COUNCIL OF THE CITY OF WINNIPEG
Wednesday September 27, 2006

The Council met at 9:30 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 Clement.

ROLL CALL

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

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: We have one page who is going to be working with us today. We have Elaine Manipol who is with us again from Kildonan East Collegiate and Elaine resides in the Transcona constituency. Welcome Elaine, thank you for helping us today. Welcome.

We have a number of guests to be introduced today. I'm going to call on Mayor Katz to begin the round of introductions.

Mayor Katz: Thank you, Mr. Speaker. Mr. Speaker I am very pleased today to introduce a very special guest and friend this morning. Senator Larry Campbell is with us today in the gallery. Yes, there he is.

Mr. Speaker, Larry was my colleague in his other life as the Mayor of Vancouver on the Big City Mayors Caucus until he was appointed to the Senate in 2005 and as the Senate representative for the Big City Mayors Caucus, he continues to advocate for cities on issues all Mayors of big cities in Canada are facing. I very much want to thank him for that.

For those of you who may not be aware of it, his life is a little bit different than most of ours. He's been a steel worker, an R.C.M.P. officer, Vancouver's first coroner and the Chief Coroner in B.C. and if you were not aware of it, the TV shows "Da Vinci's Inquest" and "Da Vinci City Hall", were modeled after him. So I want to thank him for being here and Senator Campbell has said that after Council, he will be available for autographs. Thank you very much for being here, Senator Campbell. We appreciate it.

Mr. Speaker: Thank you and I know that Senator Campbell is an expert at cow milking as well so if you check his web site you'll find that out. Senator, welcome to Winnipeg and to City Hall. Councillor Thomas, I believe you have a guest to introduce.

Councillor Thomas: Yes. I'd like to recognize my cousin; another honoured Larry, Larry Mitchell who's visiting us from New Zealand. He's a local government finance and policy analyst and if you're aware of the Frontier Centre for Policy Alternatives, he is speaking there, where are you.

Mr. Speaker: He's in the east gallery.

Councillor Thomas: Oh, there he is.

Mr. Speaker: Welcome to Winnipeg Mr. Mitchell, you've come a long way to join us and I hope you enjoy your stay here.

We will have some other guests shortly but they're not here yet, so, I would like to call forward Mr. Stephen Wilson, Executive Director, Erin Nuttall, Mural Festival Coordinator Graffiti Art Programming who wish to make a special presentation to the city, which will be formally received by Mayor Katz.

Stephen Wilson: Good morning and thank you for having me. My name is Stephen Wilson and I'm the Executive Director of Graffiti Art Programming. We're here today to show our appreciation and gratitude to the citizens of our great city for their show of support of our recently completed Winnipeg International Mural Festival and Symposium. As well we would like to acknowledge the generous support from the Winnipeg Arts Council for this event.

But before I introduce my colleague, Erin Nuttall, please allow me a moment to speak about our agency. Graffiti Art Programming began eight years ago in response to the illegal graffiti problem that our city was facing back in 1998. We felt that by using art as a tool or an instrument we could redirect the energies of these young vandals to a more positive light. Our record speaks for itself with fourteen young people receiving their post-secondary degree in fine arts or creative communications during that time, as well, with hundreds of others receiving free art classes over those years.

From the beginning, one of our core programs has been teaching our artists how to paint large outdoor and indoor wall murals. Over the years we've completed close to hundred of these murals. These murals provide good jobs for our young artists and we've worked hard to develop this industry in our city. Three years ago, our city was honoured with the designation of being the mural capital of North America and it really shows. Now, I would like to invite up Ms. Erin Nuttall who coordinated this festival on our behalf, to speak about the event, Erin Nuttall.

Erin Nuttall: Thanks, Stephen. This is truly a really exciting project to be a part of. It's unprecedented anywhere around the world. We have six artists who come and participate in the festival and produce five wall murals at the same time. There were three local artists, two from Mexico and one from Quebec. They painted 1,000 square foot wall murals over a one month period at prominent locations downtown. You've probably seen them.

There is one at the Forks, there's two near Portage and Main, at the Fairmont Hotel and at the Empire Cabaret. There's one at the Manitoba Museum and one at the old Starline Theatre at the corner of Logan and Main. Now, these are temporary installations. They're painted on vinyl canvass and there going to hang in place for two years. Now, the plan is to take them on tour and already, we have interest from cities like Thunder Bay and Tasmania.

This year and hopefully every year we'd like this to be an annual event but this year it's really about getting people downtown and appealing to the people who are already downtown and catching the eye of the people from out of town because it's really something to watch an artist at work especially on such a grand scale. One of our goals was to contribute to the downtown revitalization and renewal effort.

According to our surveys more than half of the people that attended our festival and symposium events also took in shopping and dining and other festivals and local galleries. Another goal was to create jobs and educational opportunities for young people. We were able to hire ten of our students to be mentored under the professional mural artists and work on site every day over the course of the festival, learning skills and techniques and gaining practical work experience. The festival contributes to the mural industry which is only growing in Winnipeg and creates jobs, raised the standards and raises awareness. We're already working towards next year and were already looking forward to next year.

Stephen Wilson: Thank you Erin and now for the presentation. We're here today to present this commemorative plaque to the citizens of Winnipeg so that it may serve as a constant reminder of this public art event. Once these five pieces leave our city and tour the world, because that's our intention for these pieces to go around the world and we may not get them back. They may come back to us in bits and pieces because they've been exhibited so often and in so many places around the world. So I would like to invite the Mayor to come and please accept this plaque.

Mayor Katz: Thank you. Very briefly, I've had the opportunity to work with Stephen and some of those talented people that he's taken under his wing and they're an asset to the community. They do fantastic work and it's nice to see the artistic ability being displayed in a nice fashion. So we thank you for everything your doing.

Stephen Wilson: Thank you.

Mayor Katz: Thank you very much.

Stephen Wilson: Thank you.

Mr. Speaker: I believe Mayor Katz you are introducing some other special guests on behalf of our colleague from Transcona.

Mayor Katz: Mr. Speaker, it's absolutely my privilege and a delight, as many of you probably have noticed in the last little while, a happier, gentler Councillor Russ Wyatt and it's very obvious the reason for that. We all know that Councillor Wyatt, I took the words right out of your mouth; Councillor Wyatt got married last year. But the wonderful news is today, I'm very happy to say that, I don't know it's, is it Mrs. Janet Wyatt or is it actually Janet, Janet Wyatt is here and we want to welcome you. Thank you so much.

Personally you are a miracle worker and I thank you for that. I also very much want to welcome, I hope I get it all right, Donna Wyatt, the Councillor's mother, a name we all know, Reg Wyatt a former City Councillor, I believe Curtis Wyatt, your brother, Debbie Wyatt your sister-in-law, Connor and Taylor Wyatt your nephew and niece, and then Linda Rougeau and Murray Rougeau along with Millie Picklyk are all here. Welcome and thank you all for being here today.

Mr. Speaker: We have enough of the family here to make a quorum this morning. Nice to see Reg and Donna again, it's been time, thank you. Councillor Steeves you have an announcement or a statement.

Councillor Steeves: Thank you, Mr. Speaker. On behalf of Council, I had the opportunity to attend at a very important gathering recently as your Acting Deputy Mayor and of course as Chair of the Standing Policy Committee on Protection and Community Services, I'm joined today by Alex Forest and some of the members of the firefighter executive and some other folks who I'll introduce in just a moment.

Of course Alex is no stranger to any of us, he works very, very hard on behalf of his members. In earlier September or mid September we had a chance to attend Colorado Springs where each year they host the firefighter memorial, which is an annual event, where fallen firefighters are honoured amidst a spectacular event attended by thousands of people from all parts of, well at least the United States and Canada. I'm certain a smattering of international guests as well. And it's a wonderful event where firefighters attend on motorcycles or they fly in and have all sorts of sub groups they organize in the town really for that weekend turns into a haven for firefighters and a kinship that goes along with that.

A truly is a wonderful event. That is obviously completely, I guess, supplemented and complimented by the events that take place on the Saturday morning, which is of course the memorial event itself, wherein the loved ones or the people closest to the fallen firefighters are honoured and obviously the firefighters themselves are honoured.

And Members of Council, I can tell you, it truly is one of the most beautiful and memorable experiences that I've had the opportunity to attend at as a City Councillor. The pageantry, the organization, the discipline of the members who come out with the flags, obviously flying, and each widow or loved one is presented with a beautiful triangular arrangement with a flag inside, and they call out the names and they ring the bell of the fallen firefighters and each loved one, widow in turn is presented with the flag. It's a wonderful and moving experience if not, Mr. Speaker, actually quite difficult though obviously for the people involved. So I had a chance to attend that.

It was a particularly special day for us as Winnipeggers and by extension as Manitobans, because a lot of the presumptive legislation that has been adopted or the presumptive legislation has been adopted by the province of Manitoba, made it such that many firefighters, who weren't previously honoured in Manitoba and particularly in Winnipeg, were now honoured. So there was a disproportion and large amount of

Manitobans, specifically Winnipeggers that were honoured at this ceremony.

So it was very, very special for the folks that were gathered from the Manitoba contingent and I think that it was, obviously, not a Manitoba day, but Manitoba was, I think, one of those jurisdictions that had a chance to, I guess, be featured is probably the wrong word because it's a more somber occasion than that, but we really did I think have a chance to honour some people who do, did some wonderful things for our community and obviously made the ultimate sacrifice.

With us today, though not the entire group that attended at Colorado Springs and the firefighters union gets together and they sponsor and they bring down the widows and loved ones of the fallen firefighters and that was done so we all had a chance to sit together. It was a very, very difficult time.

I want to bring Council's attention to a few different people. We honoured, I'll introduce, I'll mention three people we honoured there was Frank Bringham, Bill Farrington and Keith Campbell were three of the folks that were honoured and today in Council we have with us Donna Bringham, widow of Frank Bringham, Lillian Farrington, the widow of Bill Farrington and Verna Campbell who is attended as the widow of Keith Campbell. And also, we have, and this one is particularly special to me, Lyla Bernardon was the mother of Ken Davidson and she's here with Omar Bernardon today as Ken Davidson was honoured. I believe it was last year, as part of the celebration at that time and I can say it's special to me because I grew up on Parkville Bay only a few doors down from Ken. So that was a particular moment for me.

So, I guess I would on behalf of City Council, hope that we could acknowledge the folks who have gathered here today with us, and extend our thanks for these folks and our thanks particularly to the folks who have made the ultimate sacrifice to our institution here at the City of Winnipeg. So on behalf of all of us gathered here today, thank you very much for your attendance this morning.

Mr. Speaker: Thank you Councillor. That thanks is unanimous from all of us. We have a lot of business to do today and I'm going to maybe make this particular statement right now at the beginning of our meeting. As you know of course this is the last official meeting of this 11th Council of the City of Winnipeg since Unicity and in the next few weeks, there's a job evaluation process going on, which will culminate in a month from today.

But, I would like to take this moment to acknowledge one of our number who is not reoffering in this election, and that's Councillor Peter De Smedt who has served with us for eight years in a number of important roles and who has tackled his role as a City Councillor with a great deal of gusto and enthusiasm and I would like on your behalf to acknowledge the work that Councillor De Smedt has done with us and wish him well as he begins to enter his second retirement from a second career. So Councillor De Smedt I think on behalf of all of us, congratulations for a job well done and best wishes to you and Barbara in your second retirement or third, okay. If you wish to add anything at this point I invite you to do so Councillor.

Councillor De Smedt: Well thank you very much Mr. Speaker. I'm overwhelmed by the recognition. I would just like to thank you personally as Speaker and as a colleague and in the Assiniboia community and my colleague Bill Clement, we've worked very well together as a community committee. I would like to thank really all Members of Council.

I have enjoyed the opportunity to serve. It has been really a rare privilege that one has, to be in an elected office and you can't do it by your self. So there are many out there in the ward that would hopefully be looking in.

I say to them, thank you very much to all the citizens who are out there, those who did vote for me and did not, the privilege to serve everyone. I was blessed by having a very supportive assistant for

seven years and twenty nine days, Pat Zasada who was very strong, and the rest of the community that were there behind me. So I'd like to thank them. I wish everybody the best and I'd like to thank Mayor Katz for his introduction into City Hall, some two years and three months ago, which was really a whirlwind event but I think it set the path of the city on for the future.

So I wish you well Mayor Katz and all members of Council and colleagues, it has been a privilege and thank you for the tribute. I would like to offer one last point to the official city prayer and at the end of it I think you should always continue to recognize that the Lord put an arm around your shoulder and a hand over your mouth.

Mr. Speaker: Thank you Councillor. Councillor Lazarenko did you have an announcement or statement?

Councillor Lazarenko: Thank you, Mr. Speaker, firstly I'd like to rebut a bit about Councillor De Smedt's comments he made but firstly what I'd like to is to give my gratitude, my sincere thanks to the many, many firefighters who have given up their lives. They are fallen heroes in my books and to the widows and spouses, it's not easy to lose someone that you love when they go to work and they're never to come home again. And it's something that we, as the politicians, that we should recognize and respect the responsibility these people take on, the dedication that they carry out, the commitment that they make and some who ask for things for the betterment of the citizens of Winnipeg, sometimes this chamber falls on deaf ears, don't realize there is nothing to gain for them except to make Winnipeg a safer place.

Now, on the issue of our colleague, one of our colleagues who decided not to run, I know that Peter was questioning a term limitation. I told him, I said get off that, you run again and you'll make it, you'll have no problem getting back in but he chose differently. Peter is and was an inspiration to Members of Council, at least for me. I come from my work place a chain of command. Peter was, in the armed services as a Brigadier General and some of you didn't follow the chain of command of what Peter was trying to, the message he was trying to give.

But, Councillor De Smedt to you and your family, I as one and we are on the road now of getting ourselves back on the, back on the, into these chambers and some of us no doubt will be working very hard. I know I am, and I would just like to thank you Peter for the kind words and the leadership that you provided. You helped me a lot. The times when I came before your Standing Committee you are one person that listened to me, the concern I had and you had given me some good advice and I thank you and best to you, congratulations on your retirement, enjoy for the next 40, 50 years.

Mr. Speaker: Okay, are there any other? If not then I guess we'll get down to business.

MINUTES

Councillor De Smedt moves the Minutes of the meeting held on July 26, 2006 be taken as read and confirmed, all in favour, contrary? Carried.

Mr. Speaker: Just a reminder that there's an additional report from Executive Policy Committee that's been distributed, so it's a hard copy that we'll be getting to after the reports that have already been posted on the agenda.

DELEGATIONS

Mr. Speaker: We're going to proceed to delegations. We have a total of four and I believe Councillor Gerbasi, you want to ask for a suspension of the rule, I recognize you now.

Councillor Gerbasi: Thank you. I would like to ask that Council agree to suspend the rules to hear Shawn McMillan accompanied by Don Schneider from Lehigh Inland Cement who wish to speak in opposition to the clause regarding Glacial Sand.

Mr. Speaker: I didn't hear the last name, I'm sorry.

Councillor Gerbasi: Don Schneider and Shawn McMillan of Lehigh Inland Cement. There's already two delegations in opposition.

Mr. Speaker: Maximum five minutes, no questions? All in favour of that, opposed? That's carried, so we'll get to them shortly. The first pair of delegations are with respect to the Notice of Motion that's on our agenda, the Falun Gong motion, Maria Cheung and Hai Luo, I hope I'm pronouncing that right. Ms. Cheung will have the ten minute spot and Ms. Luo five minute spot. We'll hear you now.

Maria Cheung: Thank you. Good morning. I'm speaking for the motion supporting the Jenny Gerbasi's motion, a solemn issue organ harvesting in China. I'm doing research in China so I'm looking at it from that perspective. As early as in the 1990's Amnesty International and Human Rights Watch have already reported on organ harvesting from prisoners on a wide spread scale in China.

This year, David Kilgour, a former MP and Crown prosecutor and David Majors a Winnipeg based human rights lawyer conducted an investigation into allegations of organ harvesting of Falun Gong practitioners in China. They released their report in July 19, sorry July this year. They had examined 18 avenues of proof and disprove of evidences available to them and in their conclusion, they said based on what we now know, we have come to the regrettable conclusion that the allegations are true. We believe that there has been and continues today to be large scale organ seizures from unwilling Falun Gong practitioners.

Today I look at two aspects of the issue. What are the motives behind the organ harvesting of Falun Gong practitioners in China. The second is, are the figures quoted in the report being exaggerated. The motives, the persecution of Falun Gong is systematic in China, killing of Falun Gong practitioners doesn't call for any accountability. In 1998 the Chinese communist regime survey found that seventeen million people were practising Falun Gong which is a peaceful meditative practise of the Buddhist group. Feeling threatened by such a large group that was not under his control, the leader of the Chinese communist party banned Falun Gong in 1999. The authority gave a directive in treating Falun Gong practitioner which is to "destroy the reputation, bankrupt them financially and annihilate them physically." Deaths of Falun Gong practitioner can be counted as suicide.

Since the ban these practitioners in China are refused education, fired from their jobs, imprisoned without trial and are tortured in forced labour camps. These tens of millions of people have been placed outside the protection of law in China as those being detained by past the formal judiciary system. Up to now 3,000 practitioners are confirmed to be tortured to death and these are in the United Nations report.

Selling of organs is a very profitable business. It is an important source for generating revenue. In the Chinese hospital websites itself, they ask for 30,000 U.S. dollars for a cornea transplant, 130 to 160,000 U.S. dollars for a heart, et cetera. I just circulated a figure, two graphs from these hospital websites from China, quoted in the report that demonstrate a correlation between the rights of the figures of the transplant and the persecution of Falun Gong since 1999. And I don't think they are pure coincidence.

In the (in audible) report, the organ harvesting is not just in one province, but in many, including (in audible) Chengdu, Sister City of Winnipeg is. In the interviews, quoted in the report, some admitted that the source of organs came from Falun Gong practitioners who are alive and healthy. According to one of the witnesses who disclosed the organ harvesting matter she said, some Falun Gong practitioners were still breathing after their organs were removed against their will but they were thrown into the hospitals' incinerator anyway.

The second point I want to address is, are the figures quoted in the report being exaggerated. The report indicated that as many as 41,500 organs transplanted in China from 2000 to 2005 were unaccounted for. These organs came from Falun Gong practitioners. This has been the main query of the report since it has been published in July with close to 1.3 billion people in China, figures are huge.

In December 2002, the economist reported that in the labour camp it visited 28% of the incarcerated were practitioners of Falun Gong. Even if one accepts the Chinese official total labour camp population of 260,000, which is widely believed to be a serious under estimate, there would be 17,000 practitioners incarcerated at that given moment. This figure doesn't include those who are in the brain washing centres and other detention establishments.

From a medical professional, we know that removing an eye will only take ten to twenty minutes. In the organ transplant hospital, with their own website in China they claim that in four months they performed 647 liver transplants and other hospital claimed in 2002 they performed six kidney transplants within 24 hours.

And I just had a speech from David Kilgour, from the rally in Ottawa yesterday and he made a very interesting statement. He attended the, a chilling anecdotal statement. He heard from the World Transplant Congress which just took place in Boston in the summer and attracted thousands of surgeons around the world. And he heard a radical doctor from Germany and his wife chatter with a surgeon from Tanching, China, who proudly told them that several hospital in Tanching region, are now together doing 2,000 liver transplants yearly. And he remarked that all hospitals in Germany combined, evidently do a total of about 700 transplants per annum.

At the end of the friendly conversation, he asked who are the donors are from these organ transplants. The surgeon replied to the couple, ask the demonstrator who are the Falun Gong practitioners outside the hotel.

My conclusion is, can we get further information or further evidence. I don't think it's easy but with more voices from the international community, there might be a chance. A number of media network and also the two authors of the report applied for visas to go to China to conduct their investigation. They were all rejected. The Chinese government's position is denial. In the statement on this issue, most of the content is inciting hate against Falun Gong which they have done all over the years since they cracked down but before they praised it. The Vice-President of the European Union, Edward McMillan-Scott has done an investigation of the torture of Falun Gong practitioner in China. This year, his informants were all arrested afterwards.

With an imposed restriction, I believe this is the best that (in audible) can do for now, and what they've done is sufficient for us to believe that organ harvesting on Falun Gong practitioners are happening in China and we need to stop such human rights violation. Up till today a city motion has been passed in Vernon and Burnaby, B.C., respectively on this issue. A resolution condemning the organ harvesting issue and other human rights violation has been adopted by the European Parliament on the EU/China relations at the heel of the China/EU summit in Helsinki.

I just received an email support from two top transplant surgeon in Winnipeg, and he encloses a statement for me that was issued by the Canadian Council on Donation and Transplantation and Transplant Manitoba, gifts of life program supports and endorses this statements, and the statement reads as follows "the Canadian Council for Donation and Transplantation CCDT is aware of the (in audible) investigation into organ donation practices in China, reporting into allegation of organ harvesting of Falun Gong practitioners in China.

We have heard the concerns of Canadians about this issue in particular and about transplant tourism in general. The CCDT is conserving these serious concerns in depth and will be in contact with others while gathering information on

this matter. Through due process, the CCDT council will determine the role of of the CCDT and the contribution that it can make to the Canadian position on the issue.

The CCDT is firmly committed to the principle of informed and free consent to organ and tissue donation by individuals and families. It is of course a part of Canadian laws that prohibit the buying and selling of human organs for transplantation. So I hope you take this serious, this issue seriously and vote for the motion. Thank you.

Mr. Speaker: Thank you very much. Hai Luo, five minutes.

