the City to do the photo enforcement outside of construction, school zones or parks. Is there any discussions right now with the Provincial government to do that or plan to do that?

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Not to my knowledge Mr. Speaker but of course that doesn't necessarily mean that there is not

discussions between some people, but not to my knowledge.

Mr. Speaker: Do you have a supplementary?

Councillor Wyatt: So the reports we are reading about in the newspaper today are totally incorrect?

Councillor Steeves: Not sure what reports my friend is referring to but that doesn't really seem to matter today.

Mr. Speaker: It is not the job of Council to verify newspaper stories.

Councillor Wyatt: Okay.

Mr. Speaker: Councillor Lazarenko.

Councillor Lazarenko: Thank you Mr. Speaker. During the debate awhile ago I, with a question to the Chair of the restaurants with the food inspections, I'd like to ask him now, there was a particular restaurant in the City of Winnipeg that was visited by patrons, customers who had tuberculosis. The authorities went into that restaurant to inspect. They talked to people who were there before that, customers. And I wanted to know why wasn't that released to the public so that the public could be aware of this location and stay away from it. That was a simple question dealing with that Councillor Steeves.

Councillor Steeves: Okay Mr. Speaker I might have to after Council get a few more details from Councillor Lazarenko.

Mr. Speaker: You'll take the question as notice.

Councillor Steeves: Yeah we will.

Mr. Speaker: Okay. Any others? Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker, through you to Councillor Steeves, I'd like to know if the onset of the photo radar program if there was a commitment that there would be no reduction in current enforcement of traffic offences by uniformed officers of the Winnipeg Police department.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Sounds like an operational matter Mr. Speaker. I'll take that question under advisement and get back to the Councillor.

Mr. Speaker: Very good. Supplementary Councillor Swandel?

Councillor Swandel: Also I would like to know if there is any further explanation to the Auditor's report for the discrepancy between the MPIC statistics of increased accidents at red light camera locations as opposed to, in relationship to the City of Winnipeg statistics that show a decrease in accidents at red light camera sites.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Obviously that has nothing to do with this report. I understand this is Question Period. What I can, what we can do I suppose is if my recollection is that question was to some extent answered during the Auditor's report and the Auditor's presentations on that report. I'll try to put a finer point on Councillor Swandel's question and I'll get back to all of Council with the answer to the best of our knowledge.

Mr. Speaker: Okay. Final supplementary?

Councillor Swandel: Just for total clarification.

Mr. Speaker: No. Question.

Councillor Swandel: Can the, through you Mr. Speaker can the chair of the Committee confirm that the primary objective of the photo radar program is safety?

Mr. Speaker: Councillor Steeves.

Councillor Steeves: It is.

Mr. Speaker: Yes.

Councillor Steeves: Primarily safety, yes.

Mr. Speaker: Thank you. Any others? Councillor Wyatt.

Councillor Wyatt: Thank you. About two or three years ago before the Chairman was Chair of the Committee, or on the Committee, members of the Committee received a briefing from administration with regards to our Environmental Health Inspectors and just the discrepancy between, the great discrepancy that exists between the City enforced Environmental Health districts and the areas governed by the Province from pre-Unicity days. And the number is one Health Inspector per 13,000 in the City and outside in the suburbs and surrounding areas of the City, it's one per 58,000.

Has there been anything done with regards to, at that time we had assurances from our administration that there would be steps taken to resolve this with the Provincial government and even looking at possible amalgamation of services or at least getting the Province to ensure that they start to ante up and to provide the proper inspections we need. What has been the progress on that file to date?

Mr. Speaker: Councillor Steeves.

Councillor Steeves: I can tell you Mr. Speaker, the Councillor through you Mr. Speaker, that I don't believe our Committee has ever dealt with that specific issues since my chairmanship has been in place. I will again endeavour to get whatever information our administration has and whatever they have done in terms of action and get that to the Councillor and the rest of Council.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you. Well I appreciate that Mr. Speaker and I hope that information comes forward because it is crucial to the well-being of the City and the question that I have to ask in this round would be the administration indicated to us that they were going to work on this and they were going to bring forward a report for EPC. Have you been briefed at all by your staff with regards to this work? It's been two or three years now. Have you been, has it been indicated at all exactly where the progress is because we're talking about the health and well-being of the citizens of our City.

Mr. Speaker: Thank you. Councillor Steeves.

Councillor Steeves: Again I don't recall this being an issue for our Committee since our chairmanship, since my chairmanship Mr. Speaker. I'll take the Councillor at his word as to what's happened in the past but obviously that will be part of what I'll be checking out. So between those investigations and the information received from administration we'll get him an answer.

Mr. Speaker: Okay thank you. Final supplementary.

Councillor Wyatt: Thank you. I've written to the Minister. I know the Speaker has written to the Minister in the past, and they placed a freeze with regards to inspections that they do not think is a priority in the surrounding, in the suburbs of Winnipeg. Have you heard yet whether the Provincial government has lifted that freeze with regards to non-priority inspections?

Councillor Steeves: To my knowledge there's been no freeze lifted Mr. Speaker.

Mr. Speaker: Thank you. Any others? Committee on Public Works, Councillor Clement, April 11, 2006.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED APRIL 11, 2006

Councillor Clement: Thank you Mr. Speaker, I'm pleased to move the minutes of the meeting of April 11 and I will move clauses 1, 2 and 4 through 7 as consent.

Mr. Speaker: Okay pardon me? Clause 4. Clause 3 is already pulled because there is an amendment, so anything else, so with the exceptions of clauses 3 and 4

Councillor Clement moves the balance of the Public Works report be adopted by consent. All in favour. Opposed? Carried. Clause 3 Councillor Clement.

Item 3 - Dugald Sewer Rehabilitation - Change to Project
File WS

Councillor Clement: The reason, I'm standing here, to move clause 3 but I would like to move clause 3 as amended by motion number 5 which is in front of you and just to make it cleaner, this particular project is a 9 million dollar project that started being put together in 2003.

The interesting thing about this is because people who are probably want to talk about the size of pipes is that actually this is a down sizing of the size of pipe because the activity in that general area whether it be the St. Boniface Industrial site or in south Transcona really hasn't developed I guess as well as some people thought it might a number of years ago.

And because of the lack of effluent and the amount of sulphide and other types of chemical that is in that pipe or air or whatever you want to call it, the pipe has basically been destroyed and it has to be replaced. So this is a 9 million dollar project to do that.

There was some concern a week or so ago about one piece of this or one section of this, that where a pipe is being replaced with a 30 inch pipe and it was being suggested by the administration that we increase the size to 36 inches and people have tied that to this impending issue of the hog plant and because we don't want to be seen to be moving ahead with anything when in fact that's not the intent.

This motion would take that particular section out of the 9 million dollar project for now and reduce it by $280,000 which would mean that this 4 million dollar number would be amended to 3.72, plus the other 5 million that's already been approved and passed capital I believe in 2003 and 2005. So that's the intent of this and I think that's pretty straightforward.

With that I'll move the clause; well I'll move the motion and subsequently the clause as amended by the motion if the motion passes.

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

Councillor Lazarenko: Thank you Mr. Speaker. I welcome the motion that Councillor Clement and asked me to be the seconder. Just to give you a brief history on this Mr. Speaker, on April 11, Public Works, we were dealing with the request that was before us from the administration for 4 million dollars to do work on Dugald Road, sewer upgrading. What was not before us, Mr. Speaker, there was no information that was provided to us, Councillor Thomas sits on the committee with us and she was one that moved a motion to proceed with this and not having the information, I didn't know.

If I had known that this was the case which I did not support the OlyWest site, I would not concurred with that. But not knowing what was before us and this is what I asked you in question period Mr. Speaker, we have to put a mechanism in place because when we deal with any agreements that Council approves, we do not see the details of that agreement.

And when I spoke to one of the administrators a Mr. Jim Patterson about this, the day before Executive Policy Committee dealing was dealing with that, it was not on the agenda of Executive Policy Committee as well as not on the Agenda of Council, that he did some checking and he had indicated to me yes, that is correct.

And I also want to thank the Chief Administrator when I talked to her about that, she seeked information and I did receive, of which I did send an email to Members of Council and to the Mayor indicating what the CAO had told us about the OlyWest development of the cost.

So the terms of the details around the change in scope as the CAO had told us,

the approximate accounting, this is where the breakdown comes in. Number 3 is increase pipe side from Maisson Road to Crescent Drive to accommodate peek flow expected from the wet industrial development in the St. Boniface Industrial Park.

This is what had come from the Chief Administrator. Now, and the answer was approximately $280,000. I then proceeded Mr. Speaker to speak with the Mayor and also because I wanted this to be referred. I was going to move a motion that this be referred back to the Public Works Committee to discuss and to see, let the administration explain to us, you know how come that this was not dealt with last November. That we should have all the information, this is an increase from a 30 to a 36 inch pipe.