Hai Luo: Good morning, everyone my name is Hai Luo and I'm here presenting the Falun Gong group in Winnipeg this morning and I would like to bring the City Council's attention to our sister city in China which is Chengdu city in Sichuan province. I believe that maybe all the City Councillors do receive a package of the organ harvesting report that we sent out earlier and you can see that in the organ harvesting report, there are transcripts of the recorded conversations done by the researchers and reporters that they call to China, to the Chinese hospitals and detention centres asking about organ donation and buying and selling issues.

And actually one of them, done by the reporter is a transcript of a recorded conversation between the reporter of, the reporter and the chief of the Chengdu city Air Force hospital and this is done on April the 28th this year and I'm not going into the details of this transcript, but the evidence shows that the big hospital Air Force has been in Chengdu that have been doing lots of kidney transplants in the past two or three years.

And there is one paragraph I would like to quote here is the Air Force hospital department chief, (in audible) who has had two years, twenty two years experience, said that the hospital started to bring kidney transplant in the middle of 1980's and up to now he himself personally has performed around 500 operations in the past two or three years, he had done average of 130 in single year of the kidney transplant, which in the organ harvesting report done by (in audible), saying that this is very suspicious.

And later in the conversation, the chief, (in audible) positively admit that donors are young and healthy Falun Gong practitioners, Falun Gong practitioners. So, this is the evidence of the organ harvesting of live Falun Gong practitioners in our sister city, Chengdu, in China.

And also, for Falun Gong practitioners why they're subject to the organ harvesting, there are a couple of main reasons and one of them is that after they are arrested, they don't disclose, they didn't disclose their identity for fear of implicating their families, friends and colleagues. So it makes them very vulnerable to this killing. And also, the Falun Gong practitioners once they are put in the detention centre prisons, they are systematically blood tested and physically examined and giving the fact that in the meantime they're tortured and slandered these cannot be done by the motivation of you know, the concerns of their health.

So, this is also very suspicious. And also, when the Falun Gong practitioner's relatives took their body back when they're dead, they found that their loved ones, the body of their loved ones are the body parts are missing or the body parts have very suspicious surgical insertions. And also, many Falun Gong practitioners' bodies were cremated before their family members were notified and many families couldn't get their loved one's body back at all.

I would say that these serious human rights violations is not only the separate things happening in China or in Chinese community or only concern Chinese people, rather, it's a concern of a broader community. And it's our responsibility to put a stop to this human rights violation. So, okay, thank you very much.

Mr. Speaker: We'll be dealing with this motion shortly. The next pair of

delegations are with regard to the clause 16 of the E.P.C. report of September 21st Glacial Sand and Gravel. We have Gary Swanson and Jeff Laurent, both of CUPE appearing in opposition. Mr. Swanson will have the ten minute slot and Mr. Laurent, the five minute slot.

Gary Swanson: Mr. Speaker, we have a document that'll be distributed to Council shortly. I would like to introduce my brother Jeff Laurent, who is presently works in Glacial Sand and Gravel as a foreman so I want to put a face to what you're deciding here today and he will speak a little bit. He's here also to support the technical part of our presentation and also his feelings on what's happening to him in the pit and what's happening to his members.

CUPE Local 500 represents the employees working at Glacial Sand and Gravel. We oppose the motion before City Council today to sell the Glacial Sand and Gravel's Pine Ridge facilities, equipment and reserve assets for the following reasons. The history of protecting the City of Winnipeg's vulnerability we have, the city has owned and operated gravel pits for a hundred years. This asset has proven essential to the city's ability to effectively fight the 1950 and the 1997 floods as well as many other flood threats throughout the past decades.

The pits were also purchased to supply sand in winter operations, to winter operations and to supply large quantities of aggregate required for road construction and maintenance. Recently the province of Manitoba has announced that they're doubling road construction over the next two years. They also announced a 50 million dollar, 50 million dollars to help the city reconstruct some of its road system. With prices for aggregate skyrocketing why would you sell an asset such as this at this time?

Sand costing, a by-product of aggregate mining is the production of sand. Glacial has stock piled sand that belongs to the citizens of Winnipeg and we have Appendix 1 we show you the pile of sand that you have out there. Why is the city contracting sand when we have it stock piled? It's our sand.

In 2004, the city paid a contractor 560,000 dollars for winter sand. That year Glacial and its operations lost 705,000 dollars. In 2005, the city paid a contract of 900,000 dollars for winter sand. Glacial lost on its operations 567,000. If you add those figures up, if the city had kept the sand or used the sand that's in the Glacial pit, that pit is paying for itself. This year, bids are in at around or a little over a million dollars for sand and Glacial, in its operations, is in a profitable position.

Contract management, we have little faith the city can draft, enforce and guarantee a contract. When our members have had to deal with significant contract violations, we have the time it's the impression not to enforce the contract. Some examples are the encroachment on the Pine Ridge pit itself and the improper mining practices in the Transcona pit. Can you secure a contract guarantee like the guarantee that secured the building at Charleswood Bridge that guaranteed that the citizens of Winnipeg would be paying for that with millions of dollars into the future.

We're the equipment and management of the S.O.A., the Glacial Sand and Gravel Special Operating Agency was never given a fair chance to succeed. The early years of this operation which aligned Glacial to enter the market, this was not done and we question whether this province even had validity given the original purposes for purchasing the pits. Poor financial decisions by management such as purchase of season tickets to the Goldeyes and paying costs of sending a retiring foreman to a conference in Las Vegas, is an example of how the pit's fiscal health was jeopardized.

In addition the equipment our members, your employees have been forced to work with is both embarrassing and shameful. Employees deserve better and we have those pictures in Appendix 2. Estimates on the price of aggregate in the pit. Council's document that you have before you, given in preparation for today's decision speaks of 19,600,000 tons of aggregate above the water line and

another 6,700,000 tons below the water. Even at bottom basement price of 2 dollars per ton it works out to about 40 million dollars give or take above ground. We also know that the aggregate is manufactured, that is manufactured is worth far, far beyond the 40 million dollars as you can demand 10 to 19 dollars a ton for a particular aggregate by-product.

Secrecy of the sale, while our members are naked in the public realm with all their costing for everybody to see, this private sector deal been allowed to percolate in the bowels of the City Hall.

We believe that you're selling a public asset and/or contracting out a public service. We believe when you're selling or contracting out a public service that it should be made public. Fair is fair. If our employees are exposed so should the private deal.

Local 500 Collective Agreement, we believe and we just signed a new collective agreement this past spring, that the city is violating both the intent and language contained in the letter of understanding with the change initiatives in the agreement and putting you on notice that we will file a grievance if the decision today is to sell. To this end we urge you to amend your motion to include Council's commitment to fully respect and comply with the provisions of the CUPE Local 500 agreement.

I'll conclude our brief. Our members, your employees are committed to the successful operation of this pit and Jeff will speak to that in a minute. I give you Appendix 3 which shows you some of the work that they've done over the last three minutes with the co-operation of management in the pit and at the same time there is another process going on that's working towards selling the pit. Our members have been misled in this process. But anyway, they put these plans together with some modest investment, with a little more serious investment; they believe that this pit will work. We submit these draft plans for your information since we didn't have an opportunity to discuss them with anyone from the city.

In closing, if you're sure the taxpayers of the City of Winnipeg are behind in you selling this valuable asset put it to them in the ballots on October 5th and let them decide. Thank you, Mr. Speaker.

Mr. Speaker: Thank you Mr. Swanson. Mr. Laurent you have the five minute spot please.

Jeff Laurent: Thank you Council for letting me speak to you. I'd like to read an Appendix 3. My name is Jeff Laurent, foreman of Glacial Sand and Gravel; as well I'm the advisory board member for Glacial Sand and Gravel employees. Attached is a copy of my employee performance evaluation that clearly speaks to my commitment to the city, Glacial Sand and Gravel Special Operating Agency and to the employees.

I became a foreman at Glacial in May 17, 2004 and during this year I invested 200,000 dollars in maintaining and repairing my equipment to at the Norberg and the wash plant to cut down on breakdowns and increase production.

In 2005 I was asked by my previous Chief Operating Officer to find ways to make the Norberg plant more efficient and increase production of material. I sought out several aggregate manufacturers and asked them to come to the pit to look over my Norberg and my drawings to increase production to 400 tonnes per hour and produce eight screen stoned products and one fill sand product.

After two months of research and price quotes I completed a cost analysis increasing production of quarter ton plus and to produce eight screen stone products, this analysis now with the current Chief Operating Officer. Last year at the Norberg plant every one of my five screen stone products were produced was sold and the stone that I sent to B pit for washing was loaded right off the conveyor belts. Not one stone was being stockpiled and we could not keep up to the demand because of what I had to work with, with equipment.

In closing, in closing the employees sincerely care about this pit and are

totally committed to this, to Glacial Sand and Gravel. Thank you for taking the time.

Mr. Speaker: Thank you very much. Are there any questions of the delegation? Councillor Lazarenko.

Councillor Lazarenko: Thank you, Mr. Speaker. Mr. Swanson, thank you for your presentation. It's too bad some of this stuff, you know I sit on the Public Works Committee, you know we don't deal with that and actually we should, so we have some input. You had, on number 8, Local 500 collective agreement; you say you'll be filing your grievance, could you elaborate a little bit more because you know that's a serious statement that you've made that should open our eyes and to see and we deal with this now or wait, you know get this laid over for a latter time. Can you elaborate a bit on this?

Gary Swanson: Mr. Speaker, we have a new collective agreement. We have been told by city administration that we're operating on a new collective agreement. We believe that the city has an obligation to give us 90 days notice on changing they're initiative which is to sell the pit. The expression of interest clouded the whole picture. We had no idea what we were dealing with. We've never had an opportunity to sit down and discuss it in an open and frank manner. We believe our employees over the last few years know the operation and they have had decisions made for them that put them in a bad position today.

Mr. Speaker: Do you have a supplementary Councillor? No, Councillor Swandel do you have a question?

Councillor Swandel: I have a number of questions Mr. Speaker and I'll try and get some of them out here now and maybe address some of the others ones later when this item comes forward but Mr. Swanson, during the Joint CUPE Council process which is an In Camera process but were you not given the opportunity to participate in the expression of interest criteria?

Gary Swanson: Mr. Speaker, yes we were. However, the change, we didn't know what we were dealing with. The expression of interest was an open process. The city said to, when we were in that committee, that there would be an opportunity for us to come and meet again and to discuss exactly what we were dealing with. There was no particular option available to us.

Mr. Speaker: Do you have a supplementary Councillor?

Councillor Swandel: Please. Was not the disposition of that meeting to give you the opportunity to speak to the staffing issues as a result of the completion of the expression of interest process?

Gary Swanson: Mr. Speaker, again, how can you deal with staffing issues if you don't know what's going to be on the table. Are you going to sell the pit or are you going to lease it or is there another combination? We don't know what the impacts of that would be until we actually had something that was concrete and today is the first time that we've actually had something concrete, even when we went to committees last week we still didn't know what we were dealing with. It was In Camera. Today is the first time we know.

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

Councillor Swandel: Maybe for Mr. Laurent I just want to ask were you suggesting that you were going to lose your job with the City of Winnipeg when you spoke here. It's my understanding that all the employees would be redeployed and I think already some of the seasonal ones have that were there before.

Jeff Laurent: Mr. Speaker, no I'm not going to lose my job and to me, redeployment is not an option. I care about that pit. Like I put two years and it shows, it's right there in my employee evaluation, my pit plan. I want to make this pit work but I just ran out of time and I just need more time and to at least try to break even or even make some profit. But

I need the tools. I got outdated equipment, 1962 conveyors and mismatched equipment. Give me something to work with and I'll show you.

Mr. Speaker: Councillor Gerbasi you had a question.

Councillor Gerbasi: Thank you, Mr. Speaker. Thanks for coming and speaking with us today. One of the choices I thought we were going to be making today was between leasing or sale and the option before us is sale. I guess I'm wondering if you have any thoughts or comments on whether you feel it would be more of a benefit to the city to engage in a long term lease, unless we, if we, if those are the two option others than keeping it with our own people. Do you feel there's a benefit to that or are you against both leasing or sale or do you feel there is an advantage to keeping the asset in some way under city control or have a longer term revenue stream? Do you have any thoughts about those ideas?

Gary Swanson: Mr. Speaker, the leasing option is the lesser of the two evils for us. We would prefer that it remain a public asset belonging to the citizens of Winnipeg. The citizens of Winnipeg purchased that pit in 1940, they bought in 1947, excuse me and they purchased it for a good reason, to protect themselves. We're on a floodplain, to protect themselves against flood, to also help them help citizens rebuild their roads, build roads in new areas and that aggregate is prime aggregate, it's probably the best in and around the City of Winnipeg.

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

Councillor Benham: Thank you Mr. Speaker and I thank both the union representatives for being before us and I guess just following onto Councillor Gerbasi's question in terms of your specific request of Council today than is to reject this proposal and start fresh or starting thinking new as to what should happen, your view would be that it should remain a public asset but you would at least be willing to discuss a lease to the private, to the private sector. I just want to be very clear about what your view is of what we should do.

Gary Swanson: Mr. Speaker, in response to the Councillor's question, we believe that our members have never been given a fair chance to show that they could do the job. With the antiquated equipment that they have, last year, they increased production by 33%. They want to be given a chance. They're working hard to be given a chance to show that this pit can work. If you believe in public services you shouldn't even made it a S.O.A. It doesn't work. That pit wasn't bought to compete against the private sector. It was bought to serve the citizens of Winnipeg so we're saying no to selling.

Mr. Speaker: Do you have a supplementary?

Councillor Benham: Yes, thank you Mr. Speaker. Mr. Speaker, there was a reference to Appendix 3 of the business plans and I appreciate that Mr. Laurent's presentation talked about having turned over some of those business plans. Would the union either Mr. Swanson or Mr. Laurent be able to give us some estimate of the investment that would be needed in order to bring the equipment and the other capital expenditure up to snuff.

Jeff Laurent: Mr. Speaker, I'm looking at, this is price quotes, this is not tendered. This is what they came back to me with. Looking at 682,000 dollars and that's with 800 feet of overland conveyors, 60-foot conveyors, 330-kilowatt power van, two screen boxes, brand new, and that's what I need. It's right there in my drawings to produce that material.

Mr. Speaker: Final supplementary Councillor.

Councillor Benham: Final supplementary, thank you, Mr. Speaker and if you don't get what you want, in other words if this does pass today, are you satisfied that we did make reference earlier to jobs and Mr. Laurent I appreciate your commitment to this

particular job but is the union satisfied that individual union members will be protected in the redeployment process.

Gary Swanson: Under our collective agreement there is a process to redeploy the employees but I think what's more important is the message you're sending to all civic employees who are members of CUPE 500 and the point and the same with the refuse situation last year, you're sending a message that their work's not valued.

Mr. Speaker: Councillor Lubosch, you had a question.

Councillor Lubosch: Yes, thank you, Mr. Speaker. When the Special Operating Agency for Glacial Sand and Gravel was created, it was created with the intention and with a budget to purchase capital to invest in this equipment to make it work. Subsequently, once the S.O.A. was created, the S.O.A. was not provided with the money to purchase the capital to make it work. Do you feel that the Special Operating Agency was set up to fail by eliminating the opportunity to purchase the equipment that you required to make it competitive?

Gary Swanson: Mr. Speaker can we both respond to that? Thank you. Yes, we believe it was set up to fail. Without that equipment we couldn't produce the amount of aggregate that we need to make it profitable. Our account has said to us that that pit needs to produce four times the amount of aggregate and if you look in and around all the pits in the area, all the private sector companies have invested millions and millions of dollars into new equipment. That's what we needed to do and it didn't happen. I'll let Jeff speak.

Jeff Laurent: Mr. Speaker you ever heard of the horse and cart. Well, we got the cart and the horse went off somewhere else. We got this Norberg and then everything else was picked out of the bone yard and brought somewhere else and this mismatched and this put together and we just kept putting more and more money into it until what I have now and like I say when I took over in '04 again I had to spend 200,000 dollars fixing everything that was broken, leaking and not working properly until, before that, the previous year, that's how I got my production by investing money into it but if we would have had the proper equipment, the right conveyors, the right feeder hoppers, we would have been a long way better than what you see there, in those pictures.

Mr. Speaker: Thank you very much. The time for questions has expired so we have two other delegates. Thank you very much gentlemen. We have, based on the decision made earlier this morning we will hear from two more individuals on this same clause. They each get five minutes, there's no question on these ones, Mr. Shawn McMillan and Mr. Don Schneider.

Shawn McMillan: Good morning, Mr. Speaker, Your Worship, City Council, ladies and gentlemen. My name is Shawn McMillan, I'm the General Manager of Lehigh Inland Cement in Winnipeg and let me introduce Don Schneider our Vice-President of Finance.

We represent Lehigh Inland Cement a company that's been in Winnipeg working together to build our community for the last fifty years. We are a leading manufacturer of cement and construction materials in North America and on a global scale we are proud to be part of the Heidelberg Cement Group, a prominent world wide producer of construction materials.

We are here today to address City Council on agenda item number 16, expression of interest and proposal process, disposition of assets, equipment for Glacial Sand and Gravel, Special Operating Agency. Yesterday I drafted a letter to Council's attention that was emailed yesterday afternoon. I will be using this letter as the basis for my speech today. I have copies of this document for Council if required.

The purpose of my address is to clarify the details in the decision for your consideration. I want to bring to your attention the proposed recommendation of sale of the Glacial Sand and Gravel assets. The recommendation before

council is proposed all cash sale for 11 million dollars.

In reviewing the document, that you possess that was passed to you from committee, we found value calculations for a best lease option with an estimated net present value of just over 9 million dollars. Inland compared these calculations with our proposal and to the analysis we performed during the proposal process. We found significant differences between the subject document and our submission. As we do not have all the submission information from the City of Winnipeg committees, process, proposals, we could only use our proposal and the limited information provided in the document before you, to calculate the value to the city.

Inland aggregate submitted three options in our proposal which are summarized as follows. We offered royalty payments in excess of 65 million dollars to the city over thirty years. The royalty rate would also be adjusted annually at a rate of consumer price index or another agreed upon inflation calculation source. The adjustment for inflation is not included in the numbers that I just represented to you. This royalty payment represents a net present value of 33.7 million dollars not including those C.P.I. adjustments. The calculation uses a discount rate of 5% which is in that document before you, over a thirty year term.

The term is calculated as the life of the glacial resource of 26.3 million tons of aggregate both above and below water to be consumed over 30 years. That was our proposal. The second option was purchase of all assets for 10.3 million, all cash, and the third option Inland proposed was a purchase of all assets for 5 million plus a long term royalty payment of 1 dollar per ton for every ton that's produced out of that quarry over the life of the pit which I've already said we calculated to be thirty years.

As well, that rate would be adjusted annually for the rate of inflation as determined by an agreed upon index. As you can see in the above, we have substantial difference between a net present value that we've calculated for our proposal of 33.7 million and the report before your eyes with an estimated net present value of 9 million for the lease option and 11 million for the sale option.

The purposes of this address is to clarify the details in the decision for your consideration before Council votes on this agenda item and the concerns that I brought forward. What were the criteria for choosing the recommendation? Does Council have all the correct information to make the right decision? Is the city getting the best deal? Thank you for your time and I would consider to answer any questions that would come from Council and I also want before I stop to thank Councillor Gerbasi for allowing us to speak today.

Mr. Speaker: Thank you Mr. McMillan. Mr. Schneider you have the next five minute slot.

Shawn McMillan: Actually we're together on this.

Mr. Speaker: Okay, all right. Thank you very much for your presentation. There are no questions.

Councillor Lazarenko: Can we get a copy of that presentation?

Shawn McMillan: Yes, I emailed it to you last night. I have copies to be passed around.

Mr. Speaker: Thank you very much.

Shawn McMillan: Thank you.

Mr. Speaker: Okay we now go to the report of the Executive Policy Committee of September the 6th, Mayor Katz.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 6, 2006

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the report of September 6, 2006 and move adoption of consent agenda Items 1 to 8.

Mr. Speaker: I'm sorry I didn't hear that, Councillor Magnifico did you have a, clause 4, 8, 7. 4, 7, and 8 have been pulled from the consent agenda, any others? Mayor Katz moves that the balance of the E.P.C. report of September 6 be adopted by consent. All in favour, opposed? Carried. Clause 4.

Item 4 - Le Jardin de sculptures du Vieux-Saint-Boniface Project – Land Dedication Reserve File EP-2

Mr. Speaker: Mayor Katz did you wish to introduce the clause.

Mayor Katz: Mr. Speaker I would prefer just to hear the comments or questions or concerns of the Councillors and I'll address them after that Mr. Speaker, thank you.

Mr. Speaker: Councillor Magnifico.

Councillor Magnifico: Thank you, Mr. Speaker. Really, this is just a comment about the project. It's a great day for St. Boniface in that you know for over eight years the Le Jardin de sculptures du Vieux – Saint Boniface has been an idea, just an idea, a vision, a distant hope and the (in audible) is a group that has worked really, really hard to convince all levels of government that this sculpture garden is a necessary component in the redevelopment of the boulevard Provencher.

In the last two years we have finally seen development on Provencher, new businesses, new residences are being built as we speak and that's a great thing, however a balance is necessary and that's what this sculpture garden does. People's quality of life is dictated by projects like this sculpture garden.

The 100th anniversary of St. Boniface will be celebrated in 2008 and the hope is the opening of this special garden will be in that year with international sculptures, meandering paths, a bandstand and somewhere for people in that area to walk to on a regular basis as they cross over from the Forks, Esplanade Riel into St. Boniface into what I hope will be not just a French Quarter of Winnipeg, but some day, the French Quarter of Western Canada. Thank you, Mr. Speaker.

Mr. Speaker: Merci, any other debate on the clause? Mayor Katz did you wish to close? No. It's all been said. All in favour of clause 4, opposed? The clause is carried. Clause 7, Mayor Katz.