I was not doing that on the intention that to kill the project that was approved by Council last November. This was to get for the record such as Councillor Thomas was not in Council in November meeting, so therefore she was not aware of this like we were not. I wanted to get it corrected and I talked to Councillor Thomas and I had said get this, to have this to go on the record that it was not intentional to say well someone would say well look Councillor Thomas you opposed it but still you moved it. It's to get the facts straight. A lot of times I don't agree with comments being made or Councillor Thomas might say we don't agree with all the issues but on issues such as this you know, we should work together as a team.

So Mr. Speaker, what happened here is causing us A, confusion, massive confusion that we're faced with such, the OlyWest issue has been the lime light of the media now for over two weeks. It's been a hot topic just about every day, and I can't see how someone within the administration couldn't have seen this and said "flag it" to the Mayor, EPC and Members of Council. Instead of proceeding, now if this individual person who had I understand leaked it to the media, of the $280,000 we would have never seen it. It would have gone through which is incorrect. This is not the way that Council should be operating. We should be informed of all issues that could be controversial, and I've asked this.

I've started asking since the time when we had the mix-up with the roll out auto bins. That I'll be asking the administration do you see anything here that may be controversial and this is what I've started doing and it's their responsibility to give us that info because I can tell you not one Member of Council was aware of this and not one Member of Council would have been doing something deliberately to say yes we'll just sit quietly let this go through at the cost of the city taxpayers to the tune of $280,000.

So, I know that I'm sure that Executive Policy Committee because the Mayor had a concern, I spoke to the Mayor a number of times on this issue, I've spoken to his assistants and his office. In fact, even yesterday you know I had a real big problem with this but I'm glad to see that the Mayor and EPC and Councillor Clement who is the Chair of the committee that I serve on Public Works and I'm glad that he had asked me to be a seconder because this in it's self Mr. Chairman, this is not the first time that we've been faced with a massive confusion.

We had awhile back on the assessments which is a complete, just, it was so much fury with the business community and some of us, we didn't even know what was going on. So there's been some issue. That's why I asked the question like I said a while ago I asked the Mayor the question that would he sit down with his chief administrator and to make sure that a policy is put into place, at least with a mandate. We hired administrators to carry out that responsibility to keep us informed, to make sure that this does not happen.

Flag important issues now and then we make a decision. Not to have delegations come out and say look a bunch of idiots at Council they don't know what there're doing, over and over again. Last November the decision was made and I respect that decision because the majority Members of Council voted for that location.

We talked about land use we did not talk about anything, we talked about the land use dealing, what is mandated to us with the responsibility and not to go and say because the Premier of Manitoba all of a sudden this is a great thing a great deal, we jumped at it.

You know, like I said one person told me, have something in place for the City of Winnipeg is, you have a chance to win a pig in the City of Winnipeg. That's the kind of joke that I'm getting, you know people living out of town. You know and this in itself Mr. Speaker, so to have this before us now I'm glad to see that it's being corrected, corrected to a point of saying that this is something that I don't know what'll happen, it'll be up to the Mayor and EPC later on to discuss and see and what $280,000 if that in itself and why wasn't it, that it is being born by the whole cost of the city taxpayers.

So with that, Mr. Speaker, I welcome this and I would hope that Council, all Members of Council will concur with this motion, motion number 5 and, but once again I have to really, I want to be very sincere on this. We have agree really, to get together on this and change the system that's in place right now, Mr. Speaker. At times it's just been embarrassing and I don't want to finger any of the administrators or any particular administrator or the Chief Administrator, I know they're doing the best they can. The chief administrators only limited to the amount what any one person can do and I'm sure that the Director of Water and Waste cannot follow in every agreement that's in place, every detail, that's in there would not know, so we depend on those who are drafting these numbers and these figures up Mr. Speaker.

Mr. Speaker: Thank you. Councillor Thomas on the clause and the amendment, please.

Councillor Thomas: Thank you. First I would like to thank our Chair, Councillor Clement for bringing forward this amendment because I cannot support the clause without an amendment. I liked to point out several issues that occurred at the meeting.

First as Councillor Lazarenko already said, he asked at the time of the meeting if there was anything controversial on the agenda and he was advised that there was not. I considered that some of the implications of clauses that was initially worded to be controversial.

I have already request that my name be taken off as mover of the motion. I felt that the, that there was nothing in the wording to represent what we were going to be dealing with and I have asked the City Clerk and the CAO with regard to that. I'd like to point to the clause itself as to what it says and how my concerns were with regard to the clause itself. It says here "general implications for the organization none, policy implications none, environmental implications none, human resource implications none".

I felt that was an inaccurate descriptions of what we were dealing with by dealing with an amendment that would be specifically for widening of a sewer for OlyWest.

In looking at the clause itself which I had read, there was nothing in the clause that indicated it was for that specific development, actually in the clause the comments that are made is that the inspection revealed the concrete sewer was severely deteriorated and a study to investigate upgrades in 2004 of the sewer and future projections from contributing areas was completely and the study determined that current population projections and land use would result in a peek overflow design. Knowing that there was a lot of residential development in that sector of the city within the last number of years and that we were undergoing a housing boom in the south, southeast as well as the southwest quadrant of the city, I had every assumption to believe that this had to do with that.

It is only when you go through the clause, go through the financial projections, go through a blank page that you find there is attached a plan and in that plan, that's the only place that there's an indication of the expansion being for OlyWest development enterprises.

And finding that it's only $280,000 of the 4 million dollars, I believe that should have been brought to the committee's attention. And when Councillor Lazarenko specifically requested that concerns be brought forward at that time it should have been brought forward and it was not.

And I also feel that the clause as it is worded is inaccurate because there are definitely human resource implications with regard to the possible creation of some jobs and the possible job loss that may occur with OlyWest environmental implications, there are many and there is going to be a provincial environmental review on this matter and general implications and policy implications, we've had debated in the past and we certainly should have been made aware of the committee of that, so I cannot support the clause without the amendment and I thank the Chair for bringing the amendment forward.

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

Councillor Gerbasi: Thank you Mr. Speaker. I too will be supporting the motion. I do appreciate Councillor Clement and Councillor Lazarenko bringing this forward. I mean it's certainly clear that we should not be putting out additional costs to support this project that hasn't yet been approved and it wasn't considered as part of the additional package of incentives.

So I will be supporting that, but the only comment, I'll be brief, I just want to comment that through the process of this issue coming out and thank goodness that it did. It almost didn't. But through that, Council is now aware and it should be put on record that there's $280,000 extra cost to the city that will be incurred if the plant does proceed down the road and that should be discussed as part of the debate that were going to be having about continuing to support that.

And there's also been, I would briefly point out, other additional costs that may be incurred because of the response to the local businesses in the area. There may be difficulty with the local improvement, the millions of dollars in local improvements that will be required as well.

So I think this issue coming out as it did, I'm glad that it did. I'm glad we're dealing with it and I will be supporting the motion to not proceed with $280,000 worth of extra infrastructure that's not included as part of the incentive overall package that was voted on. Thank you Mr. Speaker.

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

Councillor Wyatt: Thank you Mr. Speaker. I would like to thank the Chair, Councillor Clement and Councillor Lazarenko for moving this amendment as well the Mayor and members of EPC on this. I think it was crucial to be able to step this part of the report aside.

The rest of the report is crucial. The sewer is literally collapsing there. It was built and over constructed at the time it was built and it was oversized. The grade is difficult, it's caused now deterioration of the sewer, because of that and it's been planned to be upgraded for some time and definitely need to be upgraded just to not only serve future but serve existing needs in the neighbourhood.

This is a very important thing for Council to be doing. I can tell you that at the various community meetings that have been taking place recently in the last six months, that I and members and also the administration have indicated to the public that when inquiries come through because the public of course Mr. Chairman, Mr. Speaker have seen the activity and the work being done on the sewer and of course automatically the public concludes that well we just approved OlyWest and holly diner they're already building the sewer work and this is all related to OlyWest and over and over again our administration had assured the public that had nothing to do with the project. That this was a planned project planned some three, four years in the past and over and over again members of our administration had assured the public, assured me and from

my office assuring the public that this had nothing to do with OlyWest.

And so to see a report come forward with regards to this and now I understand that because of this report coming forward it has actually delayed some of the work that's going on out there with regards to the construction, that to see this all of a sudden as part of it was very disconcerting, so I appreciate the fact that this is being pulled out.

I guess I refer to the fact, Mr. Chairman or Mr. Speaker, that we could have avoided allot of this I think. Frankly, back in November, moved by myself and seconded by Councillor Lazarenko we requested that all implications, requested that EPC and direct administration, look at all implications with regards to the OlyWest project in various city departments such as Water and Waste, Public Works, Streets and Transportation, Community Services, Fire and Paramedic Service, Winnipeg Transit, Property Development and Planning.