Item 7 - Council of Caribbean Organizations of Manitoba - Municipal Rural Infrastructure Fund Application File S-7

Mayor Katz: Mr. Speaker once again I'll listen to the concerns or questions from Councillor Pagtakhan, please.

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

Councillor Pagtakhan: Thank you Mr. Speaker, I just want to say that to acknowledge good work of the Council of the Caribbean Organization of Manitoba. I notice that we have Ms. Margaret Strong in the gallery and to thank her and her organization for the great work that they're doing to create a new Caribbean Cultural Centre on Fyfe and we urge all members of Council to support clause 7. Thank you.

Mr. Speaker: Councillor Benham on the clause.

Councillor Benham: Thank you Mr. Speaker and very briefly I will be supporting this as well. I did represent the Mayor and City Council at two banquets of the Caribbean Council, or the Council Caribbean Organizations of Manitoba and I know this was an ongoing concern of theirs, I'm glad that it's being looked after so quickly and I will support the motion.

Mr. Speaker: Any further debate? Mayor Katz did you wish to close?

Mayor Katz: No Mr. Speaker

Mr. Speaker: On clause 7 all in favour, opposed? That one is carried. Clause 8 Mayor Katz.

Item 8 - City of Winnipeg's Compliance with French Language Services Obligations – 2004 - 2005 Report File GL-5.7

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker once again I'll hear the concerns or questions from the Councillor and then I will try and address them. Thank you.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Thank you Mr. Speaker. Very briefly, I only wanted to bring to Council's attention and to the community at large's attention, that although it's not mentioned in the report there were over the course of last year and into this year many Councillors sitting around this table and their Executive Assistants who participated in a new program that we introduced whereby French language training was given to Councillors and their Executive Assistants. That wasn't specifically mentioned in the report but I did want to bring it to Council's attention. Thank you.

Mr. Speaker: Merci, any further debate? No. All in favour of the motion, opposed? That motion is carried. The report of September 13th Mayor Katz.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 13, 2006**

Mayor Katz: Mr. Speaker thank you I'd like to introduce the report for September 13, 2006 and move adoption of consent agenda Item 1 to 3.

Mr. Speaker: All in favour, contrary? That one's carried. The report of September 21, Mayor Katz.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 21, 2006**

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the report of September 21, 2006 and move adoption of consent agenda Items 1 to 18.

Mr. Speaker: 16. Any other clauses? No? Mayor Katz then has moved that the report of Executive Committee of September 21 with the exception of clause 16 be approved by consent, all in favour, opposed? That's carried. Clause 16.

Item 16 - Expression of Interest and Proposal Process - Disposition of Assets/Equipment for Glacial Sand and Gravel Special Operating Agency File GL-5.6.1

Mayor Katz: Mr. Speaker I would very much like to hear Councillor Gerbasi's comments or questions and then I will most definitely attempt to address them. Thank you, Mr. Speaker.

Mr. Speaker: Thank you. Councillor Gerbasi on the clause.

Councillor Gerbasi: Thank you Mr. Speaker. I do have a number of concerns remaining on this issue. I'm concerned about the choice to sell the pit rather than lease it. I'm trying to make sense of the decision and it's not making a lot of sense to me. Perhaps part of it is a political viewpoint on what the city should do in terms of owning its own assets or having more control over its own assets so it may simply be a difference in political views on this and I simply differ from the direction of selling this asset that we've had for all these years that we will no longer have.

I'm also concerned, knowing the history of this issue for many years, that the city basically set this S.O.A. up to fail, I do believe that, from my experience on the Joint CUPE Committee, the A.S.D. Committee and having been part of watching this unfold over the last number of years that this gravel pit was set up to fail many, many years ago and here is the end result today.

I'm very disappointed with that, that we have come to this. Unfortunately we can't change the past and now we've gotten to this point I was at least, was under the impression that it was going to be at least a lease with a long term revenue stream for the city which now it's simply selling it off for short term cash and were losing an

asset we've had for forty years. So based on that, those are my concerns and I certainly will have difficulty supporting this clause.

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

Councillor Benham: Well thank you, Mr. Speaker and I certainly don't want to preempt Councillor Swandel who I know wants to, probably wants to speak on this issue as well and I'll just briefly say that the questions that have been raised today I think are very serious questions about the investment that was put into this in the first place and as well whether or not the city should continue to have a window on this particular industry, whether it has a strategic value to us and so on.

I was part of the Joint Council with CUPE Committee with, along with Councillor Lubosch that Councillor Swandel has referred to and Councillor Gerbasi has referred to as well performing a service in the past. I certainly left those meetings very much with the impression that we were talking about a lease, that that would be the best way to go and that would have some consensus support including from the union and then this happened and it seems to me that it raises a number of questions. I think the representatives of Inland Cement who have raised some questions today have asked some good questions.

Whether this is in fact the best use of a valuable long term asset and in fact just to take their questions what were the criteria for choosing the recommendation, well it's difficult for us to compare, they provided us with some numbers that were in their proposal. We have no way of gauging that against the proposal that was eventually brought before us but it does appear to be a very wide gap between what they would be prepared to give us and what we would yield from their proposal.

Does Council have all the correct information to make their decision. No, Mr. Speaker I say quite frankly as a Councillor I do not believe I have all the information and I was one of the Councillors whose was relatively more involved with this as it made its way through and finally is the city getting the best deal. No, I can't answer yes to that question Mr. Speaker.

So I think the questions that have been posed by Mr. McMillan are good ones and I think Council would do well to defeat this proposal and send the process. If there's another proposal to come forward then let's take a look at it but let's have all the facts on the table. It might be fitting, Mr. Speaker to have a Council seminar, something behind closed doors where we can examine all the facts and figures, take a look at it and make a collective decision about what would be best for the city. I think this, I think the deal that is before us now is, it's hard to make the case that it's in the best interests of the city. I certainly don't feel comfortable voting that way so I will be voting against this proposal. Thank you, Mr. Speaker.

Mr. Speaker: Councillor Wyatt did you wish to, no. Any further debate on the clause? Oh, Councillor Thomas, I'm sorry.

Councillor Thomas: Actually I'd like to move that this clause be referred back and if that motion fails then I'll speak on it because I think the delegations raised some concerns and myself I'd also like to have an opportunity to discuss this In Camera which this doesn't give us today.

Mr. Speaker: Councillor Thomas you're moving that the clause be referred back to Executive Committee without instructions. It's non debatable, except that Mayor Katz has, can speak against the referral if he chooses to. Councillor Thomas has moved the clause be referred back to E.P.C. So, if you wish to speak against that Mr. Mayor you have the right to do so, otherwise we will put the vote.

Councillor Thomas: And I'd like a recorded vote.

Mr. Speaker: Yes.

Mayor Katz: Mr. Speaker I think we can go straight to a vote.

Mr. Speaker: All right Councillor Thomas has moved that clause 16 be referred

back to Executive Policy Committee without instructions. All in favour of that motion please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

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

Nays

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

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

Mr. Speaker: The motion to refer is lost. Councillor Thomas do you wish to speak on the clause?

Councillor Thomas: Yes, I have a couple of concerns that I'd like to raise. This is a long time city asset and I'm concerned about selling it at one time sale at bargain basement prices. I'm very concerned about losing our toe into that market and I'm particularly concerned because there are times when it is very urgent for us to have immediate access to sand and we don't need to be pushed to the back of the line and we don't need to be negotiating prices at the last minute.

As you know, our city is regularly flooded. We are trying to deal with those situations but we cannot help it. There is times every second or third year in the spring where we have to roll out the sand and if we lose access to this, it could cost us millions of dollars. We could lose very quickly the money that is anticipating that we're receiving by a one time sale of a bargain basement price of 8 million dollars.

Secondly, I'm concerned, because I was hesitant about the way the Sand and Gravel S.O.A. was set up but in spite of all the restrictions that were put on them, they're starting to turn the corner and for this year have started to make a profit and at a time when they're actually starting to make a profit and actually show a profit for the city, that I think now is not appropriate time to be selling off a public asset when the asset has proven its worth not only in emergency situations, but can also help balance the city's books.

That profit can be put back into getting better equipment for the facility, and the better the equipment that they get, the more efficient the Sand and Gravel service will become.

And my third concern has to do with some of the reasons that profit was not made in the first year. I found out that people had been stockpiling and working huge hours of overtime which got charged against the organization, which they were stockpiling sand that wasn't needed and wasn't used, and I can't imagine why someone would want to do that. But I think that compromised the integrity of the S.O.A. and this may have been some of the concerns that Councillor Gerbasi was referring to.

I am particularly concerned about some of the expenses that were allowed to come off of the funders and there has been mention of what some of those expenses might be. I know our accounts are quite scrutinized as City Councillors and I think we need to scrutinize some of the expenses that have been allowed to occur. I cannot see how tickets to a particular recreational facility get to be an expense for one of our companies. That goes beyond the pale.

And I'm concerned that its moves like this that have compromised the integrity of our public asset and as it starts to get its act together and starts to see itself make a profit, that, that is being sold off cheaply. And I certainly would have liked to have been called to a Councillor seminar where I could ask a lot more serious questions than I'm raising here on the public floor, because I do not want to (in audible) anybody's integrity but there are questions that I want to ask that are best asked in a private forum and I don't believe I have those answers and I'm very uncomfortable about us selling off a

public asset and I cannot support this. Thank you.

Mr. Speaker: Thank you Councillor. Councillor Smith on the clause, please.

Councillor Smith: Yes, I rise to urge you to defeat this clause. You know, it's a public asset. It's on the verge of doing well, if we made the investment in proper equipment. It doesn't seem reasonable to go ahead and sell something that is useful to the citizens of Winnipeg.

Let me tell you this, this is a pattern. You know, you let the equipment get run down and you don't replace it and you know, you destroy the agency. This is not fair, not only to our employees but it's not fair to the citizens of Winnipeg. At the last minute at Council, the last Council meeting we're going to be you know, selling it. I mean without proper discussion, without proper input, without proper, with the public consultation, nothing has been done to in effect involve the public into the decision making. This is just deplorable. This is just ridiculous. This is unheard of in the sense of; I mean why give away a good asset. That's the whole question. I urge you to vote to defeat this motion.

Mr. Speaker: Councillor Lubosch on the clause, please.

Councillor Lubosch: Thank you, Mr. Speaker. I guess I'm rising to ask that Council have a sober second thought regarding the sale of this asset. While I recognize that like the sale of some of our other assets, the one time infusion of cash is very attractive especially if were trying to stave off an impending property tax increase or at least a contemplative tax increase to pay for ten years of deferred maintenance and while I recognize that we might not be the most competitive company or organization out there trying to market primary materials, because we don't have the opportunity to be as vertically integrated as some of these other companies like Inland may be.

We aren't involved in clearing the snow on our streets any more the way some of the other aggregate companies are. We aren't involved in other trucking work the way and enterprises the way some of the other aggregate companies are but ultimately we've had access to our own aggregate, our own building material, the building material that has been used to build the streets and sidewalks of Winnipeg for a century and it seems to me quite foolish and short-sighted to make a decision today, especially when one of the leaders in this industry in the private sector has come to us to suggest that we need to recheck our math and that some of the facts and figures and assumptions that we've made in going into this process, may be seriously in doubt and question and I for one, am not about to rush to judgment to make a quick buck and not even a very large buck.

This isn't like selling off Winnipeg Hydro which had significant infrastructure concerns and which required significant capital in order to turn it around and we weren't prepared to make that capital investment or accept that level of deficit.

In order to make this pit function, in order to replace the equipment that is over forty years old in some cases and held together with bailer twine and wire, it wouldn't take much to make this pit operate at least as competitively as the pits that are right next door and from my experience and talking to people in the industry, they have appreciated the City of Winnipeg pit because the City of Winnipeg pit doesn't play favourites.

As an example, if a smaller company or smaller operator requires aggregate and they don't happen to be the chosen contractor or working for the contractor who happens to be the preferred contractor sourcing their aggregate from one of the private sector pits, if they go to the private sector pit, a lot of times they go to the back of the line until the private sector pit provides aggregate to their preferred customers or to their own trucks who might be working on a particular contract.

The City of Winnipeg pit has been very popular because it hasn't been in that kind of a conflict. It's been able to provide at a very reasonable, competitive rate, the

aggregate that it is able to with its outdated and often poorly functioning equipment to source.

But having said all of that, even if we decide to do nothing, the very fact that we've had this pit in our asset portfolio for around a century, without it creating any undo hardship to the citizens of Winnipeg, the fact that when we needed the aggregate we were able to source it for fairly important emergency situations like the flooding that we've experienced in the past decade and the fact that we know that this city is going to be around for a long, long time and based on all indications we're going to have more infrastructure and more construction and more demand for aggregate (in audible) materials, it would seem to me to make sense Mr. Speaker to have a sober second thought or even a third thought if required and ultimately make the best decision which will result in the best possible outcome and which will reap the greatest possible public good, rather than make a decision here at the 11th hour, in the 9th month, the last Council meeting of this Council which will ultimately impact the future Council and future Councils far beyond into the future.

If this pit has an expected life of thirty years Mr. Speaker, that again is a third of a century and to make a decision here on the fly when we've been shown in bottom line numbers by the private sector that we need to recheck our math, is grossly irresponsible and one would have to seriously question the motives behind this kind of decision.

This is not going to bankrupt the city to hang on to this pit for another month or two while we recheck our math and why we reconsider all the options that are available to us. It's not going to bankrupt the city if we purchase the equipment in the end in order to make this pit function properly, safely and at least provide our operations with the aggregate and gravel and certainly anybody else who wants to purchase it.

This whole thing started because we decided that we wanted to try and create a special operating agency which would compete in the private sector and clearly if you don't invest in an idea, if you undercapitalize it you are setting it up to fail and that's exactly what we did and by undercapitalizing it and setting it up to fail, we are now in a position where we have a very difficult time justifying that it should fetch top dollar in any sale or lease situation.

We've taken a valuable asset, created a looser out of it and now we're selling it off to the highest bidder and that just doesn't make good business sense and its bad public policy. This is like selling your driveway in order to make your house payment or something like that. It doesn't make any sense to me at all Mr. Speaker and I would urge Council to reconsider their decision today. This is not a burning issue. There are many far more important issues facing this city and this could be sensibly deferred for another month or two and debated at that time when all the information is present. Thank you.

Mr. Speaker: Thank you. Councillor O'Shaughnessy on the clause, please.

Councillor O'Shaughnessy: Thank you, Mr. Speaker. First of all if we put our decision off for two months all bids are off the table. A lot of information is made public and you may not have any bidders, but we have proven as a city over many, many years, over decades that we cannot operate that pit at a profit.

The reason the S.O.A. was formed was that we were losing so much money on that pit, even though you didn't have a mortgage against it, you didn't have to amortize the cost of the pit, just on straight operations we lost money, so we formed an S.O.A.

The S.O.A. lost over half a million dollars each of the last two years without having all those overheads. With having a free asset given them, with having equipment given them, may not have been the best but no payments due on it, they lost money. Over half a million a year. I mean, you're giving someone an asset saying just sell it and they lose money selling it, it's like they're paying 120% commission

or something, how can you lose money selling something that you don't pay for. Now we have an offer to stem the bleeding. The money we've been losing for 50, 60, 70 years on this place and they're going to pay us 11 million dollars for the privilege of us stopping the bleeding, sounds pretty good to me.

I'm not blaming our staff who operated at the pit level. We can't make money doing anything, no government can. Governments are not good at business, period. The numbers that came in, all the bids were analyzed by our finance people, analyzed by the management of that area and by Ernst and Young, perhaps the most respected financial name in the world. Ernst and Young did the evaluation.

Now maybe Lehigh had a better bid, I don't know but Mike the Councillor or Harry the Councillor is not going to go over the numbers and interpret them like Ernst and Young is. I have to have confidence in somebody and it sure going to be in the people who have seen it all and evaluated it all professionally. Those are the people's word I am going to take. I wouldn't expect you to take my word over theirs.

We heard from Lehigh today. They haven't seen the other bids either, just basing on a few newspaper reports that they've got. So I have to rely on somebody. And it'll be Ernst and Young in making this decision. I do know anecdotally, little bits that happen to back up what I've just said and what I've heard. Our own departments and many, many, most cases don't even buy from our own pit and contractors who get city contracts in most cases didn't even buy from city pits.

We have quality aggregate. We're not very good at running things. Here's an opportunity to get 11 million dollars for the city and stop losing money. The gravel will still be there. It'll still be used in the concrete and other developments in Winnipeg. It's not going to be trucked off to Toronto or Minneapolis, believe me it's being used in Winnipeg.

So, I think the decision is pretty obvious one and all Councillors had opportunities to attend the meeting of the S.O.A. committee and of E.P.C. to look at all the numbers, we had to be there for all the presentations we had. Nothing was done in private. All Councillors could have been there. It's, well I'll just let the rest go but that is why I'm voting to sell the pit, oh the other point is we still do own two pits by the way, we own Transcona and we own Gunn. We're not out of the business. We're not out of the asset. We have two pits that we still own. Thank you.

Mr. Speaker: Councillor Swandel on the clause.

Councillor Swandel: Thank you Mr. Speaker. I guess I get to play the role of myth buster here a bit. Let me start just by saying that it would be very helpful if everyone, including the presenters were to read all the reports related to this matter.

Back in December of 2005, when this matter first came to the Alternate Service Delivery Committee and on to Council, we considered the four options which were selling Glacial active assets, entering into lease royalty sales arrangements, rolling Glacial's operations and enhancing, slash/optimizing Glacial's operations. Those were all duly considered, they were all put through a business case analysis and this is what we ended up putting forward was this expression of interest process at the end of the day. So those items have all been duly considered.

With regard to Mr. McMillan's representation and maybe perhaps for the sake of some of my colleagues who apparently did not read this report that's before them today, on page 1200 of the report, the quantitative analysis, financial analysis, financial analysis was completed by the evaluation working group with assistance from a financial consulting firm as Councillor O'Shaughnessy has stated, that was Ernst and Young. They applied an appropriate discount rate for this industry. Not a no risk discount rate that was put

forward by Mr. McMillan here today of 5%.

That's ludicrous, we're in the volatile gravel industry here we're talking about the interest rate or the discount rate for the sake of net present value is in excess of 15%. Of course if you put a no risk discount rate that the lease royalty option would come up leaps and bounds above any sale option. It goes on to say net present value calculations were developed for the leasing scenario using a suitable discount rate to reflect the inherent risk of the forecasted cash flow stream, the lease options and cash flows were discounted accordingly. The cash flow stream for each leasing scenario incorporated a number of factors, including terms specific to each proponent, rate of inflation, rate of materials, timing of payments, residual value of the operating pit and the appropriate Glacial Sand and Gravel costs, e.g. staff salaries and benefits, property taxes, depletion fee, operational costs, measurement of material costs.

But it didn't stop there, Mr. Speaker. It said the discount rate was comprised of two additive components, a risk free rate such as a government bond and a risk premium and a risk premium specific to the business, elements of risk that were considered included the size of Glacial Sand and Gravel operations, nature of the industry, quality and availability of the material, terms of the agreement with the potential lessee and operational experience and history of the potential lessee and that's the criteria that was used by Ernst and Young to provide us with the discount rate that puts here in front of us today an 11 million dollar sale recommendation which is 20% higher than the net present value of the lease royalty option. The best case lease royalty option that was brought to the table which was not brought forward by Mr. McMillan's company.

If I could go on, and I must, Council, as Councillor O'Shaughnessy suggested there's been three opportunities In Camera for every Councillor in this chamber to come and speak to this matter.

First at the Alternative Service Delivery Committee, then In Camera at Planning Property and Development, subsequently In Camera at Executive Policy Committee and now today we all have the opportunity to speak to it again. Nobody appeared to ask these questions at Alternative Service Delivery, I also sat in at the Planning Property and Development Committee, I don't believe anybody appeared there and Executive Policy Committee again I made a presentation, I didn't stay until the end but to my understanding none of my colleagues appeared to raise any concerns at that time.

With regard to CUPE's involvement, right from the beginning of this process, from the inception of the Special Operating Agency at that time which was known as Agassiz Sand and Gravel I believe, CUPE was given one of the positions on the advisory board, I think it was Mr. (in audible) was allowed to sit on that committee along with members from private business and different people from our city administration.

Subsequent to that, they have been represented through the Joint CUPE Council process. It wasn't just a rubber stamp meeting. My colleagues that sit on that committee will recall that the matter was stood down for a period of about a month to allow the, to allow CUPE to come forward and have some input in the expression of interest criteria. That was given to them and at the end of the day they were also given a clear statement that they would be allowed to speak to the staffing issues and they have been allowed to. They've had every opportunity and they've used every opportunity to speak at Alternate Service Delivery, at Planning Property and Development, E.P.C. and again today at Council.

So and you know on the CUPE piece, those guys have been great, they participated in the process and I stand here before you knowing that we're doing everything in our power to ensure that this is done within the parameters of the collective agreement. All of these employees are wonderful employees and

again Councillor O'Shaughnessy stated we shouldn't be in the gravel business.

We don't know how to run gravel pits. Let's get out of it and get these people redeployed in positions where we can use good people like Jeff to help this city in other areas. On the process, the process, you know I'm very proud of the process that it was a process that was blind to a certain extent and it needed to be. There was no political meddling in this process, people were running around in tight little circles asking what's going on here, what do you know, nobody knew anything. The process was blind and it was done through a very clearly established set of criteria and rules that were put forward and they were adhered to Mr. Speaker.

The first time that there was any leakier of information was a report in the Free Press that was somewhat inaccurate in the days prior to this coming forward. And you know we need to thank and speak to the diligent work that was done by our employees here at the administration at the City of Winnipeg as well and in particular I want to recognize (in audible) who did a wonderful job in dealing with the due diligence process of this and ensuring that what we got in front of us was a set of turn sheets that above all that is exceptional is that we have protections for the City of Winnipeg and this pit and I don't know how far I can go down this road but first right of refusal for up to thirty years if this company that's been recommended in the sale, whatever to attempt to sell it, in the first five years they're not allowed to sell it, the 2nd five years there's a separate set of criteria but thirty years of protection for the City of Winnipeg in this case and we also have preferential treatment when it comes to emergency use for what most people consider saw dust which is the emergency sand.

Was it set up to fail, the special operating agency, no it wasn't. It failed. We, you know it was obvious that we could not operative this pit and even investing more money in it we would not be able to be successful in the gravel business.

I guess, you know in summary, here we are today and we have our taxpayers to look after in front of us. This thing has bled money, yes there could be an argument make that it might make some money today but it's a very scaled down operation, it's not representative of the day to day operations of a large scale gravel pit. We need to stop the bleeding and get this asset working better for the taxpayers of the City of Winnipeg. The sale option and the protections that are put in this particular sale option are in the best interests of the City of Winnipeg taxpayers and we need to move ahead today to ensure that those taxpayers are looked after. Thank you, Mr. Speaker.

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

Councillor De Smedt: Thank you very much Mr. Speaker. Very briefly, I'm encouraged by the summary that Councillor Swandel has just given to really bring some perspective to this. I do appreciate actually the comments of Councillor Lubosch in terms of what is good public policy and I think that's what we're here about every day and you know in a perfect world if we wait for absolute clarity, whether we're going to have a monopoly in the future and be at risk in terms of public policy, I think we really wouldn't get anywhere.

And there's always a risk in many of the decisions we take. But I think the analysis done by our consultant and by professional outside company to look at these analysis, has lowered that risk a considerable amount. So I ask really our Councillors to look at that in a business sense. I don't think any of us are against our city employees and being in the business of good public policy and trying to work with the private sector and deliver the best possible service to our citizens.

But you know, I think we've reached the stage that on balance, analyzing all the risks, that this is the best possible recommendation that we can have and so I would ask you to try and get a more comfortable level of accepting this. It's not a perfect solution. We do have fortunately, the protection to our

employees on redeployment. That's something that we went through on the waste management process. We do it elsewhere. It's happened when we had the decision to get out of social services and employees were protected.

So I think after analyzing all the details that we have as Councillor O'Shaughnessy says, as simple Councillors, we do have to rely on our professional administration, on outside consultants to weigh these measures and to put in that last element politically, is there a risk that public policy will be offended in this particular case.

I'm very comfortable that we've come to a regional conclusion. There was one option that hadn't been considered that I've spoken about before, when I was part of the A.S.D. committee, which was mothballing the facility to protect against potential, a potential monopoly. That's been analyzed again.

The fact of the matter is I think this is a resource that can be used by the private sector. I don't think we're going to be subjected to gouging; in fact I would challenge the private sector to even get into that which they don't do. There isn't a history in this community of this sort of gouging. If they did that I think there would be a huge outcry and we wouldn't be the only ones yelling. We would have our provincial counterparts on side saying you know what's going on here because as you heard yesterday the Premier just announced a major you know investment in infrastructure and roads and highways in this Province and so they, you know they would be watching closely what aggregate is costing, et cetera as we proceed in the future.

So I think on balance you have a reasonable decision and I would encourage you to support the recommendation that's been made by Executive Policy Committee. Thank you.

Mr. Speaker: Thank you. There is no further debate. Mayor Katz closing debate on the clause please.

Mayor Katz: Thank you, Mr. Speaker. First of all I do appreciate all the comments made by all Councillors. I think the first thing I'd like to share is that my view in the beginning of this process was exactly the same as Councillor Gerbasi. I believe that leasing made the most sense and I actually shared that with CUPE and I shared that with the administration. By the same token Mr. Speaker, as Mayor, I believe I have a duty to listen to all the facts and maintain objective, keep an open mind, and in the end, make the right decision for the citizens of our city.

As a result of the expression of interest, which had several offers to lease and several offers to purchase, our administration along with outside expertise showed us that selling was the right way to go. And I can tell you that I reluctantly listened and they basically swayed me and convinced me that was the best thing for the City of Winnipeg.

I can also tell you, Mr. Speaker, that you know a comment about giving it away. I don't know to most people here but 11 million dollars I don't think is pocket change. We're not giving away an asset. I can also tell you that one of the key concerns was making sure that the city's interests were protected and it appears administration was able to do that as well. And that was one of my key concerns down the road, are we protected.

I can tell you this, that and I'm glad people have made reference to CUPE. I think we need to show that we have respect for the people of CUPE, for the workers who work on behalf of the City of Winnipeg and I think we saw today that there is a great deal of passion there as well, which I think is important. But the reality is and I've mentioned this on many occasions, I've always welcomed and embraced the idea of CUPE endorsing a plan where they support something, where they could actually compete against the private sector.

It's happened in Indianapolis. They've proven that they can actually do a better job and I embrace that and I hope down the road we actually see that come forward. But, I can tell you what I've seen

over two years, is every time there is a tough decision, a real difficult one, is that what always comes forward is to delay it, to postpone it, procrastination.

Mr. Speaker, that's called suicide on the installment plan. We face tough decisions and we have to make some tough choices and there is very little doubt in my mind, viewing the facts, just waiting for the laughter to subside, viewing the facts coming from our administration and the outside expertise, I don't believe there's anybody sitting in this chamber that's an expert on this topic. Councillor Swandel may know more than most because of his involvement. So what you do is you rely on those experts. Same way if you had a medical condition you'd rely on the experts and if there's something wrong with relying on independent experts because I don't believe the outside experts had any political view, they were analyzing the situation and deciding what was best. They came down with their decision and I certainly hope that Council will support this decision Mr. Speaker, thank you.

Mr. Speaker: Thank you very much. Debate is closed on the clause. I'm sure there'll be a recorded vote on this so, on clause 16 all in favour of the clause, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

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

Nays

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

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

Mr. Speaker: The clause is carried. We now go to the additional report of Executive Policy Committee which was distributed this morning in hard copy, it's the report of EPC dated September 27th, Mayor Katz.

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED SEPTEMBER 27, 2006

Mayor Katz: Thank you Mr. Speaker, I would move suspension of the rules so I can introduce report of September 27th, Amalgamated Transit Union and move adoption of item 1.

Mr. Speaker: Mayor Katz moves suspension of the rule to deal with the clause all in favour, opposed? Carried. Item 1 memorandum of agreement, Mayor Katz moving that. All in favour, opposed? That's carried.

EXECUTIVE POLICY COMMITTEE
NOTICE OF MOTIONS

Mr. Speaker: Notice of Motion which was tabled at our last meeting before the summer recess, moved by Councillor Gerbasi seconded by Councillor Smith, Councillor Gerbasi did you wish to.

Moved by Councillor Gerbasi
Seconded by Councillor Smith

WHEREAS the City of Winnipeg has a sister city relationship with the City of Chengdu in China;

AND WHEREAS since July 1999, when China's former president launched the "eradication" campaign against Falun Gong, hundreds of thousands of Falun Gong practitioners have been detained and tortured for their beliefs;

AND WHEREAS Chinese Communist Party (CCP) authorities have reportedly expressed the desire to have the practice of Falun Gong completely wiped out before the 2008 Beijing Olympics;

AND WHEREAS an independent investigation, conducted by former MP the Honourable David Kilgour and human rights lawyer David Matas, concluded on July 6 that "there has been and continues today to be large scale organ seizures from unwilling Falun Gong practitioners.";

AND WHEREAS the Kilgour-Matas report stated, "the government of China and its agencies in numerous parts of the country …since 1999 have put to death a large but unknown number of Falun Gong prisoners of conscience. Their vital organs, including hearts, kidneys, livers and corneas, were virtually simultaneously seized involuntarily for sale at high prices, sometimes to foreigners, who normally face long waits for voluntary donations of such organs in their home countries."

AND WHEREAS the number of organ transplants performed in China increased exponentially following the official crackdown on Falun Gong in 1999 with the report stating that about 41,500 organs transplanted in China in the last six years might have come from Falun Gong practitioners;

AND WHEREAS it is the responsibility of free and democratic nations to condemn the act of crimes against humanity and shameless disregard for human life wherever they occur;

AND WHEREAS it is also our responsibility as human beings to raise awareness necessary to stop horrific crimes against our fellow human beings no matter what the cost;

AND WHEREAS the City of Oshawa passed the following resolution in April of 2006: " That the City of Oshawa write to the Prime Minister urging the Canadian government to take actions to rescue the surviving Falun Gong practitioners who face danger of being killed at any time and protect the rights of those in China".

THEREFORE BE IT RESOLVED THAT Winnipeg City Council send a letter of concern about the treatment of Falon Gong practitioners to our contacts in our Sister City of Chengdu, China;

AND BE IT FURTHEREFORE BE IT RESOLVED THAT Winnipeg City Council call on the Government of Canada to condemn the crime of harvesting organs from Falun Gong practitioners and other involuntary donors in China;

AND BE IT FURTHER RESOLVED THAT the City of Winnipeg request the provincial government to tighten the Manitoba laws against organ trafficking and doctors should, for example, be required to report to their respective authorities any evidence that a patient has received an organ from a trafficked person abroad.

Councillor Gerbasi: Thank you Mr. Speaker and I thank Council, for at the last meeting waiving the rules to allow us to deal with this matter. I wanted to let you know that I've received support of letters on this issue from Stockwell Day as well as the N.D.P. human rights critic. So I think that outlines the fact that this really isn't an issue, a political issue, a right and left issue, it's an issue of human rights which I'm sure we can all support but I did want to make a few comments on the motion.

Concern is being expressed across the country and around the world about China's treatment of Falun Gong practitioners. It has reached new heights of horror with the revelation that prisoners of conscience have been put to death and their organs harvested for transplant and for sale. An independent investigation by well known human rights lawyer and Winnipegger, David Maddis and former M.P. David Kilgour has substantiated these allegations.

Falun Gong is a peaceful spiritual practice yet there has been a campaign launched by China to wipe out the practice before the 2008 Beijing Olympics. What that means is severe human rights violations against innocent people. When these kinds of issues come up some feel that as a municipality we should stay out of it. In fact the rules had to be waived to allow this debate today but Winnipeg has a special relationship with China through our sister city initiative with the city of Chengdu so it really is fair to say that we have an obligation to voice concerns about human rights through that avenue. It's not as if we have no international connection with China.

It is also true that the municipal level of government is the level of government

that often gets the ball rolling and kick starts action at other levels of government. Several other cities in Canada such as Oshawa and cities in British Columbia have passed similar motions as the one before you today. And I would also point out that some of the Falun Gong practitioners who have spoken to us have fled China and are now living in Winnipeg and are pleading with us to take action.

So I'll just close with a quotation that I think sums up why I ask Council to support this today. It's a famous quotation by Martin Niemoller which says "first they came for the communist but I was not a communist so I did not speak out. Then they came for the socialist and the trade unionist but I was not one of them so I did not speak out. Then they came for the Jews but I was not Jewish so I did not speak out and when they came for me there was no one left to speak out for me." So I urge you to support this motion. Thank you.

Mr. Speaker: Thank you. Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Thank you Mr. Speaker, normally motions of this type don't make it to our agenda with our strict code of what is the city's business under the Charter and what isn't. But this one is here and with the respect I have for Mr. Maddis and Mr. Kilgour, with the overwhelming evidence before us through not just media but many, many sources that what's going on with respect to this in China is nothing short of genocide. It is my honour to support this motion and hope that our letter has at least some little effect to stopping this horrid practice in China.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you, Mr. Speaker. You know we speak about human rights in this chamber mostly relative to the creation of human rights museum here in the City of Winnipeg, to celebrate or to show the need to always be aware of these things that are happening around the world and maybe not in our backyard but in our backyard we have a chance to have a voice in this. So I will be supporting this and I would encourage us to be unanimous in our support of it.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Yes, Mr. Speaker I just want to rise to thank Councillor Gerbasi and Councillor Smith for bringing this forward today. I think what we've heard is something that, a message that has to be spread across the country with what's happening in China right now and indeed we have hosted delegations from China to this city from our sister city, and so I think it's very timely that we send this letter off to our sister city, and I think it should not stop here. I think there should be follow-up done after the fact with regards to this.

It's a statement we're making. It's an important statement but I don't think that this can be dropped in light of the fact that this is something that's taking place before the 2008 Olympic Games in China, that clearly this persecution of one religious group is unacceptable anywhere in the world today especially when it comes to a trading partner of our country which has been given the most favoured trading status recently by the United States and which we do a lot of business with across this country, across North America and the world. This sort of practice is unacceptable anymore. So I want to thank you for bringing this motion forward and I hope it has unanimous consent from this floor. Thank you, Mr. Speaker.

(Councillor O'Shaughnessy in the chair)

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

Councillor Steeves: Thank you, Mr. Speaker. I too will be supporting the motion. I would also bring to Council's attention although it wasn't part of the delegations or part of the motion, I don't believe. There also is a United Nations position on this issue that I think supports, generally speaking, the motion.

I do share, Mr. Speaker, some of your concerns that this isn't strictly speaking something that is within our parameters

as a City Council and I'm a bit concerned that when we take in issues that aren't in our direct concern but I guess from time to time we have to stand up and be counted. Although I'll be supporting the motion, some of the resolutions are a bit awkward for me particularly the third one where it states that the City of Winnipeg requests the provincial government to tighten the Manitoba laws against organ trafficking and doctors should for example be required to report to their respective authorities any evidence that a patient has received an organ from a trafficked person abroad. I guess I feel an obligation to disclose Mr. Speaker that I don't have any particular knowledge of that and the laws surrounding that so I can't offer any I guess intelligent discourse on whether that motion will fit in properly or not but what we're asking our provincial counterparts to do, so I guess, and with respect to the first resolution, hopefully when the letter of concern goes to our sister city contacts in Chengdu, I'm trusting that it will be a diplomatic letter that recognizes the work that's been done over the years with these folks because I have no idea what any official positions or whether there be any problems with our motion or not.

So all those niceties have to be recognized but in general I had a chance to sit down in my office with the delegation, a very, very long time ago actually and they explained to me some of the things that they believed were happening in China and as a citizen of the world I suppose we're all struggling with China and how it's becoming more part of the economic mainstream of the global community and what I'm hoping happens is rather than the traditional I guess route of western nations or more developed nations turning their back on communist regimes, I hoping that this time by inviting China to participate in a free and democratic society that we can change what is happening over there in some of these instances and we can focus on the free market aspects that slowly but surely over time will become a little less inclined to get involved in things such as this.

(Councillor Eadie in the chair)

Mr. Speaker: Councillor Thomas.

Councillor Thomas: Yes, I too would like to rise in support of this motion and I'd like to thank Councillor Gerbasi and Councillor Smith for bringing it to our attention and my first thoughts when this was brought to my attention was just numbness. It was most difficult to comprehend and to find that something that seems so unimaginable actually exists, sad to say through the 2nd World War, through many of the wars that have been happening in Europe and happening now in the Middle East, we come across these horrors. Again and again and it leaves me with numbness and I think as a City Council that's promoting itself as a centre for human rights that its important for us to take a stand and I am doing so.

Mr. Speaker: Councillor Gerbasi do you wish to close debate.

Councillor Gerbasi: Just one comment that was just inspired by Councillor Steeve's comments and I do appreciate everybody's support including yours, Councillor Steeves, but I think when you look at what happened in South Africa, it wasn't bringing South Africa in that got South Africa to change apartheid. It was standing up to human rights atrocities. So I think that's what we need to do. So I just again want to thank Council for bending the rules and stepping forward to take a stand on this issue. So thank you Mr. Speaker.

Mr. Speaker: All in favour of the motion, opposed? It's carried. Unanimously.

EXECUTIVE POLICY COMMITTEE MOTIONS

Mr. Speaker: Under motions, motion number 1 is an automatic referral to Executive Policy Committee.

Moved by Councillor Smith
Seconded by Councillor Lazarenko

WHEREAS the Winnipeg Central Mosque acquired the property at 715 Ellice in April, 2004;

AND WHEREAS the property is exempt from taxation as a place of worship as at April 30, 2004 pursuant to clause 22(1)(i) of The Municipal Assessment Act;

AND WHEREAS the Winnipeg Central Mosque mistakenly paid $15,944.12 in taxes for the year 2004;
AND WHEREAS The City of Winnipeg Charter allows the tax collector to correct the tax roll only for the current year and the prior year;

AND WHEREAS this injustice can only be corrected by Council;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg give a grant of $15,944.12 to the Winnipeg Central Mosque.

Mr. Speaker: Motion number 2 I believe Councillor Wyatt you probably want to move suspension of the rule to deal with this today, am I correct? Councillor Wyatt moves that the rule be suspended to deal with motion number 2 today. All in favour, opposed? That's carried. Motion number 2 taken as read.

Moved by Councillor Wyatt
Seconded by Councillor O'Shaughnessy

WHEREAS the Transcona Historical Museum is one of the City of Winnipeg Museums;

AND WHEREAS the Transcona Historical Museum receives an annual budget from the City that does not include the cost of a security system and cameras;

AND WHEREAS recent incidents have occurred at the museum involving the security and safety of artefacts as well as the safety of staff;

AND WHEREAS these incidents have required the involvement of the Winnipeg Police Service;

AND WHEREAS the Board of Directors of the Transcona Historical Museum have taken steps to upgrade the security system including obtaining three separate competitive quotes for the installation of security cameras both inside and out;

AND WHEREAS the Transcona Historical Museum should have protection for both the museum's highly prized assets and its staff;

THEREFORE BE IT RESOLVED THAT the East Kildonan Transcona Land Dedication Reserve earmark $8,282.90 for the purchase and installation of a security system, including cameras and other related equipment;

AND BE IT FURTHER RESOLVED THAT the Land Dedication Reserve policy be waived in this instance.

Councillor Gerbasi: Mr. Speaker, I actually, in motion 3 as well could it be taken.

Mr. Speaker: Well, one at a time Councillor, please. Motion number 2 all in favour, opposed? That is carried. Motion number 3, yes is taken as read. We'll deal with it now. Congratulations to Councillor De Smedt. All in favour, opposed? That is carried.

Moved by Councillor Benham
Seconded by Councillor Gerbasi

THAT City Council hereby thanks Peter De Smedt for his service to the people of Winnipeg as City Councillor for the St. Charles Ward.

Mr. Speaker: And motion number 4, were you wanting to suspend the rule to deal with this motion today, Councillor? Councillor Thomas is moving that the rule be suspended to deal with motion number 4 at this meeting. All in favour, opposed? I believe it's carried. Councillor Thomas do you want to introduce your motion, please.

Moved by Councillor Thomas
Seconded by Councillor Wyatt

WHEREAS Kelvin Community Centre is located in the area of highest socio-economic need in the Elmwood/East Kildonan Ward;

AND WHEREAS closure of the Kelvin Community Centre would lead to some children being required to walk in excess of 5 kilometers to attend the next nearest Community Centre and having to cross two busy thorough-fares to access Community Centre programming;

AND WHEREAS the neighbourhood surrounding the Kelvin Community Centre recently had a meeting in which over 100 area residents attended and at which a board was elected for the Centre;

AND WHEREAS the board has been meeting weekly and has been developing and implementing programming for the area children;

AND WHEREAS a delegation from the community appeared at the East Kildonan/Transcona Community Committee meeting on September 12th and requested an opportunity to try and revive the Kelvin Community Centre facility for the area residents;

THEREFORE BE IT RESOLVED that the interim board be granted full use of the facility to operate their programming;

AND BE IT FURTHER RESOLVED that the interim board be granted permission to sit as a member of the Greater Council of Winnipeg Community Centres;

AND BE IT FURTHER RESOLVED that the decision made by City Council to declare the Kelvin Community Centre surplus, be rescinded and the community be granted a 3-year extension to demonstrate their viability as a Community Centre.

Councillor Thomas: Yes.

Councillor O'Shaughnessy: Point of order.

Mr. Speaker: I'm sorry, point of order Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Can I ask you to rule with the second resolve granting an interim board permission to sit as a member of the general council is within the purview of the City of Winnipeg? Do we control the membership of the general council?

Mr. Speaker: I don't have an answer to that. I'm going to allow the motion to proceed.

Councillor O'Shaughnessy: I don't know.

Mr. Speaker: I don't either, Councillor Thomas introducing your motion.

Councillor Thomas: Yes, fellow Councillors I could submit reams of documentation to show that you this area in my ward has the greatest need for a community centre of the eleven neighbourhoods which make up my ward. This one has the lowest incomes, the highest number of children, the greatest number of single parent families and the greatest number of children who can least afford to take the bus and those who's families least likely to own a personal vehicle in which to transport their child to other recreational opportunities.

The bottom line is these kids have nowhere else to go and of all the neighbourhoods which I represent, they need recreational options the most. Yes, this area has had problems in maintaining a working board, achieving quorums at the A.G.M. and has had programming which has only been successful in fits and starts. This is in the past. This community is struggling and needs assistance. They need more recreational space, not less. They need programming that encourages children to bond with their community that makes them feel less alienated and dislocated from society and gives them hope.

They need a sanctuary where they can hide with, hang with friends, learn useful coping skills and be made to feel that our own community cares about them, don't abandon these kids. The community has met and created a board and developed some new innovative programming and wishes the opportunity to try and revive Kelvin Community Centre, let them try.

Unfortunately the motion which happened at the last meeting means that the

Greater Council of Winnipeg Community Centre is not talking with them at the moment. A letter that they received from the Mayor suggested that they talk with the Council. They've not been allowed access to meetings and what this will do would be to sanction the board that was elected.