And I believe as well as Councillor Lazarenko and as well as the other Councillors who supported that clause at the time when on that day that if we had done that due diligence that we would not have had these sorts of situations arising that we are seeing now and we could have avoided this kind of, this matter.

At the same time, we might have been able to do something to address the needs of economic development in the future of our city. The compromise could have been struck.

However it did not happen and I'm glad to see that this matter is being pulled off the report and it's frankly if we're already giving OlyWest 3 ½ half million dollars, 280,000 for a company like that should be a drop in the bucket and they should be more than willing to come to the table and pay for that kind of cost, Mr. Speaker considering what they're putting the community through and what they're putting the businesses through at this point in time.

This is a company that was on this floor represented by Peter Mound before Council who told us, and I think it affected Councillors decisions, told us in good faith that there would be public consultations in the community hosted by them, by January. It's in the Hansard, and they basically lied.

They misled us because we have not had those public consultations. There's been no public meetings, there's been no public meetings in January, in February, in March and April and now we're hearing that maybe, maybe we might have them in June. Mr. Speaker I think this is the right thing for Council to do. I congratulate members of EPC and Council for doing this. This shows leadership. Thank you.

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

Councillor Benham: Thank you Mr. Speaker and I will keep my comments brief. I appreciate the comments made by committee members and I just really only want to mark the part of it which has to do with the reports and the discussion back and forth.

As we know Mr. Speaker, as all of us know as City Councillors, the governance process here and the process of making decisions, depends very much on the relationship between us as elected people and the relationship with the public service providing us factual information, objective views and good advice based on their best professional judgment. When we have a report where we feel that we are being, somebody's trying to put something over on us in some way, when the process isn't fully respected when all the implications are not drawn out in these reports, it raises suspicions in the minds of the Councillors, the elected representatives and leads to friction with the ongoing public service with the permanent professional public service.

So Mr. Speaker, I very much respect the public service and the job they do for us. But the reason I am rising on this point is that there is starting to be a bit of a pattern of a feeling amongst some elected representatives that some of the reports

are not everything they should be. They should be complete. They should contain all the facts that are relevant, they should draw out all the implications for elected representatives who are not experts in the field as we all concede, and they should declare to us very clearly, here are the areas where you as elected representatives must make the decisions and here is what is at stake.

I've reviewed this report. Clearly, there is a map in it with an arrow pointing to the proposed OlyWest development being part of the area that would be serviced by this sewer so that much is in the report but there certainly is not an explicit drawing out of the implications of what elected representatives were doing that day on committee and we've heard very clearly from our colleagues on that committee that they felt they were not in possession of the complete facts as a result of this report and as a result of the dialogue that went on.

So, Mr. Speaker, this is a clear warning to all of us as elected representatives that this process is breaking down a little bit. That it's resulting in a lack of trust and a lack of friction between us as elected representatives and particularly, the elected representatives who do not sit on Executive Policy Committee and do not have the opportunity for informal dialogue behind closed doors with those public servants and it is very important to remind the public servants that we have a very different government structure on City Council than is, than pertains at the provincial and federal level where at the provincial and federal level there is cabinet government, there is a system of Ministers and Deputy Ministers but here Mr. Speaker, despite the fact that we for time to time refer to Executive Policy Committee as like a cabinet, it is not.

Our policy is that it takes nine votes on City Council to create a policy. Of course Executive Policy Committee and the Mayor are very influential in that decision-making process and of course Mr. Speaker there is some guidance that they can provide behind the scenes and some discretion to public officials. But Mr. Speaker I think those of us who do not sit on Executive Policy Committee are clearly saying here today this is something where we are sitting up and taking notice and where we require the public service ensure that it is always serving beyond question, the interests of all of Council and the interests of all Winnipeggers. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. I just seek your guidance Councillors, there's a couple of more speakers left as far as I know and then there's one short report following this. Do you wish to sit beyond 12:00 to finish the agenda. It's agreed we'll sit beyond 12:00 to finish the agenda. Councillor De Smedt on the clause and the amendment.

Councillor De Smedt: Thank you very much Mr. Speaker. You know really under duress, I'm going to support the amendment. And I say that in this context, you know I think you really forget what our utility does for us. It builds pipes for industrial parks. We're talking about a $280,000 deletion on a 9 million dollar project because these pipes were failing and have to be replaced and it's serving that whole district.