There was over a hundred people from the area, half of whom were not of age 18 so when they said voting members they were the ones that were over the age of 18. So the community, the children, the adults showed up there and wanted the board. The board's been meeting on a weekly basis, they created a number of innovative programs that may not be what the average suburban community centre offers as programs but they're programs that are needed by our kids, inner city community gardening programs, English as a second language programs, I don't know if you're aware but this is where a lot of people who come for immigrant settling end up coming into this community because it's considered a stable community and, but it needs some support in order to maintain its stability because it is got the lowest incomes.

I think the average for this community is 12,000 dollars a year. Yes and 50% of the people in this area on 12,000 dollars a year are owning their own homes so they're struggling to maintain a commitment to their community and while that's laudable, if they lose this centre, some of them will have to, depending on which area of the area of, the area that is now designated for Kelvin, some areas that they would have to walk from to get to the nearest community centre would be five kilometers in order to access that and we're asking young children to cross two major intersections in order to access community and very little alternatives for people in my community if they don't have this.

So I'm asking Council to give this board that emerged after the last meeting of Council that we had an opportunity to try, including giving them an opportunity to meet with the Greater Council of Winnipeg Community Centre. Thanks.

Mr. Speaker: Councillor Wyatt on the motion.

Councillor Wyatt: Thank you, Mr. Speaker. I'm the seconder of the motion that Councillor Thomas is presenting and I definitely sympathize with her position and also the concerns expressed by many of the residents. As a member of the East Kildonan-Transcona Community Committee I was in attendance at the last meeting where many, many residents turned out who were very concerned with what's occurring, who were concerned about the process.

And having said this, Mr. Speaker, I can speak with some experience that our community, the community I represent, Transcona, did go through a closing of two community centres and merging into one and that occurred in the 1980's and I can tell you that the process was very different. The process involved a grounds up, ground up process, the community, the community clubs were involved, the presidents, the executives of both community clubs were involved. The community as a whole was involved and the City Councillor of that day was involved. My father who was on Council at that time and I can tell you that it wasn't that smooth. It didn't go that smoothly.

There were people in the community who did not want it to happen but at the same token Mr. Speaker there were people in the community who saw the net benefit at the end of the day that by the merging of two community clubs they were going to get a better community club to service the community, one where they could pool their resources and that argument at the end of the day won.

The majority of the residents in the community sided with that. There was a minority who did not want to see any change and we know what that's like Councillors. We deal with that on a daily basis with regards to decisions especially with planning decisions where many people do not like to see change. They don't like change whatsoever and in Winnipeg where we've had very slow growth for the last thirty years, change sometimes, especially now as the

economy is quite strong, is difficult for many people to handle and so we do it, we have to do it cautiously but we have to do it methodically and yes, it can be done.

But in this scenario, the Councillor for the area was not involved. She was not involved at the centre of the community which I think is crucial to ensure when it comes to our community clubs. I know that as the Councillor for Transcona, the presidents of the different, the four community clubs that I have call me on a regular basis, ask me questions, asking me for advice. I give them suggestions. I know many of you are in the same positions working with your presidents of your community clubs and that's crucial to have that interaction.

I realize we've created this larger board now and we've given more independence to the greater council and that's fine and I agree at letting them do their job but somewhere along the way and I can, I recall, in the seminars that we had down in the basement here, we were given the assurance that Councillors would be part of the process, that we would be consulted, that we would be an integral part of the process. Somehow that got lost. Like many times it gets lost around here because of the system we have in place which I've talked about many times before. I'm not going to get into today.

But it got lost, and all of a sudden, the Councillor for the area is completely sidetracked, hit from the side, doesn't see anything coming other than this out of the blue, boom, here it is and the community itself. I can say from being from northeast Winnipeg, that of all the communities in northeast Winnipeg, Mr. Speaker, Elmwood and I don't say this, because I have a lot of respect for Elmwood, I have many friends who live there, but Elmwood is probably the poorest neighbourhoods, has some of the poorest neighbourhoods in northeast Winnipeg.

As a matter of fact if you classify them they're probably comparable to some of the neighbourhoods just across the river and so you have many families there who are struggling to make ends meet and many of them Mr. Speaker are the working poor. People who get by owning a house, barely and who do live from paycheque to paycheque, so when over a hundred, when a hundred people turn out at a community committee meeting and say hey wait a minute this is happening too fast, we were not involved, and I ask the question there Mr. Speaker of the residents, more than one, did you receive any sort of notice in the mail. Did you receive any consultation that your community centre was going to be closed because of a lack of participation and the overwhelming answer Mr. Speaker, was no. This caught us completely off guard.

Now I know what the General Council trying to achieve, I think we all now it and we all want to build new facilities. And we know what the goals are and we know the policy adopted by this Council, but we have to realize that when we implement the policies that are having an effect on the ground level where the communities are themselves and there was a way to do this where we could have done this probably a lot simpler.

I hope, Mr. Speaker that we don't push this through here today, that we take a step back. We can take a step back. We can reconsider this and we can think again Mr. Speaker and maybe learn from this process that we don't have to when it comes to closing community centres not ignore the community itself or ignore the community itself. That to me is completely unproductive when we see what's happen now.

I think the Councillor's concerns are genuine and I think anybody in this chamber would feel the same if this was happening to them in their community and would be taking the same position and reacting the same. I realize that part of Council has access to a lot of information and the other part of Council does not have access to that same information and as far as I'm concerned, Mr. Speaker knowledge is power, information is power and when you have access to that information it makes a hell of a lot of difference when it comes to making decisions and getting things done around this chamber.

Sometimes I think there is maybe a lack of acknowledgment in this chamber with records to that reality and I think Councillor Thomas knew what it was like to be on E.P.C. and now knows what it's like not to be on E.P.C. and I can tell you that when these things happen from the top down and they have a direct impact on the community, the Councillor is left in no other position other than to react, rather than to be part of the process leading up to a decision that could have been very productive for the community at the end of the day and seeing the facility and seeing the entire community win. Would the entire community be supportive, no, at the end of the day, no.

My father had signs on the front, people put up signs on the front of their homes saying this house for sale to Reg Wyatt only. People opposing the idea of having a community centre built in their neighbourhood and not wanting to merge but he pushed forward because he knew it was the best thing for the community and the majority of the residents knew it was the best thing for the community and that's what leadership is about.

But right now when you're forced to react like Councillor Thomas is, and East Kildonan – Transcona Community Committee which supported this unanimously, these issues, we have no choice. So Mr. Speaker, I hope this can be reconsidered, I hope the process can be different and I think the resolution here today is very reasonable and that granting an extension does not show that Councillor Thomas I believe is saying that the issue is not forever dead, that the issue of merging community clubs can be done but it has to be done from the ground up and from a grass roots basis and I think that's quite a reasonable approach to take.

She is not just saying no, no, no. She's saying yes, we, let's work together and make something happen here and that's why I seconded this motion and that why I'm speaking today. So, I'll be supporting this and I encourage all Councillors. I realize E.P.C., we have the direction, you have a direction, you make a decision and there's solidarity there but sometimes it's not wrong just to take a step back and say hey, I realize what the Mayor said earlier, sometimes you know you have to make the tough decisions and when everybody doesn't want to make a tough decision, sometimes we want to delay.

In this case, this is involving a community that is showing a lot of interest and energy in a community that is very much and I don't say this again with disregard to them, very much marginalized economically in our city and when they show up, a hundred people to dedicate themselves to their community club, I think that speaks well of the community itself. So those are my comments, Mr. Speaker thank you.

Mr. Speaker: Thank you. Councillor Lubosch on the clause or on the motion I mean.

Councillor Lubosch: Yes thank you Mr. Speaker, I just wanted to lend my support to Councillor Thomas and Wyatt as the third East Kildonan – Transcona Community Committee member. I had the privilege of chairing the meeting and saw the delegation out en masse to support Kelvin and I think sometimes its just human nature, Mr. Speaker, when we have something in our midst for many, many years we sometimes take these things for granted.

In some cases of people, until they're forced with a critical situation, don't take the time to organize themselves or to put their best creative thoughts together on how to solve a problem or dilemma and I think that's been the case here with Kelvin. We've had this community centre in our city-wide portfolio for many, many years, the people in the community know it's there but until there was the impending threat of losing it, I think people may have taken it for granted and certainly they don't take it for granted any more.

And having it front and centre as a media issue and as an agenda item issue here today only serves to heighten the interest in the facility and in the organization's potential. The delegation that we received at our last Community Committee

meeting talked about developing a variety of different programs, including sport but also including community health and wellness and safety related kinds of programs, which I believe would really benefit, not just the Elmwood community but any community that had that kind of grass roots citizen involvement. And I think at this point considering it's been part of our community centre portfolio for so many years, it certainly hasn't again threatened to break the bank or threatened to drive a property tax increase.

In fact, had we not involved the community centre council and done some in-depth study with our administration and the consultants we hired to determine what the status of our assets was, we probably wouldn't even be talking about it today. But it's because we've done some research and some of it under a microscope to determine how these public assets are doing and how they're best serving the community and because we've challenged the Kelvin community, the people who live and work around the community centre to come up with some new ideas, some creative ideas on how to keep that community centre going. I think we see the evidence of that now and although it's early in the process to determine how successful it will be, I'm prepared to give it a second opportunity.

I can tell you that the experience that I've had with working with the Bronx Park Community Centre, another one that was not in the same, in the same condition as Kelvin in terms of membership and programs and facilities but certainly one that was becoming a growing concern, the involvement of Bronx Park and the Good Neighbour Senior Centre, the largest senior centre in Manitoba has evolved into an opportunity now to create a brand new community centre one that will be leading edge and completely integrated and provide programming for all generations from the cradle, to the child, the adolescent, the young adult and the senior.

And it wouldn't have happened if neighbours and citizens wouldn't have gotten together to determine what they need and how to best go about delivering those kind of services to their community and Councillor Thomas has been a part of that experience. We have worked co-operatively with both those organizations as the Good Neighbour Seniors reside in her ward and I know that she's going to draw upon that experience to try and develop the kind of energy and synergy and opportunities for making Kelvin regenerate itself.

And for those reasons I encourage all Members of Council to give that community another opportunity to revive their community centre and help it go to work for them and provide the kinds of programs and amenities that are important to the people of Elmwood. Thank you very much Mr. Speaker.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you, Mr. Speaker. Just for clarification I understand that what we have here is we're just having the opportunity to discuss it we're not actually going to vote on this particular motion.

Mr. Speaker: It's a votable motion Councillor.

Councillor Swandel: Pardon me.

Mr. Speaker: It's a votable motion, we will be voting on it.

Councillor Swandel: It is a votable motion, okay. Well just in general I'm supportive of Councillor Thomas in this particular case and I don't have a great deal of knowledge in this area and I think on its face, the motion, the way it is written is very difficult to support. It takes us so far down a road away from what the G.C.W.C.C process had done that I'm reluctant to support this particular motion.

I would support referral back with some, to ring and to provide us with some more information and I'll wait and hear some of the conversation from the rest of my colleagues but I know that this area has a great need for programming and opportunities for children as alternative to some of the other negative impacts that

exist in an inner city community like this. And I'm reluctant to just kill it here today. At the same time I don't like the way the motion is put here and the way it's worded. So I'm going to hope that somebody can provide me with some wisdom and direction and maybe a way of getting this back into a process where something more can come back to us so we can assist Councillor Thomas in what appears to be a very, well it probably is an opportunity, if you have a hundred people there that are willing to look at doing something there, there may be some opportunity to be had here.

Mr. Speaker: Okay. Unless, Councillor Steeves is next unless there's going to be a referral motion. Excuse me, please. I'd like to suggest we call it twelve o'clock because there's other speakers who wish to speak and I'd rather deal with this, if there is no, three others at least. So do you want to call at twelve o'clock and we'll pick up.

Councillor Gerbasi: Mr. Speaker, point of order. I was asking to rise to move an order of referral but I don't know if that,

Mr. Speaker: No you've already spoken to the motion.

Councillor Gerbasi: No I haven't Mr. Speaker.

Mr. Speaker: Yes, oh, no you haven't, I'm sorry. No, you haven't but then I'd have to take you in your turn, there's others who wish to speak. So, let's call it twelve o'clock and we'll resume at 1:30 with Councillor Steeves on deck.

Reconvened meeting of Winnipeg City Council of September 27, 2006 at 1:30 p.m.

Mr. Speaker: We'll invite the birthday boy, Councillor Steeves to give us his words of wisdom, please.

Councillor Steeves: There you go. Bravo. You know I'll be very brief, Mr. Speaker. I now this is, oh this has gone on for a long time. I'll just make a few general comments and I don't know where Council wants to go with this because I'm getting a different sense from people. This has been a difficult one as we roll through this. Here's my concerns about this. The G.C.W.C.C has been going through this process in a myriad of places all around the city as we know. Some places more successful, some places less successful. For example in St. Vital I know with Norberry and Glenlee Community Centres there was an amalgamation plan that was worked out.

Now, the difficulty here is that it does really seem that there is a group of people who for whatever reasons, rather late in the day, have come forward and seem genuinely interested in trying to make this work or trying to, I guess figure out some methods of advancement on this issue.

So, having said all of that, I don't really like being in the position of being the guy to have to stand up and says, say, this is all the stuff that's happened with Kelvin Community Centre that kind of have landed us in this position. That's a bad spot for me to be in because I have nothing against Kelvin Community Centre and Lord knows I have nothing against the people that are now trying to take different steps, with respect to Kelvin Community Centre.

I feel compelled to say a couple of things, though, I guess. There's a formulaic ranking that the G.C.W.C.C. goes through and my understanding is that after that formulaic ranking, this particular community centre finished 70th out of 71 community centres and I'm not an expert on the ranking system and how that works but that was the process that was gone through. There was also some issues with this community centre in the past in that they hadn't been able to meet quorum, this was some years ago and of course as probably everyone is aware now, we went to I guess in January it might have been, there was no quorum at the community centre, there was, it was put over from January until April, another meeting was called and again quorum was not met. So the community centre has been, I guess, listing without any real direction.

We had Marlene and Mel come and speak at the Executive Policy Committee and obviously many of us were there and some members not of E.P.C. were actually in attendance at the meeting. I do feel compelled to say that there's been some suggestion that there was no communication throughout that process. I wasn't part of the communication, but I think in fairness, I should relate to Council that Marlene Hamel presented a pretty extensive list of communications and discussions with people, including the area Councillor.

Now, I'm not obviously privy to those conversations and I'm not privy to any communications, I'm just not part of them, I don't want to get into a she says she says but I think out of an abundance of fairness and out of an abundance of caution because she's not here to defend herself, nor is Steve Bemrose, that the G.C.W.C.C. is taken the position that there was ample communication and again it's a difficult situation when some people are saying one thing and other people are saying another thing, but I think both sides have to be fairly represented.

I don't know what happened in the ward of Elmwood when as Councillor Thomas had stated she wasn't aware of the situation at E.P.C., she stated she wasn't aware of the situation at Kelvin and when there was no quorum achieved at April that it was a surprise to her. I don't know what went into that and how that can particularly happen in a ward and I guess I don't particularly care. It should also be said, Mr. Speaker, that with the abundant communications, there was no existing board and Marlene Hamel did communicate to Executive Policy Committee that for the longest time, the employee of the centre was the person who was doing the little communication that actually was happening between the centre itself and between the G.C.W.C.C. because there's reporting obligations and all those sorts of things.

So, I really, really want to step in here and at the very least protect the G.C.W.C.C. and the process that they have been running. I think best case scenario here, maybe worst case scenario is that G.C.W.C.C. was doing the best they could to communicate with an entity that really didn't to any great extent exist. I think we have to, to a certain measure, kind of feel that pain. Sure, we can't look at it in the context of a large group coming forward right now because that group did not exist at the relevant time. So, what concerns me about this is that future Councils as we move forward on this are going to be saddled with this type of situation every single time that we go through this. And again who knows, maybe we want to take a different look at this, I'm not sure where Council is going on this but, we have to remember that overall, globally, I think everybody in this chamber adopted and accepted the idea that what we're going do with our community centres and we're going to move from one model to another model.

The old model of the sort of tiny little community centres with the one hockey pen, to I guess accumulating some of those resources and incidentally, Mr. Speaker, not just financial resources. People in the community can put their efforts into any community centre. It doesn't have to be one particular community centre. If there's hundreds of people who want to work on this particular community centre, then maybe they can work on the community centre up the road at Chalmers Community Centre which I understand is about a kilometer away.

So, you know, we've got ourselves in a bit of a spot here and it's difficult because we're guess and I feel like a bit of the bad guy here because I'm trying to support the G.C.W.C.C. and the process that they're putting forward and the ideas that they're espousing on our behalf. I feel a little bit like, the, I guess the master who's saying okay go and do this job for us and as soon as they go and do this job for us, then, I mean we sort of balk and I wouldn't be saying that were it not for the fact that probably, every time we have to make a hard decision in this area, then we're likely going to face this scenario, Mr. Speaker, to some greater or lesser extent and if we want to continue to look at this and maybe we do, I just want to

remember, people to remember that at some stage we're going to have to crystallize or whoever is going to be sitting around this table is going to have to crystallize and accept the idea that we're going to be going in a different direction.

Maybe there is some particular, maybe there is some particularities of this particular case that might require us to continue to look at this one I guess specifically but I'm hoping that over time as we chip away at this and chip away at this and chip away at this, that we don't lose sight of the grander goal and the grander vision of somewhat changing the way we administer our community centres here in the City of Winnipeg because I think it's a worthy goal and I think we've got folks out there who are working hard on our behalf to do it.

Mr. Speaker: Mayor Katz on the motion.

Mayor Katz: Thank you, Mr. Speaker. Mr. Speaker I would like to move referral.

Mr. Speaker: To E.P.C.?

Mayor Katz: Yes, to E.P.C.

Mr. Speaker: Okay, did you wish to explain.

Mayor Katz: Very much so, Mr. Speaker. I don't want to be redundant because I believe that Councillor Steeves was very eloquent in what he said, and I certainly don't want to undermine the G.C.W.C.C. in any way, shape or form.

I believe that what they're doing is exactly what we asked them to do and they're doing it for the right reason. Community Centres only close if there is voluntary amalgamation or if there is no longer a volunteer base. This was the situation and I do want to reiterate and I thank Councillor Steeves for pointing it out that according to the G.C.W.C.C. there was constant communication so that the Councillor and everybody else knew what was going on.

But that really isn't the issue. The real issue is the people in the ward and the children and I can tell you Mr. Speaker, that I'm aware of the fact as we sit here right now, in Council, that a meeting has been set up between the G.C.W.C.C. and I believe the name is Regan Wolfran if I'm not mistaken and based on that meeting taking place and the G.C.W.C.C dealing with it I think we should definitely refer and wait for them to come back to us and see if there is some valid arguments for them to change their recommendation and if these volunteers are there for a long time, I can tell you Mr. Speaker, I cannot support this motion the way it is written, as well as I've spoken to these individuals for at least a couple of hours, they once told me they wanted a year, now it's three. I asked that question. I know they also lost some of their playground equipment which was taken out, swings which was almost immediately replaced by City Hall standards.

I believe we're all trying to do the right thing, but I think we should make sure that the G.C.W.C.C. has their meeting, sees what they see, and make their recommendation. If they're consistent that's one thing, if they decide to change then we can act upon it from that point in time but that would be my recommendation. Thank you, Mr. Speaker.

Mr. Speaker: Mayor Katz has moved that this motion be referred to Executive Policy Committee. It's without instructions and non-debatable. You can only speak if you're against the motion to refer Councillor. Are you against the motion to refer?

Councillor Thomas: Well.

Mr. Speaker: Yes or no.

Councillor Thomas: Well I need clarification.

Mr. Speaker: It's a motion to refer Councillor, it's that simple.

Councillor Thomas: Yes but I need clarification as to what this motion will, to refer will mean because the Mayor's letter to the community groups stated that they talked to the Greater Council of Winnipeg

Community Centres and until this moment they had being saying that they wanted direction from Council in order to meet. I don't want this community centre to be closed without the community having an opportunity to show that they can, that they can do something here.

So I'm not clear as to what a referral will accomplish. So I need to know if the programming that has been started by this volunteer group will be allowed to continue in the interim? I need to know that.

Mr. Speaker: Councillor it's a motion to refer this back, a decision was made by Council in July that according to the Mayor there is a meeting going on imminently between general council and this community group and out of that is going to come a resolution one way or the other. This motion has to, because if a referral carries it has to be reported back to Council one way or another within sixty of our sitting days, so what happens in the interim I'm sure the C.A.O. is going to take that under advisement.

On the motion to refer, all in favour, opposed? That motion is carried. The motion is referred to Executive Policy Committee. Bylaws Mayor Katz.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: Thank you Mr. Speaker, I'll move that the following By-law No. 214/2005 be read a third time.

Mr. Speaker: And that same be passed and ordered to be signed and sealed. All in favour, opposed? That's carried. Additional by-laws Mayor Katz.

Mayor Katz: Thank you Mr. Speaker, I'll move that the following By-laws be read a first time, By-laws No. 206/2006, 224/2006 and 225/2006.

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

Clerk: By-laws No. 206/2006, 224/2006 and 225/2006.

Mayor Katz: Mr. Speaker, I'll move that By-laws No. 206/2006, 224/2006 and 225/2006 be read a second time.

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

Clerk: By-laws No. 206/2006, 224/2006 and 225/2006.

Mayor Katz: Mr. Speaker, I'll move that the rule be suspended and By-laws No. 206/2006, 224/2006 and 225/2006 be read a third time, and that same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour, opposed? That's carried. There are no supplementary by-laws. Mr. Clerk there are no additional by-laws? No. Executive Committee question period, Councillor Smith, Councillor Wyatt.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Councillor Smith: Yes, Mr. Mayor, there are over 9 million dollars in unpaid parking tickets that have been accumulated over the years, what is your administration doing to get these parking tickets paid into the city so we have the 9 million dollars.

Mayor Katz: Mr. Speaker, I thank Councillor Smith for that question. I actually thought it was our administration, but I guess it's my administration now and if I'm not mistaken, I believe that Councillor Smith is on the Standing Committee for Protection and Community Services, so maybe we should be asking him that question. But, it's apparent that there's a significant amount of outstanding tickets, a significant amount of revenue and I believe they are pursuing all avenues to collect those monies but as a result of that question, I will enquire myself to find an answer and I'll be happy to get back to Councillor Smith.

Mr. Speaker: Okay, do you have a supplementary Councillor Smith.

Councillor Smith: I'm wondering when, my question is how much do you think we can recover of all those parking fines. What percentage?

Mayor Katz: Well realistically speaking Mr. Speaker, with the tools that we have and assuming all those monies are owing, you know we could collect the vast majority, it all depends what tools we give to our administration to use to collect them.

Mr. Speaker: Your final supplementary Councillor, no. Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. The other day, yesterday I think it was, the provincial government announced 50 million dollars over two years, according to the Free Press with regards to a new infrastructure, with regards to infrastructure dollars, to be coming back to the City of Winnipeg over two years. With our existing capital budget approximately 58 million dollars for roads and bridges is spent, goes up from 55 to 60 thereabouts, with the federal gas tax, I calculate 39 million dollars a year after 5 years will be flowing to the city and then now according to the Free Press the province will be setting extra funding at another 38 million, I believe it was quoted from there on in extra provincial funding. I add that up, it comes to about 135 million dollars in infrastructure. Assuming that we're spending this all on existing infrastructure, renewing infrastructure, our own administration indicated that we still have a shortfall of anywhere from 45 to 65 million dollars based on our current infrastructure needs. I guess the first question, Your Worship is, are we going to be spending these dollars on, largely or are we going to be spending them all on fixing existing infrastructure or are we going to be splitting this money up between new infrastructure and existing infrastructure needs, because of our existing infrastructure needs.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker I thank Councillor Wyatt for the question. I believe the numbers that you quoted are accurate. For this 50 dollars, 50 million dollars of new money in two years you can extrapolate that, we could actually get approximately 137 million dollars over five years, this should be ongoing is the plan. What I will say is what I specifically said to the media when asked a similar question, this money could be used for fixing our existing infrastructure, it could also be used for new capital project and what I said then and I'll repeat right now is that I would leave that up to the Director of Public Works, Bill Larkin, I believe they are the experts to decide where the priorities are and I certainly will support whatever they believe to be those priorities.

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

Councillor Wyatt: In light of the shortfall that we're still experiencing of 45 - 65 million dollars with regards to existing infrastructure, what initiatives are there to develop some sort of action plan around that to face this existing challenge that we have.

Mayor Katz: Mr. Speaker, as Councillor Wyatt would be aware of, just recently we were able to, I guess we were successful in convincing the federal government that we need a made in Winnipeg solution to the gas tax and in the end we were successful and those monies now that are collected at the gas pumps are going to fix our streets here in our city. We now have the provincial government coming on board with a plan and I can tell Councillor Wyatt that at the Big City Mayor's Caucasus meeting last week in Toronto we also agreed to go back to the federal government. The gas tax deal is only a five year commitment, we want to make that long term as well. I believe the commitment from the provincial government would be long term and I also believe that we still have to formulate a plan at City Hall for us to make some contribution as well. We may need to do some, find some creative ways of making a contribution as well, but keep something in mind, although there is still a shortfall, is much less than what it was a year and a half ago. I would call that major progress, Mr. Speaker and I can tell you that Bill Larkin was ecstatically eager at

the news because he thought we could make some real headway now with these new monies.

Mr. Speaker: Final supplementary Councillor Wyatt.

Councillor Wyatt: I agree the progress at glass is half full, there's no doubt about it, so, my last question Mr. Speaker is in your many negotiations and talks with the Premier, has the Premier at any point offered any funds with regards to provincial funding for rapid transit and for example dedicated bus corridors.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker, I thank Councillor Wyatt for that question. In the many dialogues I've had with the Premier, we've actually talked about more funding for transit, as you probably are aware of, transit funding was frozen for about, I don't now might have been eighteen years Mr. Speaker, I'm not sure of the exact number. We did get a small increase last year and a small increase the year before. I believe that the Premier is looking towards an increase in our transit although we'd like to get it to 50/50 immediately. I don't see that happening, but I do see a larger contribution. I can tell you we also spoke with representatives of the federal government as far as rapid transit and I believe that they're looking at potential funding for rapid transit for all municipalities, actually a transit plan for the entire country. I mean we are one that doesn't have one for some reason or another and working towards that as well. So, I believe that you will see funding come forward; unfortunately I can't tell you the exact amount. I can also tell you that the Premier and myself are also working with the federal government on some new infrastructure funding and hopefully that will unveil in the very, very near future.

Mr. Speaker: Councillor Benham you have a question.

Councillor Benham: Thank you Mr. Speaker and as a follow to Councillor Wyatt's questions and so in addition to the, with the 50 million dollars that was announced yesterday, will that be divided up, this may have been answered by the Mayor on a previous question but it wasn't clear to me, will it be divided up among wards the way the current residential street budget is divided up.

Mr. Speaker: Mayor Katz.

Mayor Katz: Thank you Councillor Benham. I do not, I do not have the answer to that Mr. Speaker, the only answer that I can give Councillor Benham is for these new monies, you know it's, I believe what we did this time when we got the gas tax, the administration, the department was made aware of here are the monies and they listed their priorities, what they felt was best for the City of Winnipeg. I would have assumed the same would take place. I can't tell you that is the case, but that would have been my understanding, as you know there could be a large project in one part of the city that has to be done where as they may not be something needed. Roads and bridges have to be repaired throughout the City of Winnipeg, so I cannot give a specific detail answer to that question, but I'm happy to look into it.

Mr. Speaker: Supplementary Councillor.

Councillor Benham: Thank you Mr. Speaker and I appreciate the Mayor's answer and that's, I look forward to further information from him. I'm also wondering given that industrial, that roads in our industrial parks don't fall under the residential street package or the collector regional street package and therefore have really fallen into even greater disrepair, could it be possible to designate some of this money for roadwork in industrial parks.

Mr. Speaker: Mayor Katz.

Mayor Katz: It most certainly could be possible and as a matter of fact as a result of Councillor Benham bringing that up, I'll make sure that that is mentioned.

Mr. Speaker: Final supplementary. No, Councillor Steeves I believe you are.

Councillor Steeves: Thank you Mr. Speaker. During the OlyWest debate we

had a couple of times here; we were offered the assurance from Members of Council that us considering that issue would guarantee the economic death of the St. Boniface Industrial Park. I'm just wondering if there's been any update on development in St. Boniface Industrial Park the Mayor could offer to us.

Mr. Speaker: Mayor Katz.

Mayor Katz: Mr. Speaker, I don't know whether Council, all of Council is aware of the fact that during the lunch break, I just came back from St. Boniface Industrial Park and the announcement that was made was that a Fortune 500 company FedEx is building a 5 million dollar plant on 6.53 acres, approximately a hundred jobs will be created. I think it just goes to prove that businesses are coming to our city, not leaving, that jobs are coming to our city, not leaving and I think it's a very positive sign, there's no question I want to make sure that all businesses, whether it's Fortune 500 or not are aware of the fact that our city is open to business. If we want to be a city of opportunity, we have to make sure that there are quality jobs available for our young people when they graduate from U of M, U of W, St. Boniface College, Red River Community College, it makes no difference, but the whole idea is to make sure they have an opportunity to make a life not just a living. I would say what took place today was wonderful news for our city as well as for the St. Boniface Industrial Park, contrary to what some people may have expressed in the past.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thanks. Well I don't have a cue card to read my question off, so I guess I'll just, just joking, thank you, I never got cue cards back then. Thank you Mr. Speaker, my question is back to the press release with the infrastructure funding from the province which of course we're all glad to receive that funding. When I read the press release, it said in there, I thought I read that it said for streets and for transit and I'm wondering if the Mayor has any inkling of, that's what I thought I read in the press release so if I read it inaccurately, I'd like to have that clarified.

Mr. Speaker: Mayor Katz.

Mayor Katz: I don't, Mr. Speaker, I don't want to assume for a moment that the Councillor read it inaccurately, but I certainly would share what it was. It basically talked about streets and bicycle paths. We're talking about pathways and there would be money available for that as well, Mr. Speaker.

Mr. Speaker: Okay, do you have a supplementary.

Councillor Gerbasi: So does that mean that it's not an option to use it for transit, that the province doesn't want that, or that, or that it's just something that's left open, just to be clear.

Mr. Speaker: Mayor Katz.

Mayor Katz: What the Premier has specifically said is this money is for our infrastructure for roads and bridges. I believe in the near future you will see another announcement as far as funding for transit, maybe that's where the confusion was.

Mr. Speaker: Final Supplementary.

Councillor Gerbasi: Will the Mayor endeavor to convince the province that transit in terms of not just operating funding which we all agree we need, but infrastructure for transit subsequent so we can implement the rapid transit task force which we accepted, will the Mayor actually ask the province to contribute that the way the federal government has contributed money to transit infrastructure.

Mayor Katz: Mr. Speaker I would be happy to lobby the Premier just as I have for more operating money for transit. I can also share with the Councillor that I think the Premier wanted to wait to see what the federal government was going to do first and I would have no problem doing that lobbying, my pleasure.

Mr. Speaker: Okay, anyone else, then the report of the Standing Policy Committee on Protection and Community Services, Councillor Steeves.

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

Councillor Steeves: Thank you Mr. Speaker regarding the report of July 10, 2006, I would like to introduce the report and move adoption of the consent agenda Item number 2, Community Incentive Grant, Glenelm Children's Centre.

Mr. Speaker: Executive Policy recommendation, any discussion? All in favour, opposed? That's carried. The report of September 11th, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED SEPTEMBER 11, 2006

Councillor Steeves: Thank you Mr. Speaker regarding the report of September 11, 2006, I would like to introduce the report and move adoption of the consent agenda items number 1 and 2.

Mr. Speaker: All in favour, opposed? That's carried. There are no motions. Any questions for Protection and Community Services? If not, we go to the Committee on Infrastructure Renewal and Public Works. Councillor Smith you now have a question for your chair.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES QUESTION PERIOD

Councillor Smith: Mr. Steeves, Councillor Steeves, Dr. Steeves, you know the Police Broadway Community Service Station is closed many a time, people are taken out, I'm asking you why are we not manning that station everyday from regular hours or maybe even in the evening.

Councillor Steeves: Actually Mr. Speaker, I can endeavour to get the specific, I'm not familiar with the exact hours at this particular location, I can tell you generally that our community offices, I know the one in St. Vital operates on a I guess a bit of spotty schedule, sometimes it's dependent on calls, sometimes it's dependent on staffing, that's always been the way it works in St. Vital. Without again getting into the details of this particular station, it's really a question of priority I suppose, sometimes we're drawing people out because of other priorities and sometimes it's more people available at particular times of the year and particular shifts to staff these particular offices. I will endeavour to get specific answers with respect to this particular location, but generally speaking I think all of us who have these offices in our wards know this is the way that they operate.

Mr. Speaker: Anyone else. No. Okay, the Committee on Infrastructure Renewal and Public Works for September 12, Councillor Clement.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED SEPTEMBER 12, 2006

Councillor Clement: Yes thank you Mr. Speaker. I'm pleased to move the consent agenda for the minutes of September 12th for the Public Works Committee and I'll move items 1 through 6 as consent.

Mr. Speaker: With the exception of 4 which, okay 4 has to come off.

Councillor Clement: Yes, 4 has to come off.

Mr. Speaker: So Councillor Clement has moved 1, 2, 3, 5 and 6. Six, any others? Councillor Clement moves 1, 2, 3 and 5 be adopted by consent, all in favour, opposed? Carried. We'll go to clause 4.

Item 4 - Autobin Collection Frequency File WT-1.3

Councillor Clement: I'll move the..

Mr. Speaker: That's the Executive Policy Committee recommendation.

Councillor Clement: And I'll move the E.P.C. recommendation.

Mr. Speaker: Yes, did you wish to speak to it Councillor?

Councillor Clement: No, I'll close; I'll wait and see what's new.

Mr. Speaker: Okay, any discussion? Was it Councillor Gerbasi on clause 4?

Councillor Gerbasi: Okay, thank you, Mr. Speaker. This was a Council motion that was referred back, moved by Councillor Smith and myself and I have spoken to the Public Works Committee and to Executive Policy Committee about this issue and I haven't seemed to have gotten much of a response which is kind of disappointing. But I'm hoping today at least I can put these comments on the record and I hope that Councillors will listen because this is an important issue for the residents who have autobins.

It's an issue that not every Councillor has to deal with because only a few of us have areas that have autobins. However, each of us here represents the whole city and has a responsibility to provide every citizen with a reasonable level of service.

In the West Broadway area where I represent, the problem of overflowing bins sometimes not being picked up for weeks at a time has been a huge issue over the last year. In fact, this spring at a large community meeting, was called together out of concern when one of our affordable housing projects actually burned down and there was a large number of incidents of garbage bin fires and people were starting to get scared that we were going back to the days of the arson crisis which we do not want to return to.

At that meeting a member of the city's arson task force was present and he stated to the group and to the media and repeatedly, that he felt that it was very important that these bins were kept empty and emptied on a regular basis. Following these comments in the media, the head of the solid waste division you know said publicly as well that these things were going to be done, that the garbage would be picked up and there was some improvement at that time.

And I'm aware that they're sort of temporarily picking it up more but the problem is that there's no clear policy in place to ensure this will continue and if we don't budget for a regular seven day pickup, I'm very concerned that the situation will revert back to what it was earlier this year, with overflowing bins and increasing number of arson fires and I think we need to be proactive with these kinds of issues.

We all know that budget restraints will arise in the future especially when we're planning business tax cuts and all kinds of things that people are promising. And I think that it's just very important to plan properly to provide this level of service that is needed. There's other issues that complicate this matter, such as illegal dumping.

Now, we're all aware there has been some action taken on the front of illegal dumping but that is a difficult problem to just wipe out. It's hard to enforce. It's hard to get things to court and to actually deal with them. So in the meantime, as we're trying to deal with that issue, the answer to preventing arson and keeping our neighbourhoods clean isn't really that complicated.

Start by picking up the garbage on a regular scheduled basis and make that policy and budget for it. That's what we're asking. You can't expect also the private companies to do it for free. It obviously has to be part of the contracts. So this needs to be adjusted and if somebody has a problem with the wording of the motion or something like that, I explained when I spoke to all the other committees that however you want to do it, let the administration have a look at it and come back with some solutions for us so we don't slip back into the old problems of the past. So thank you, Mr. Speaker.

Mr. Speaker: Thank you. Councillor Smith on the clause, please.

Councillor Smith: Yes. I don't support the Executive Policy Committee recommendation because over the last year we've had incredible problems with garbage. Around the bins and like, we appear before committees and I took 65 pictures, gave them to the C.E.O., the head of the health department, look it, you go down these lanes and you'll see rubbish around the bins. They're overflowing much of the time.

Now let me make it clear. Things have improved. With all this activity, by Councillors, things have improved. But, I'm afraid it's going to back to the way it was, with no definite policy decision. It's important that every aspect of our city be clean. I guess I'm also speaking on behalf of Councillor Pagtakhan, because he has the same problems in his ward. And let me tell you this, you talk to those people; they say how come we can't have garbage pick up? Why can't we have this service? We pay taxes too. It's about time we address this problem and we should not be supporting the Executive Policy Committee recommendation.

Mr. Speaker: Thank you. Any further discussion on the clause? Councillor Clement closing.

Councillor Clement: Thank you, Mr. Speaker. This is I think the second time that this motion has been before us, and both times it's come out of our committee, I guess as a tie vote and then on to Council.

The problem with this issue is that, to do what this motion states and I'm speaking now I guess for the department who administers it. Their view is that if we did what this say that is we would actually be taking a step backwards not forwards. Currently the autobins, although it's not policy and I've heard that word a couple of times, the autobins are in fact being collected on a weekly basis, those that are full. In fact, some of them are being collected more than once a week.

If we passed what this says, then all the autobins would be picked up once a week. The trouble is right now, because we don't have a policy that's explicit like that, what's happening is that there are a significant number of autobins throughout these wards that are being collected more than once a week and what's going to happen is if we do what this says they're going to get collected once and we're going to have a bigger problem than what we've got now and I can see somebody shaking his head over there but that's the same Councillor by the way that shared with me that he had this huge problem, and when I checked with the people in the department at that particular time, they had had one complaint in recent time.

They had been all over this thing and it had been changed. There was an issue when there was a changeover; everybody understands that, there was a problem there and no point getting into who thinks what the problem might have been and all that other kind of stuff. There was an issue when it became a contracted initiative. But that got cleared up fairly quickly and some of it even was related to snow at that time, it wasn't all to do with just the contract itself.

But I've spoken to Dan McInnis, I've talked to him on more than one occasion about this and the problem is that if they are, if we do it like this, then what's going to happen is that some of the bins that they're currently not picking up on a weekly basis because they're not full and that's the way they've been treated all along, instead of picking up the bins that aren't required to be picked up, they're going back and empting others for the second time that same week and he feels that that's a better use of our budgeted money in this regard, it's a better use of the way the contract is laid out and that's exactly what I reported here the last time when Council voted on it the last time.

So I'm not sure that anything has changed, in fact I know for a fact nothing has changed because I've talked to him again and that's exactly what they're doing. They're picking up some of them more than once and some of them they're leaving until they're full and that's the problem and if we go the other way and we pick them up no matter what, then some of them are going to be sitting there and then we are going to have an arson

problem because some of them aren't going to be picked up as regularly as they need to be, Mr. Speaker.

So that's the other side of this issue. I appreciate that this is an issue for some Councillors who get questions about this type of thing, but that is the answer that I'm getting from the administration and it appears to make sense based on all of the facts that I've heard, Mr. Speaker.

Mr. Speaker: Debate is closed on the clause. All in favour? A recorded vote? Okay. All in favour of the recommendation, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

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

Nays

Councillors Lazarenko, Benham, Gerbasi, Lubosch, Smith, Thomas.

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

Mr. Speaker: The clause is carried.

Councillor Steeves: A point of order Mr. Speaker, I didn't think we were allowed to talk about autobins without Councillor Lazarenko making a speech about it.

Mr. Speaker: We don't want to encourage him Councillor. Clause number 6.

Item 6 - Street upgrades and infrastructure improvements to Dugald and Plessis Road - St. Boniface Industrial Park File SC

Mr. Speaker: Councillor Clement did you want to introduce the clause please.

Councillor Clement: Yes well I will, I think it's reasonably straightforward if you've read it and I'm not sure what Councillor Wyatt wants to raise exactly but I'll wait to hear him and then I can, I'll try and respond as best I can.

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

Councillor Wyatt: Yes, Mr. Speaker. I'd like to move a motion to refer back to committee without instructions.

Mr. Speaker: Moving that the clause be referred back to committee, okay. You can take three minutes to explain why.

Councillor Wyatt: Sure. I think it's fairly straightforward if you read the report. There's a lot of information they're pulling together that our administration's point of edit, has yet to be done. I think it's quite timely to refer this back to committee so that we do have a report.

The intent of the motion was at the time, we had the OlyWest debate and then we have the Public Works yard now being located in the St. Boniface Industrial Park yards and the concern was that the existing infrastructure was not adequate, it's the existing infrastructure, is in terrible condition as well the existing roads are inadequate with what we're doing and I heard the news today, I was for coffee but was I was listening in my other ear, heard the news regarding the Fortune 500 company coming to the industrial park.

I'm not sure what they do but clearly the industrial park is growing, and there is a need for us to revisit this. So I would encourage Council to support a motion or if for, if you actually read the report, it does refer to the fact that you know, OlyWest is doing their own, through Earth Tech, doing their own traffic study, the administration is doing their own traffic study with regards to Public Works yard, now with the Fortune 500, I don't understand why you know and this isn't meant as a criticism but why the administration can't co-ordinate all of this and do one study instead of all these different groups doing all these different studies, bring it all together and come back with recommendations with regards to what the infrastructure needs are in this area.

That's why we have at least, what I thought we have, we have these high paid engineers on staff to do these sorts of things and so I would hope that we can bring this back with a comprehensive approach, Mr. Speaker.

East Winnipeg has a lot of industrial growth as we can see and new housing development which of course is also impacting the use of these roads. So I would encourage Council to support the referral back to the committee. I realize that this is a Council motion and that we have a time frame for reporting back. I'm willing to give extensions in the future you know, in light of the fact that it might take some time to pull this information together. So, that's my thoughts on it, Mr. Speaker.

Mr. Speaker: Thank you. Councillor Clement if you wish to speak against the referral you can do so; otherwise, do you wish to speak against the referral?

Councillor Clement: I wasn't necessary going to speak against it. I was, are you aware, Mr. Speaker, that, well it's kind of hard because I don't really have a problem with this, but I'd like to explain why if I could have.

Mr. Speaker: Well no, really. It's non-debatable, motion to refer without instruction is non-debatable, the Chair of the committee can speak against the referral but I'd rather play with it straight. So, Councillor Wyatt has moved

Councillor Clement: I think it's redundant either way.

Mr. Speaker: Councillor Wyatt has moved this clause be referred back to the Standing Committee. All in favour, opposed? That's carried. Any questions for Infrastructure Renewal, seeing none, we go to the Standing Committee on Fiscal Issues, Councillor O'Shaughnessy.