The fact that the context of it was brought up that we have a $280,000 addition to service the OlyWest site, it's really servicing an industrial park area that will evolve whether it's OlyWest going there or whether it's a biotechnology firm that wants to go there, and many biotechnology firms are heavy water users.

When we changed the rules, 1998 and 1999 to accommodate the Schneider development and we approved new water rates to accommodate big business, motivated in part by Schneider but motivated by in partly because we have a large number of industries and particularly many in the biotechnology field that are heavy water users and that rate was attractive to them, to retain them and to attract them.

So I'm not certain what's going to go into this site considering some of the debate that started to take place today. South of St. Boniface site known as the OlyWest

site but it is an industrial area that will compliment the St. Boniface Industrial Park. It is the function of our utility by policy to build large waste water systems to accommodate that. I don't think there is anything in the report that suggests we're going to go to VITA Health and ask them to pay more for this upgrade of the 9 million dollar sewer, part of which goes right by their property area or any of the other businesses around there. It's our job to do that. It's a publicly funded infrastructure through the water utility rates.

So you know folks, we're dealing in the minors here. We really are. It's disappointing that some wish to take this little issue and say huh, another subsidy. This is against, Mr. Speaker, the Council policy of us funding economically businesses. We do it all the time. They're called industrial parks, main water flow distribution systems.

So I really regret that we're flagging this up. However, obviously to get some consensus to move this report ahead so that the Public Works Department and Water and Waste utility can go ahead and get the additional money to build what is essential, in that area of town on a collapsing waste water system.

I will support it. But believe me, the community is watching. The business people are watching, both here in Manitoba, here within the city, nationally and internationally. What goes on at City Council in Winnipeg, dealing in the minors. We haven't had the debate about OlyWest yet. It's regrettable.

I fell asleep for a moment today and I really wanted us to suspend the rules and to have the debate on that notice of motion today. We could have done it. We could, just because we've gone past that notice of motion point while the Mayor was in question period, with the will of Council we can do anything we wish.

Get two-thirds of the vote and say heh let's discuss the issue. We really should have talked about this today. But no, it's going to fester here now for another thirty days and we'll debate it in May. But you really should be thinking of the signal you're saying and there's no question that I'm going to go back to this marvellous document called Hansard and I already have some of the comments, talking eloquently about the jobs we create, and that was in January at a Special Meeting in Council, 1999, for Schneiders for the evolution of jobs.

Councillor Vandal spoke eloquently about it, Councillor Gerbasi, Councillor Thomas, about creating jobs and how important it was. This is a sic oral objective of this province and this city to be involved in agri-business and what we're doing is working in the minors talking about extracting $280,000 out of a 9 million dollar project that we are going to do regardless of whether OlyWest goes there or not, mark my words, within the next 18 months anyway.

We have to upgrade the size of that pipe to anticipate what's going to happen in that industrial area, immediately south of St. Boniface Industrial Park. The whole thing will be a complimentary industrial business zone.

So think of what you're signalling out there. With intrepid comments to the press and tempered comments about how we haven't been listening to business. We haven't been listening to certain businesses, not true.

They've had the opportunity to speak. We are getting information. There is no scientific evidence of why we can't have complimentary businesses in an industrial zone, such as the one we are considering through this process and will be considering in debate in May.

I really think that this City Council sends a tremendously negative view of how we're going to grow business in this city. We have five or six major sect oral business sectors in the city, aerospace, biotechnology, agri-business, education and several others. This is the key to our growth.

We don't want it in Saskatchewan. I don't want it south of the border. It's called value added processing and I don't see

how we're going to find a municipality adjacent to the sector where this business is important, which is the southeast quadrant of Manitoba that will take it and will be able to provide the requisite job numbers, infrastructure requirements and transportation requirements.

So think of what you're doing. Think of the signal that you're saying. You can talk and wax eloquent all you wish about not having sufficient public consultation on this but you know this is what we do. And nothing that has transpired in this particular process for OlyWest was different than what we did with Schneiders. The same economic development analysis within our department was done because the industry has some confidentiality issues related to it.

And we're dealing with the province who are providing incentives because we're trying to grow in business in this province and which this city is founded upon, to do is our business. How can you deny that. And I defy somebody in this Council to come up with a better location in the city, find one, that will position, that's well positioned with infrastructure, transportation and to the quadrant and to the quadrant of the industry that's out there. Find one. And if you can, please find a municipality that's willing to pay the freight and to bring this business on side.