REPORT OF THE STANDING COMMITTEE ON FISCAL ISSUES DATED SEPTEMBER 12, 2006

Councillor O'Shaughnessy: Thank you, Mr. Speaker; it's my pleasure to introduce the report of the Standing Committee on Fiscal Issues for September 12 to move the adoption of the consent agenda.

Mr. Speaker: Clause one, all in favour, opposed? That's carried. There are no motions, any questions for Fiscal Issues? Seeing none, we go to the Committee on Downtown Development, report of September 5, 2006.

REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT DATED SEPTEMBER 5, 2006

Councillor Magnifico: Thank you Mr. Speaker. I would like to introduce the report for September 5th and move adoption of the consent agenda item number 1.

Mr. Speaker: Mayor Katz on a point of order.

Mayor Katz: Thank you very much Mr. Speaker. Mr. Speaker, I would like to recluse myself. I own shares in a company that own shares in a baseball team called the Winnipeg Goldeyes. I would ask to be recluse for this matter, please.

Mr. Speaker: Under the conflict of interest act, okay. On clause 1 Councillor Magnifico did you wish to introduce the clause?

Councillor Magnifico: Yes I will introduce the report and move adoption of consent agenda number 1.

Councillor Gerbasi: I would ask that it would be stood down.

Mr. Speaker: It is, so did you wish to introduce it Councillor? Do you have anything to say?

Councillor Magnifico: No, let's find out what the problem is and we'll take it from there.

Mr. Speaker: Okay. Councillor Gerbasi.

Item 1 - CanWest Global Park - Riverside Park Management Inc. request to Lease a portion of Parcel 1 - (Portion B) for parking purposes File FI-2.2(32)

Councillor Gerbasi: Okay, thank you, Mr. Speaker. I would like to speak to some very serious concerns that I have about this decision regarding leasing the land known as parcel B to CanWest Global Ballpark and Riverside Management Inc. I really believe this is a misguided decision to add more surface parking as is being proposed creating a surface parking lot at the gateway to the Forks, the Esplanade Riel and right next to the proposed Human Rights Museum is an affront to our urban design principles.

It's contrary to the advice and wisdom of the Planning Department. One of the most common criticisms of Winnipeg's downtown is the endless sea of surface parking lots. Furthermore there are a number of documents that speak to this. Documents that are specific to this area of the city that Council has adopted. Adding more surface parking is contrary to the adopted Pioneer and Waterfront Drive development principles and guidelines as well as the goals of the downtown zoning bylaw.

It would be a shame if Council chose to ignore its own policies, policies that are geared to improve our downtown image. It concerns me that this lease is for a sixteen year period. The area is evolving with the Human Rights Museum and other developments on the way. One significant money is spent on improving the site I question whether anyone will ever have the courage to reclaim the land for an actual development.

It is likely to remain a surface parking lot for many years to come and however fancy it is designed, a surface parking lot is still a surface parking lot. And it will be harder to change it once it is legitimized as a parking lot. Many Members of Council will remember that in 2002 when this lease was last renewed it was clearly recommended by the administration that the land in question was not to be used for vehicle parking. The official E.P.C. clause says the following, "parcel B be developed in accordance with the guiding principles and development and design objectives as discussed herein. These guidelines specifically speak against the addition of surface parking in this manner."
Although the administration and Council clearly intended this not to be a parking lot that is exactly how it has been used by the lessee, ever since 2002. And now it seems that CanWest Global and Riverside Development is about to be rewarded for ignoring the intent of City Council rather than being held to account. Council is about to create a permanent surface parking lot for the next sixteen years and quite possibly forever. What kind of message is Council sending to the development community. It is a licence to ignore Council direction.

Furthermore, according to the clause of 2002, parcel, in the event that parcel B is not developed within two years from the date of approval, a parcel would be forthwith deleted from the lease and returned to the city. The clear intention of Council was that this site be developed or if the proponent didn't do that, the city should have an opportunity to seek a development opportunity. The issue has lingered on until now and there have been four years with no development forward, no development proposal coming forward from CanWest Ballpark Riverside Developments. I find it appalling that the rationale for allowing this to be used as a parking lot which is stated on page three of the administrative report, is that the tenant did not come up with a development proposal in the time frame suggested. I ask you this, why would they?

Why would a tenant who wants parking, willingly come up with a development proposal that would take away their parking. Of course nothing is going to happen under those conditions.

This leads to another area that is not a comfortable one but is raised by this issue that I feel compelled on ethical grounds to speak upon. I appreciate and I respect the fact that the Mayor is not in this room and not voting on issues that relate to

CanWest Global Ballpark to prevent violation of the conflict of interest act. However even though he isn't voting directly the problem remains that there is a perception that Councillors and city staff could be influenced by his position as Mayor and the power therein.
At the very least there is a perceived potential conflict here until such time as his financial interests are in a blind trust. As a downtown investor and a C.A.O. of CanWest Ballpark the Mayor promised in the 2004 election to put his assets in a blind trust and we all know that the city clerk advised him that this was not required and the Mayor made a decision to follow that advice.

But, I put forth that there is still a problem when Council makes the kind of decision we are making today. How can the public be assured that this decision is not influenced in any way by this being Sam Katz's ballpark, only if his assets were in a blind trust and it was not Sam Katz's ballpark. This is the only way that the public can have some confidence in the integrity of City Council dealings.

In summary by inappropriately ignoring City Council's policies on surface parking in the downtown, CanWest Global and Riverside Park Management are being quite nicely rewarded with what may well become a permanent surface parking lot. This decision is an affront to the planning efforts that have been made to create an attractive urban space and not just a sea of parking lots in this vital area of our downtown.

We should not be supporting this proposal. We should not be supporting this sixteen year lease agreement. And I urge all Members of Council to do the same and I urge the Mayor to reconsider his position he's taken with his assets and the impact on the public's perception of the integrity of this Council. Thank you.

Mr. Speaker: Councillor Thomas on the clause.

Councillor Thomas: Yes, I'm objecting to this as well and I'll call your attention to the last page of the document, it's not numbered. It's, where it says original signed by Mike McGiffren, CA and there's two comments that I'm concerned about. The first comment has to do with the thing that says that the city could cancel the agreement on 180 days written notice.

Now, we have a number of surface parking levels in downtown and I believe the precedent has been set with those parking lots in which it's 30 days not 180 days. Thirty days is tantamount to close to half a year, 180 days is tantamount close to half a year and 30 days is one month and all it is is a gravel parking lot. I believe this is somewhat different than we've had with other companies who actually do, I don't want to mention the name of a company, but companies that have parking business that we've had 30 day agreements with them that even though they have it for a specified period of time, it's noted that we can cancel that within 30 days if we have a better offer rather than 6 months.

So I'm concerned about that. And the other thing I'm concerned about is the price to which we're renting this. This is bargain sale basement prices like I just cannot believe. The rent for the next 16 years is one dollar a year. I've gone by and I've seen the price that it's going for when you drive down Pioneer and its four dollars for a parking spot there and that lot is well used when the Goldeyes games are on. And I surely think that we can afford to get a little bit more than one dollar per year.

We're trying to encourage people to get out of their single family vehicles and use transit and I think that revenue that connects, that's collected from parking lots can be used to make the city greener and to support our transit system and to provide things like oh, rapid transit and other initiatives such as that. And I don't believe that a dollar a year in any way allows the city to be able to effectively recruit its costs.

I think this is not a very cost effective way to use city land that's in the downtown area and those two parts of the clause make it impossible for me to support this clause that is worded. If somebody wants to move a motion back to have those

things revisited, I would be happy to move a motion to refer, for someone else to move a motion to refer, but at this point, I can't support this.

A dollar a year for the next sixteen years, I know that one can make that much more if there was one vehicle every day and I've seen that parking lot full. If there's one vehicle every day, that person is making four dollars plus if you take the whole summer in, about 180 days worth of revenue times four, we're making one dollar and they would be on a minimum of one vehicle parking there and I've never seen just one vehicle in that lot, they're making over 5,000 dollars in revenue from that lot and we're making one.

That doesn't seem to me a sensible way to conduct business as a city. We just had this whole thing about Glacial Sand and Gravel and they were in the process of turning it around and they had a small profit this year but that was not considered good enough, and so we, so we were willing to sell city assets but we're also willing to give them away at fire sale prices, this is very discomforting. Thank you.

Mr. Speaker: Thank you. Councillor O'Shaughnessy on the clause, please.

Councillor O'Shaughnessy: Thank you, Mr. Speaker. I'm a little bit disturbed that both the previous speakers were on E.P.C. when the original lease was signed and were a part of doing it. There is a lease by the way for a dollar on the whole ballpark land that the city owns and this is an extension of it. It's also a free parking lot. It's the parking lot right against the ballpark for Hui's on First, it's free parking there and it's a sliver of land that if you built a building on it you would not be able to see the ballpark from the Forks or the Esplanade Riel.

I think we want to keep it open. We want the view. We don't want some tiny little two or three storey building in there that, it's a very small piece of land and of course it could have no parking. You'd have to give it variances all over the place but if you put the proper side yards in, you'd have nothing left. Like nothing, 25 foot front here and sides, it would be gone. I really don't see the point of it.

We have a clause if we should need the land to take. I like the fact that we've got a protected city owned beautiful view of our ballpark and the Forks and Esplanade Riel that are the best views in this city anywhere in an urban context, and that somebody else maintains the land. The shots at our Mayor, well where were they when he wasn't the Mayor and these people negotiated then the lease and recommended it to Council.

I think our administration, oh by the way it's not adding any parking, as this will add parking, it's not adding any parking, its exactly what it is now and ignoring our planners, the planners recommended this, so I'm having a real problem with the opposition. It seems to me like they have to you know scrape pretty deep to come up with any opposition to this.

Mr. Speaker: Councillor Clement please on the motion, on the clause.

Councillor Clement: Yeah. Mr. Speaker, first of all in terms of planning and Councillor O'Shaughnessy has touched on it, I, like some of my colleagues, I had a weak moment and I read a column by Mr. Colemeyer the other day that expanded about how terrible this was and then I heard some quotes from it a little while ago.

The planners report was in fact favourable in this regard and people can throw whatever stones they want at them I guess but I'm not sure why. First of all, yes it has 180 days cancellation. There's a reason for that. This restaurant is not being used by the Winnipeg Goldeyes Baseball Club, it's being used by the proprietors of Hui's on First which is a restaurant, a very, very heavily populated restaurant most evenings and that's the only parking that they've got and they pay business taxes and taxes as well.

The other thing I'd like to point out because it was raised here today, that the Mayor owns the ballpark. Well, the mayor doesn't own the ballpark, Mr. Speaker. The city of Winnipeg owns the ballpark

and the Winnipeg Goldeyes Inc. entered into a 25 year lease back in approximately 1998 on this land and I think if you do the math you'll find out that the reason why that this particular lease is for sixteen years is because it runs with the balance of the sixteen years left on the ballpark. That's all that's about.

So, there was some consistency with that. The restaurant, I don't know if anybody has gone there. I know for a fact some of you have gone there because I've been there with some of you when we've eaten there and the fact of the matter is, is that if you don't park in this parking lot you would have to walk across two regional streets and/or a set of lights and go way out of your way and everybody that goes there isn't 30 years old, to find a parking space. And the other thing that people forget is that for at least a few months of the year, there is nothing happening in that ballpark and there is some snow on the ground as well, which makes those manoeuvres even tougher yet.

So, I'm not sure what the big problem is here when and I can tell you and I hear it here all the time, well I've changed my mind. Well you know what. When we actually discussed this the last time and had some longer term ideas on what maybe could happen there or whatever, I didn't have any longer term ideas but some people did and I went along with what the lease was. But the fact of the matter is that was a pretty new restaurant right about then. I'm not even positive it was open when we did this. It was awfully close to being if it wasn't but it was right around that time.

Well it's become a very popular place and when you go to a ball game you don't park there, not unless you're going in to eat because they've got security out there because they need that parking for the people that are eating. Just because there's a ball game on doesn't mean that somebody's sitting out on the patio although there are some that do.

The fact of the matter is that the majority of people are sitting inside the restaurant not watching the baseball game while they're in there eating and as far as it being for a dollar a year, yes it's a dollar a year but the fact of the matter is, is that the lease or the property has taxes paid on it, on a yearly basis as well as the restaurant pays like I said taxes and business taxes.

And then you go to, do you really know where this piece of property is. I mean did you go down and look. I mean, like, it's not a very big piece. It's not that great big sliver you see on the map at the end of this, it's the corner piece. It's parcel B. It's not very big. As a matter of fact I'm not even sure that you can park more than about thirty cars on it. It's thereabouts. It's not very big. Maybe there's a few more but I don't think so because I've been in that parking lot a couple of times and I don't believe that you can get very many more cars than thirty and you got to get a little creative to do that.

So what kind of a, what do you think you can do with this land. What do you think somebody can do with it. What are they going to build there and where are they going to park. If somebody puts up a two or three storey building there, what'll they going to do. I don't know where they'd go. The parking in and around that area is not available during the day. There is a parking lot, a gravel parking lot across the way that the Goldeyes have under lease as well, but they'd be in the same boat again.

So I don't know what the big issue is here. I appreciate that everybody has a different vision Mr. Speaker and everybody has a right to say what they want to say, but I think what we should do is stick to at least the facts. If you don't like the lease, then don't vote for it but it's got nothing to do with the Mayor whatsoever. He wasn't involved in any conversation with this. I know because I was in the room when it was discussed.

And as far as, and the other side of that coin, I can't even tell you who all the shareholders are; I have no idea who the shareholders of that corporation are. But the long and the short of it is is that this particular piece of property is very small. It is well used by that restaurant and it would look a heck of a lot better when

you're going to the Forks where we've got beautiful landscaping on most of the land and you look across there and you've got a granular parking lot, it would look a lot better if it was, if it looked like the pictures that we're seeing where it was developed and there was some capital and by the way, when your asking somebody to put capital into something, they need a few years to get the capital back out. You know, you don't just spend this kind of money willy nilly and in fact they're actually doing that and yet they've got a 180 day cancellation clause and so you know they're taking a bit of a risk here as well, Mr. Speaker. Thank you.

Mr. Speaker: Okay. Councillor De Smedt.

Councillor De Smedt: Thank you very much Mr. Speaker. How do you keep on the high road around here. Mr. Speaker, I think the facts speak for themselves. I'm just going to make a couple of comments from the report to give some context. First of all, the development of the service parking lot on this site for the remaining of a sixteen year term of the master lease agreement would legitimize the present use of the site and would allow for a higher standard of development than presently exists.

With that context in mind let me just roll through to another comment. And I think the issue is that we know that we will eventually have an evolution around that corner. This is the northwest corner of Pioneer and Waterfront Drive, a very small sliver where we have some cars parked. But there is a more attractive piece of land on the opposite side of the street on the northeast which we own some land, the Forks North Portage owns some land and which eventually we would see an evolution. On the southeast corner is land designated for the Canadian Museum of Human Rights and then on the southwest, and adjacent towards the high line is some parking area that obviously would be a long term support parking for that whole precinct.

I think you have to recall what the Executive Policy Committee of the day in 2002 and some of us were sitting on P&D and as recently as last year when I was chair of P&D as well as Downtown Development, we had the Pioneer Waterfront Development Plan and Councillor Gerbasi alluded to and she correctly alluded to this plan as guidelines. We want to see an evolution there.

Now, we ought not to confuse the competition that we have in the downtown with surface parking lots in our 800 acre downtown which is much too large for a downtown of any North American city but those are the cards that we've been given. We do have some concerns with the many surface parking lots and we will have to address that in years ahead. Against this little precinct, which is not part of the downtown, no, in the umbrella of the downtown concept it's considered but it's a separate precinct and one of the things that we don't want to do is see developments of this precinct that's going to compete with the evolution of downtown that's going to be so important for the future of the city, for housing and for high quality entertainment, we also have entertainment at the Waterfront district and in this particular precinct with the Human Rights Museum and other potential attractions will evolve in accordance with the downtown, in accordance with the principles I'm sorry of the Waterfront Pioneer plan.

Now, please remember those are guidelines. That's not a trump card. I mean when we had consultants work with the Planning Department to look at that, to develop those guidelines in the Waterfront Pioneer plan it wasn't meant to be the end statement forever. And so that northwest corner is a small sliver and what we're engaging now is an interim agreement for sixteen years or less, we have a 180 day cancellation clause, so that we can tidy that part of that corner up. They're going to be spending well over 500,000 dollars to upgrade that parking lot with landscaping and some public art. I think you should look at where the glass is more than half full here. This is a positive issue.

Now, I am particularly perturbed by what does appear in the paper and I don't know where we can stop getting comments that

because the Mayor is involved with the business and he is not divesting himself which he doesn't have to and I don't believe he should. He has been very, very principled on recusing himself continuously since he's been here. None of us in E.P.C. or none of us around this Council table are being influenced by the Mayor to vote a certain way because Sam owns the ballpark. I mean, that's repugnant. But that's the inference, you know. This is quoted in the paper. This is just one of the ways the city is subsidizing Mr. Katz's private business somebody said.

This lobotomise bigotry has to stop. We got to stop accusing the Mayor every time we turn around that he has this perception of having conflict of interest and is guiding everything to his own advantage. We should be working as a Council. This is a good, interim plan and that's what it is. We can bail ourselves out of this at any time that a plan comes forward and if you look at what's in the context of the report and the Downtown Development Committee specifically asked the administration to include it, that as the evolution of that corner, in accordance with the principles and guidelines that have been set out in the Waterfront Pioneer plan, come forward that there will be a plan for that northwest corner, perhaps. Maybe as we see the Human Rights Museum evolve and perhaps that northeast corner which is adjacent to the river on land owned by us and the Forks and there has been some suggestion to see an evolution along there potentially for housing, which is consistent with the other housing evolutions that have occurred on Waterfront Drive to the north, we may have something useful.

The only thing that showed up in the report of 2002 at E.P.C. is that you know that little sliver of land; somebody may put a memorabilia store on it. I mean if I need a junky memorabilia store on that corner at this point in time, other than a well landscaped with public art parking lot that supports a business that's going to pay taxes.

So, we're not foreclosing this forever and that's what I'm trying to see, if we can have consistency and some collegiality around here. This has nothing to do with the Mayor's business. We need to get off that perception. I think it's unfair to him and it's unfair to me and you who sit on committees that make these decisions and recommendations. I am not in the Mayor's back pocket and I don't think you are. Please support the report.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker. I too have read Jane Jacobs with regards to the arguments with regards to parking. The reality is Mr. Speaker, we go out there, we zone land for certain uses and some of them are commercial uses. There are going to be demands for using land for parking and if the day would come where the city would stand up and start to say well we're not going to have parking here or there or other places but we have land set aside for commercial uses such as restaurants, this place would be full, it would be packed full of small business people who would be saying you're going to destroy our business or undermine it or try to undermine it.

The reality is there's parking that's taking place on that location. I've parked there, others have parked there to use the restaurant and I've taken guests from out of town to that restaurant and the fact of the matter is I prefer to see people park there than have to walk across four lanes of busy traffic, going in either direction, and have to deal with the traffic issue there to be able to go to a restaurant to enjoy. And this is something which is a facility to our entire city. Its part of our city, Mr. Speaker, it's a beautiful place to go to, like many other locations and many other restaurants in our city to take people from out of town or visitors.

I don't know what the issue of the parking is to tell you the truth. Today, I guess I'm been sitting here, Mr. Speaker and I've been getting angry and angrier and the reality is and I know that everybody here knows that in the past I've never hesitated to be a critic and critical of the Mayor and of his policies in the past, but on this, when I read today's paper and then hearing things today, I get angry because

this is unacceptable. This is a bunch of nonsense to tell you bluntly with this regards. The only reason there is a perceived interest or perceived conflict of interest here Mr. Speaker is because there are those out there who are trying to create a perceived conflict of interest for political reasons and because there's an election going on.

And to the two candidates, who are raising this, I ask them, are there not enough other issues out there that they can speak to with regards to the challenges facing our city than to try and fabricate what is a perceived conflict of interest. Nobody has the guts to go on the record and say there is a conflict of interest by the way. Nobody has the guts to do that. So, nobody is prepared to do that and yet they want to fabricate a perceived conflict of interest.

Mr. Speaker, walk around this chamber. The fact of the matter is this city was built in the past whether we like it or not, built by people who started businesses in this city. You can look at names like Ashdown and Logan and others who are lining this chamber. And what did they do, they took time out of their schedules to contribute back to the public life. If they hadn't, the city would not be as successful as it is today. It boomed in the beginning of the century.

Mr. Speaker, what message is this sending to other business people out there who may want to get involved in public life, whether it be business people or teachers or social workers, whatever, business people represent a segment of our society that should be involved in public life. What message does it send to other business people out there; don't get involved in public life because if your company pulls a building permit potentially through the city, you're in a conflict of interest, perceived conflict of interest. Sorry, Mr. Speaker.

What a bunch of nonsense. This is absolute utter nonsense. I have not hesitated in the past to be a critic of the Mayor Mr. Speaker, but this is a bunch of garbage, if I've ever seen it to read about it in our papers today.

The fact of the matter is, we have a ballpark there. The fact of the matter is the Mayor, the Mayor who at that time was a private citizen, Sam Katz spearheaded it along with other Members of Council and other members of the business community to build a ballpark and the fact of the matter is that everybody knew that there was going to be a restaurant in that ballpark when that was being done and we know that that parking would be a need. To turn around and try and do this is nothing but electioneering and electioneering at its worst.

Stick to the issues, candidates. Stick to the issues facing our city and our citizens will appreciate that. Try and fabricate and try and make things up like this, nobody appreciates it. We want to talk about parking. I remember the debate on this floor, Mr. Speaker, when it came time for the parkade to be built and small businesses, small business people came down here to challenge the previous Mayor with regards to a parkade going up at the Forks and how that would impact their business. The mayor turned off, turned the volume down, turned the volume off and rammed it through. And those business people well they just went away, people at the forks.

For once, Mr. Speaker, we're trying to address parking issues. I agree with Councillor De Smedt's points. We have to do something with regards to parking in the downtown areas, with regards to a long term plan. But the reality is we have a need here, we're addressing it, we're treating this as equally as anybody. If this was somebody else Mr. Speaker, if this was another application, if this was another business we would not even be talking about this here today and we all know that. The only reason we're talking about this here today is because some are trying to turn this into an election issue and that's a bunch of nonsense because there is no conflict and there is no perceived conflict. If there was a conflict of interest I would be the first, Mr. Speaker to stand up and say it. Thank you.

Mr. Speaker: Thank you Councillor. You should bring your wife here more often. That was very nice. Councillor Smith.

Councillor Smith: Yes, I cannot support the E.P.C. recommendation. You know, let me tell you this. Today we heard from Councillor O'Shaughnessy and others. They, it seems to me they don't want any development at this site. They want it as parking lot. So we have this, establishes a parking lot, it's going to be a parking lot forever. That's the issue. It's not according to Councillor De Smedt. It's an interim plan. It's not an interim plan; it's a plan to have a parking lot there forever rather than development.

And you know, I tend to think I'd rather have development than a parking lot. But, let me tell you this, you know it's, there are arguments on the other side too. It's not such a black and white issue as everyone makes out. I'm not opposed to this on the basis that the Mayor is involved, I'm opposed to it on the basis that there is within a ten minute walk, there is adequate parking in that area. So, you know we're only talking about a sliver. What it really amounts to is that the people who are supporting this today want it to remain as a parking lot forever. I don't.

Mr. Speaker: Thank you. Councillor Magnifico do you wish to close debate.

Councillor Magnifico: Yes, Mr. Speaker. In listening to my colleagues here, I'm a little flabbergasted. Based on this, again, poorly researched article written in today's newspapers our own version of the national inquirer these days about this parking lot, they're twisted; they're distorted views of the issue. There isn't and never was any suspicion cast over this deal until that moment.

The facts are simple. Fact, we have a lot owned by the city in the southeast corner of the ballpark that has been an eyesore for ten years. This developable spot, ten years. Fact, the administration submitted this recommendation with no collusion from anyone. This was their idea, nobody else's. Fact, however, we did put the 180 day clause in there and agreed with it in case this surprise development ever occurred, which by the way the administration doesn't suspect it will in the next 10 to 15 years. Fact, the proponent will spend half a million dollars to clean up and remove this eyesore and make it aesthetically pleasing. Do you have any idea how many people walk by that site in the summer time. Do you have any idea, because I do, it's right across the river from me. We all go there.

Thousands and tens of thousands of people walk by that ugly piece of gravel. They've been doing it for ten years. Now, we have an opportunity at no expense to the city or maybe that's something you don't understand, because you're used to paying for things. No expense to the city to clean this site up. It's a gift! It's a gift! We'd have to be idiots and very foolish to ignore, this is a win/win situation.

And you know what really bugs me, there is no alterative motive and its insulting to me as Chair of Downtown Development to infer that there ever was, this is such an obvious, you know, when Councillor Gerbasi was, stood this down I thought oh she is going to say alright, the paper was wrong and she is going to tell us. I cannot believe that she found a way to make this a bad story. The paper did no research whatsoever. They made they're things up as they went along. That's fine. They can do that. But at least here in this room, I would hope that you people, when you stand up and argue about a point would at least research it.

Do you know in sixteen years all this property reverts back to the city, for nothing, a dollar rent. A dollar rent. We get it back. It's all ours, including the ballpark. It's ridiculous. This is such a win/win situation. We get a free, beautiful looking parking lot in a spot that is so embarrassing right now, if you ever come in that direction, Mr. Speaker, it's a great thing and we have to support it.

Mr. Speaker: Thank you debate is closed on the clause. All in favour of the clause please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors O'Shaughnessy, Lazarenko, Clement, De Smedt, Magnifico, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Eadie.

Mr. Speaker: Councillor Swandel, would you please return to your seat.

Nays

Councillors Benham, Gerbasi, Lubosch, Smith, Thomas.

City Clerk: The vote Mr. Speaker, Yeas 10, Nays 5.

Mr. Speaker: The clause is carried. Any questions for Downtown Development? If not then we move to the report of Property and Development of September the 5th, Councillor De Smedt.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED SEPTEMBER 5, 2006**

Councillor De Smedt: Thank you, Mr. Speaker. Before I introduce the last reports, I have one parenthetic comment if I may, not only to thank Members of Council on the record for their support and guidance, appreciate that over the years, but also, as having been chair of several committees over the years and working actively with you and with the administration, I would just like to put on the record my appreciation to the C.A.O. Ms. Stenning and all her directors and staff for the professionalism that they show on a continual basis in supporting Council on many difficult issues.

Like us, they're not perfect, but we do accomplish a lot together and I do think from time to time and I know we recognize them at Christmas and others but I think personally for me, particularly in the matters of Planning, Property and Development and Public Works as Chair in '98 and '99, that I've had a lot of, not only a lot of support, but I've professionally have learned a lot from them and we've worked well together and they worked well with you. So I'd like you to pass that on.

One other one and of course as Councillor Lazarenko this morning said wished me well for the next 40 to 50 years which I would gulp about but thank you Harry. I better give a kudo to my dear wife because she'll be responsible to help take care of me for the next 40 or 50 years as she has well for the last, we've been married 49 and she's done really well in the last 8 years so to my family on the record, they have been very supportive. I could not have done this job without them.

And with that Mr. Speaker I would like to move the report of September 5th as consent clauses 1 to 28.

Councillor Gerbasi: Number 1 please.

Mr. Speaker: Number one, any other clauses? Councillor De Smedt moves that clauses 2 to 28 be adopted by consent all in favour, opposed? That's carried. We go to clause 1.

Item 1 - Historical Buildings By-law No. 1474/77 - 780 Marion Street - Union Stock Yards Complex File G-3.1.1

Councillor De Smedt: Thank you Mr. Speaker I would just allow the Councillor to make her comments and see if I can address the issues, thank you.

Mr. Speaker: Councillor Gerbasi on clause 1.

Councillor Gerbasi: I guess the beating I just got wasn't bad enough so I'm going to try it again and stand up on another issue of principle in spite of the atmosphere in this room I think that's what we're elected for so I'm going to continue.

I wanted to comment on the, I see this as a very unfortunate situation that we are poised to not list the historic buildings located on the Union Stock Yard site. I would point out that the Historic Buildings Committee which is comprised of heritage

experts with years of dedication and experience has recommended that these buildings be listed. As chair of the Historic Buildings Committee I can assure you that this was not a political recommendation, as Councillors on the committee abstained from voting on building evaluations.
But there was more to this story then a simple decision not to list these buildings that was made by community committee, Property Committee and Executive Policy Committee. There was a plan that was put forward by our administration this year to make the Union Stock Yard site developable. A plan that would have fostered all sorts of other developments even potentially such things as the elite recreation facility touted by the local Councillor. The plan was to put that Public Works yard there, a decision that this Council did not proceed with.

And that Public Works yard was going to go in the most contaminated spot on the property, which would have accomplished many things, one it would have developed the area that is contaminated which no one wants to develop, two, it would have brought in services for the yard that would have turned the entire property allow, would have serviced the entire property allowing other developments such as the recreational facilities or businesses to develop.

But it also included a plan and maybe Council doesn't, didn't know this at the time, it also included a plan to reuse these valuable historic buildings for city purposes. And we all were called to Council debate where the decision was to move the yards, residents were fearful of the impact on their neighbourhood and this was supported by their local Councillor. And it reminds me very much of when Councillor Garth Steek whipped up the River Heights residents to scare them off of having a transit corridor beside them right by Kenaston and those were the reasons why Council decided not to obtain the CN land right next to Kenaston which is incredibly short-sighted with the growth of south Winnipeg and the obvious future transportation needs.

So I ask the question today, what will the residents of St. Boniface have now, likely an empty and abandoned site. Likely these historic buildings will be lost, and I'm not from St. Boniface but this decision is bad not just for St. Boniface but for all of Winnipeg and the loss of heritage assets like this, they can't come back. They're gone forever. Once they're gone, they're gone and these have a use and a purpose which I don't think Council realized when they made that decision and I'm sure there must be a reason why the Councillor for the area made this decision and I hope he can explain that to us because I'm at a loss and the result now is that we're going to lose some more historic assets that we can never regain. So I think that's a very sad situation. Thank you.

Mr. Speaker: Councillor Magnifico on clause 1.

Councillor Magnifico: Thank you, Mr. Speaker. I'm glad Councillor Gerbasi is worried about my word as I am, that gives us two Councillors there, it be nice if one of them was in Fort Garry but anyway, this site here, with the public market building and the powerhouse and the water tower, I've gone to look at it very closely. I've waited for people to come to our meetings. We actually laid it over at our community committee meetings four times I believe when Councillor Steeves, something like that we laid this over, laid it over, laid it over.

There was no interest from anyone. The buildings are falling apart to the point where they're almost dangerous. They're not boarded up properly. The tower is leaning over I think at some point a strong wind will blow it over. They may be historic age wise, but I'm not sure of the use that they would have as far as an actual facility that you could use.

As far as the public market site, Councillor Gerbasi brings up moving the Public Works yard was a very, very important aspect to the future development of that site because the 24, 25 acres they wanted to use to put that Public Works yard there would have dictated the type of development around it. The contaminated portion as many developers have already gone to look at

is a great spot to put parking and there will be parking required in there and that doesn't affect the contaminated ground whatsoever. It's easy to do and it's inches and inches of concrete that protect the surface.

And there are two expressions of interest that are apparently two or three that have been accepted by the city, I'm not privy to them right now but I understand they range from potential light industrial to water park, hotel, recreational to I heard even an equestrian park, things like that. So there's ideas out there, they've been submitted, some have been submitted with cash and it's going to be a great development some day. Because you move the Public Works yard you've allowed this type of development to go there, I thank you for that. Had that Public Works yard gone there we wouldn't be talking about this potential development today.

Mr. Speaker: Councillor Thomas.

Councillor Thomas: Thank you, it was very interesting to listen to the previous speaker with regard to their take on what happened there. Because the works yard was moved, then there was no further interest in it but the works yard itself was going to refurbish and enhance those buildings and had plans to restore the historic buildings on site when they moved into the area. And so now that they were dislocated and not allowed to go into the sites that they had planned, then no one else came forward and so now the buildings are presented to be delisted.

That kind of moving around of that shell game kind of logic means that if we can get people out of there and not allow them to develop where they're going to develop, then other people aren't going to come in there and develop it because they know that someone really has the long-term plan of actually getting, getting something else happening in there. So you have people give up so then you can move in and knock down the buildings and it becomes a self fulfilling prophecy.

But it was the Councillor who refused to allow the Public Works yard to go where it had planned and not only was it going to use the buildings, it was actually going to have roadways going there that would have opened up the site to future developments, so if we would have started with the Public Works yard then we could have further opened it up to further development because we would have developed the roadways that would have been used that would have attracted people to this site and attracted further development to the site, and now that's all collapsed, so what a surprise.

So, I can't support the delisting of these buildings. I think that the Councillor himself and the way he's handled this matter has been the author of his own demise with regard to these buildings.

Mr. Speaker: Any further debate? Councillor De Smedt closing.

Councillor De Smedt: Thank you very much Mr. Speaker and very, very quickly may I just say and to Councillor Gerbasi, I hope the atmosphere is not really so bad. I mean we do appreciate that there are differences of opinion on certain items around Council and from time to time about historic buildings.

For a point of clarification for Councillor Thomas we're not delisting we're just not listing. It's on the inventory, just hasn't been listed so we're not trying to remove it from some decision that had already been taken. This is been just sitting in the netherland here about should it or should it not be a historic building and it's come to the point that, that site cannot evolve. It's an impediment to the evolution of that site and while they are aged buildings, I think designation historic is just pushing the boundary somewhat and I am a huge supporter of historical buildings.

Not always in agreement with some of my colleagues around this table, but by and large more so than not. And I think as I've always said, Mr. Speaker, I don't know how often we have to remind ourselves, you know life is a balance and trying to develop this city which has gone through a catharsis of growth and non-growth since the creation of the Panama Canal, everything stopped dead in 1914 folks

and it's taken us all these years to try to recover in a hi-technology centre and everything else. I won't say anything more about that except to say on balance I would support Riel Community Committee, your PP&D Committee supported it and my recommendation to Council would stand.

Mr. Speaker: Okay, debate is closed on the clause. I think I heard somebody ask for a recorded vote which is fine, so, all in favour of the clause please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Clement, De Smedt, Lubosch, Magnifico, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Eadie.

Nays

Councillors Benham, Gerbasi, Smith, Thomas.

City Clerk: The vote Mr. Speaker, Yeas 10, Nays 4.

Mr. Speaker: The clause is carried. The report of September 19th, Councillor De Smedt.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED SEPTEMBER 19, 2006**

Councillor De Smedt: Mr. Speaker, I'm pleased to move the report of September 19, clauses 1-15 as consent.

Mr. Speaker: Councillor De Smedt has moved the report of September 19, all the clauses be adopted by consent, all in favour, opposed? That is carried. The report of September 21st Councillor.

**REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DATED SEPTEMBER 21, 2006**

Councillor De Smedt: I'll move the report and clause number one.

Mr. Speaker: Any discussion? All in favour of that, on clause 1, okay. Councillor De Smedt did you wish to introduce the clause we're standing this one down.

Councillor De Smedt: It's been stood down Mr. Speaker then I would just like to wait for some particular comment on it. Thank you.

Mr. Speaker: Okay Councillor Thomas on the clause.

Item 1 - Acquisition of 50.4 Acres - CPR Marconi Rail Right-of-Way – Nairn to Glenway Avenues File FI-2(33)

Councillor Thomas: This Council has had one of its very furry days and we're going into an election and I know that we all feel pretty hard on the issues. We don't often pull down an item where everybody agrees on something. We tend to debate the issues that we disagree on and the majority of the Council agenda actually goes by through consent and this is something that's occurring in my ward and I wanted to thank Mr. Beauman, the Mayor, and all the Councillors for bringing this into the public domain and ensuring that there'll be a bicycle path there.

My hope is that there will also be a rapid transit corridor in that site and that this is the first step to securing it and I want to thank all Council for their support. I would like to as much as possible be a positive person and this is something very positive that has happened for the community and I would like to thank everyone.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you. I too wanted to rise and support this. I did appear at E.P.C. and also mentioned my support for this and I know that we do sometimes have had some tense moments in this room, even today in the last two years but I know that we're all here representing in the best way we believe we can, our constituents and the citizens of Winnipeg.

But I do believe that this was a very good decision. It gives our city hope for the future of a modern transportation system and I hope that that hope will carry forth into the reality of seeing that transit corridor used along with the other ones that we have in our plans. So I want to congratulate the Property and Development Committee and the department and the city and also to thank Mr. Buhler for his generosity so that we can see something very positive in our city. Thank you.

Mr. Speaker: Councillor Wyatt.

Councillor Wyatt: Thank you Mr. Speaker I just wanted to rise and say that thank again, I know it's been said already but thank Mr. Buhler for his dedication and support as a great citizen of our city with regards to his contribution; he has given time and time again. He is giving something back to our city with regards to the purchase of this property. He's given with regards to a recreation park being built on the east side of the city, the Buhler Recreation Park, I believe it's somewhere in Transcona and his generosity is, he's allowed others to dream and through his assistance has made it possible for dreams to come true. And you know a field of dreams, thank you Councillor and you know I think that's remarkable about one citizen but it's also through the leadership of the Mayor that this has happened today and other Members of Council and I want to thank you all.

This is going to be a path not to let Councillor Steeves down, this'll be a path that, a walkway along there that would make Gandhi proud to walk along, so, and the, it's been an honour to serve with all of you in the last four years. Some of you two years or so and I wish everybody the best of luck in the coming days and look forward to seeing you all again one way or the other. So thank you very much.

Mr. Speaker: Councillor Lubosch on the clause.

Councillor Lubosch: Yes, thank you Mr. Speaker. It used to be said that all roads lead to Rome, but it would appear that with the addition of the Marconi line trail many more roads are beginning to lead into North Kildonan, Elmwood and Transcona, in fact if you stay on this road long enough it can lead you all the way to Gimli or the Forks depending on the direction that you're travelling.

I too want to take the opportunity to thank Mr. John Buhler and Councillor De Smedt and members of the administration and Mayor Katz and all Members of Council who had an interest in, not just this particular trail but in the development of more trails and pathways and cycling facilities in their respective wards.

It's becoming more and more apparent that using alternative forms of transportation, i.e. our feet instead of our cars, you either walk or pedal bicycles or push inline skates, is good for us in terms of our overall health and well being. It's good for our environment and it's ultimately good for our communities and our cities and this represents one of the largest opportunities we've had since the heart trail in Charleswood, to develop a significant pathway with lots of points of interest along the way.

And it's certainly a rare day on this Council when we can all agree unanimously that something is good and do it without the conventional political parochialism that so often hampers our ability to make decisions and this is one of those rare instances where I'm so pleased that we can all agree that this is a good thing for Winnipeg.

And I'm looking forward to the opportunity to work with all of you, most of you, again in the coming term, to lobby the province for some additional funding to create a trail here. There are many grass roots organizations in northeast Winnipeg that have been very hard at work raising funds and laying down small trails which will be able to connect to this one and I know that there is a resounding joy in the hearts of many of our denizens right now with the prospect of being able to have a trail connection of this length and significance.

And so with that I think it's a very fitting and appropriate legacy for Councillor De Smedt to contribute to the public good in

our city and I thank him for his leadership and his ongoing vigilance in making sure that this deal came about and that everything turned out right. So thank you very much for that and with that I'll close debate.

Mr. Speaker: Councillor De Smedt closing debate.

Councillor De Smedt: Thank you very much Mr. Speaker. There's no credit should be directed in my particular direction, Councillor Lubosch though I'd love for it to be a signature marker for me but I think we all just work with the administration on this.

Two things, one I do think that the administration should be recognized in particular Mr. Finnigan who worked very hard as Director of Property and Development in guiding this project and Ms. Suzanne Dewey Povoledo who some of you may know as a planner who's been working the Marconi lands issue for quite a long time.

This has been on our plate for you know, for many years now and I think withstanding, I think they deserve you know a lot of respect and other members of the department in Real Estate that had to work this particular issue out. You know one other one, one other group should be recognized and we don't often do that, in fact I'm often quoted as giving them heck, and that's the railway company, C.P.R. I mean this is not the case of the prairie farmer standing on top of the hill and every blight that comes his way shedding gar darn C.P.R.

In this particular case, being inspired by Mr. Buhler, obviously Mr. Buhler deserves an awful lot of credit to help us in this circumstance with his credibility in the community, but you know they listened and so I see this as maybe the beginning of a relationship with our railway companies. I mean this was a rail town. It still is in many ways but you know the cutting up of this city geographically by railways all over the place is part of our problem in transportation nodes and so they have to be part of the solution. And I hope they see this as you know, as a starting point. We got the Waverley street grade separation to face in the future and perhaps some others. But, so I would thank them and I think Council should be on the record as well. So with that I would move the report Mr. Speaker.

Mr. Speaker: All in favour, opposed? It's carried. Any questions for property and development? If not then we move on to, oh I'm sorry By-laws.

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

Councillor De Smedt: I know you want to get rid of me Mr. Speaker. I'll move that By-laws No. 210/2006 and 220/2006 be read a first time.

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

Clerk: By-laws No. 210/2006 and 220/2006.

Mr. Speaker: We have another batch.

Councillor De Smedt: Okay, we have some additional By-laws. I would like to move By-laws No. 207/2006 to 209/2006 both inclusive, 211/2006 to 214/2006 both inclusive, 216/2006 to 219/2006 both inclusive, 221/2006 to 223/2006 inclusive and 226/2006 be read a first time.

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

Clerk: By-laws No. 2007/2006 to 2009/2006 both inclusive, 211/2006 to 214/2006 both inclusive, 216/2006 to 219/2006 both inclusive, 221/2006 to 223/2006 both inclusive and 226/2006.

Councillor De Smedt: I move By-laws No. 207/2006 to 209/2006 both inclusive, 211/2006 to 214/2006 both inclusive, 216/2006 to 219/2006 both inclusive, 221/2006 to 223/2006 both inclusive and 226/2006 be read a second time.

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

Clerk: By-laws No. 207/2006 to 209/2006 both inclusive, 211/2006 to 214/2006 both inclusive, 216/2006 to 219/2006 both inclusive, 221/2006 to 223/2006 both inclusive and 226/2006.

Councillor De Smedt: I move the rule be suspend and By-laws No. 207/2006 to 209/2006 both inclusive, 211/2006 to 214/2006 both inclusive, 216/2006 to 219/2006 both inclusive, 221/2006 to 223/2006 both inclusive and 226/2006 be read a third time and that the same be passed in order to be signed and sealed.

Mr. Speaker: All in favour, opposed? That's carried. Alternate Service Delivery Committee of September 18th Councillor Swandel.

REPORT OF THE ALTERNATE SERVICE DELIVERY COMMITTEE DATED SEPTEMBER 18, 2006

Councillor Swandel: I would like to move adoption of the consent agenda item 1.

Mr. Speaker: Is there any discussion? All in favour, opposed? That's carried and Mayor Katz moves that Council do now adjourn. 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: This 11th Council is adjourned and part of history. Good luck everyone.

Council Adjourned at 3:24 P.M.