So, I conclude by saying, Mr. Speaker, I will support this majoring in the minors' amendment. But believe me it's going to come back and obviously I'll be supporting the clause on behalf of the Water and Waste Department to build essential infrastructure in our city.

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

Councillor Smith: Yes, Mr. Speaker I'm supporting the clause but you know one of the things that has happened with the Councillor Lazarenko referred to information not being contained in the report. Let me tell you, the former Mayor Glen Murray, set up the secretariat, you know all the standing committees are less effective now because the reports from the departments go first of all to the secretariat. They can amend. When they approve what is being presented to the standing committee it goes to the standing committee. So things are amended sometimes.

I don't know if there was anything deleted in that report, maybe something was. But I'm saying that this whole setup that Glen Murray set up and the present Mayor is using still and EPC is not good for democracy. It keeps people in the dark. You make decisions without having adequate information but let's support this clause. I'm glad the information came out. Thank you.

Mr. Speaker: Any further debate on the clause of the amendments. Councillor Clement closing on the clause and the amendment.

Councillor Clement: Thank you, Mr. Speaker. First of all, I'm actually glad Harvey raised that because I was going to go there. This particular report didn't get discussed by Executive Policy Committee until recently and I think until this issue arose and there have been a few people that have thanked me for moving this motion today and I appreciate the comments.

But in actual fact, I'm moving it because I'm the chairman. Executive Policy Committee is basically moving this motion because they have actually discussed this. It wasn't discussed prior. This motion came directly to Public Works and it wasn't vetted any where that I'm aware of.

So, I would like to state that first of all. Second thing I would like to state is that I think that our department is very, very well run and that we've got a tremendous number of very qualified people up there and there are some much more significant issues, in my view, than this one. But if Councillors feel a grieved because they didn't pick up on it, I apologize to you as the Chairman of the committee, because I read the report, in its entirety. I didn't pick up, frankly, on it by reading what I read. But as Councillor Benham pointed out, it pointed out that it was servicing the St. Boniface Industrial

site and while there's a number of things there, certainly the hog plant is positioned to go there so I can see where people's heads would go and as it turn out they were right for a small portion of this, and that type of thing, and it wasn't discussed and frankly, I don't recall any questions being asked at committee either about it, because frankly, that day we had a lot of people there about handi transit, we spent a lot time about auto bins and other issues that were brought to us by Councillors who were having a lot of issues with those kinds of things that day and by the time that we got towards the end, we didn't maybe provide the diligence that was required.

But I take full responsibility for that Mr. Chairman, if Councillors feel aggrieved because I am the Chairman of the committee and I did read the report and I didn't pick up on it either.

But anyway, that said, I think that this motion does the right thing in the short-term. I don't think that administratively anybody was trying to do anything underhanded or malicious by bringing this forward. I don't believe that for a second. That's just the way that the report was done and I think they thought they were doing the right thing. And if others don't then like I said, I will take the responsibility as the Chairman, Mr. Speaker but I think that this motion will solve some of that and I will move it. Thank you

Councillor Wyatt: Recorded vote on the amendment.

Mr. Speaker: Pardon me.

Councillor Wyatt: Recorded vote on the amendment.

Mr. Speaker: On the amendment which is motion number 5, all in favour of the motion please rise. It's unanimous. On the clause as amended all in favour. Opposed? Carried. Clause 4.

Councillor Clement: Mr. Speaker, I'm not sure who asked this to be set down. I'm assuming that they wanted whoever it was, wanted to speak in favour of this because I think this is a good thing. I think if anybody read this report, there was a chlorine spill at the Hearst pumping station in December, and the Scada system which picked it up, sounded the alarm to our people. They adjusted manual controls of the station and that was the end of it.

As a result of that, and in response to it, the department and frankly, if you studied some case law you would find that when you believe that you have an issue and you start discussing it and you start creating reports around resolves, if you subsequently have an issue, you can become liable if you don't act.

And so in response to this, the department is suggesting that we put in these automatic valves that will be auxiliary to the manual valves so that if something happened, that these things will become enacted and the department has also showed you that the cost of this is about $375,000 and it would be taken from a previously approved account that has some surplus funds in it within the department and this just makes this whole system safer for the future and I think it's a very positive thing Mr. Speaker and I'm assuming that whoever asked for it to be laid over wants to stand up and speak very positively about this clause but I don't know who it was.

Mr. Speaker: Thank you. Let's find out. Councillor Swandel.

Councillor Swandel: Boy was that a set up or what Mr. Speaker. Absolutely I think this is wonderful. This coming forward and a great reaction to a situation that happened late in the year last year and obviously we need to find a funding source for it this year.

The reason why I asked for it to be stood down is because I've been waiting for the opportunity where a surplus had happened in the capital project in one place and we used it for a funding source for another capital project after we've already done the capital budget for this year and this is actually money from last year.

And I wanted, as a young Councillor from the back streets of St. Norbert I wanted to seek the wisdom of the current Chair of the Infrastructure Renewal and Public Works Committee, my learnt friend from (in audible) Saskatchewan here reminds me that I'm not that young.

As the Chair of Infrastructure Renewal and Public Works and as a former Chair of Fiscal Issues I wanted to have some discussion or hear from the Chair, these projects that come forward with allocated monies to a specific capital project, this one has some urgency to it that I don't have any problem with this whatsoever, but the process of taking surplus monies that were within a department, bringing them into Public Works without them going anywhere near Fiscal Issues and then having them come through EPC and on to Council as opposed to getting the surpluses back into the budget process for all of Council to take a look at and to deal with capital projects from the perspective of the entire city as opposed to a specific department and that's why I asked for it to be stood down so that I could hear the wisdom of my friend from Charleswood.

Mr. Speaker: Councillor Clement closing debate.

Councillor Clement: Well thank you on behalf of the Chairman of Fiscal Issues, Councillor O'Shaughnessy I'd be happy to answer the question.

We actually do have a policy Justin, and it's a good question. Past capital projects sometimes take awhile to be weaned off the system because there are often ongoing expenditures associated with some of them, as we move forward with them.

And so the existing policy that the city has currently is that capital projects that are older than five years are actually put back, well actually they're not spent, that's capital money that was allocated. Today it's a little different. In the past it was unexpended capital authorization which was borrowing and today its cash. So the cash gets put back into the system, and that happens, there's a meeting once a year at finance and I'm sure you'll be there this year where that takes place. And this particular issue is recent. It's within the rules and it is money that's out there and it just seems to be the appropriate place to take it because it's authorized and its real cash that's sitting there and can be done.

You have to appreciate too though that this is also in the utility. This is not in the tax supported portion. This is money that's earned by the utility that they would be spending here as well. Although it's under capital, this is not, I guess, how do I put this, if this was a bridge project somewhere, okay, that was three years old and there was $400,000, 500,000 unexpended, that would be basically, I guess perceived to be general revenue funds when it comes back. But this particular money would stay within the utility anyway because that's where it's generated, if that helps. But there is a policy in place to do exactly that, Mr. Speaker.

Mr. Speaker: All in favour of the clause. Opposed? Carried. By-laws Councillor Clement.

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

Councillor Clement: Yes, thank you Mr. Speaker, I'll move that By-laws No. 135/2006, 136/2006, 137/2006, 138/2006 be read a first time.

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

Clerk: By-laws No. 135/2006, 136/2006, 137/2006 and 138/2006.

Councillor Clement: I'll move that By-laws No. 135/2006, 136/2006, 137/2006 and 138/2006 be read a second time.

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

Clerk: By-laws No. 135/2006, 136/2006, 137/2006 and 138/2006.

Councillor Clement: I move that the rule be suspended and that By-laws No. 135/2006, 136/2006, 137/2006 and 138/2006 be read a third time and same be passed in order to be signed and sealed

Mr. Speaker: All in favour. Opposed? Carried. Any questions for Public Works. Fiscal Issues Councillor O'Shaughnessy.

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

Councillor O'Shaughnessy: Thank you Mr. Speaker, I wish to move the report of September 13, 2005 and move adoption of consent Agenda Item 1.

Mr. Speaker: All in favour. Opposed? Carried. By-laws.

STANDING COMMITTEE ON FISCAL ISSUES CONSIDERATION OF BY LAWS

Councillor O'Shaughnessy: I move that By-law No. 134/2006 be read a first time.

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

Clerk: By-law No. 134/2006.

Councillor O'Shaughnessy: I move that By-Law No. 134/2006 be read a second time.

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

Clerk: By-law No. 134/2006.

Councillor O'Shaughnessy: I move that the rule be suspended and that By-law No. 134/2006 be read a third time and same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour. Opposed? Carried. Questions for Fiscal, Downtown Development has nothing. Councillor Lazarenko moves adjournment. Roll call please.

ROLL CALL

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

Mr. Speaker: Council stands adjourned until the next time.

Council Adjourned at 12:05 P.M.