COUNCIL OF THE CITY OF WINNIPEG
Wednesday April 25, 2007

The Council met at 9:34 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 Pagtakhan.

ROLL CALL

Clerk: Mr. Speaker Councillor Lazarenko, His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Gerbasi, Leipsic, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel, Thomas, Vandal, Wyatt.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: We have pages with us; Simone Jaman of Miles MacDonnell Collegiate resides in the Elmwood - East Kildonan ward. Welcome of guests and announcements, Your worship Mayor Katz

Mayor Katz: Thank you Mr. Speaker. Mr. Speaker, I'd like to take a moment to acknowledge an event that helped define the spirit of our city and showed the world the character, passion and resolve our citizens possess. I'm referring of course to the flood of 1997. This is a ten year anniversary.

Mr. Speaker, this event brought together our entire community and I would like to thank the more than 40,000 volunteers, citizens, and members of the public service who stepped up to the plate and played the active role in minimizing the effect of this tragic event on the more than 23,000 lives across Manitoba. It is certainly worth acknowledging the partnership and the team work that defined the flood of 1997.

But I also want to thank those homeowners who suffered greatly from this flood. For them, this anniversary not only signifies the rallying of a community, but is reminiscent of what they lost. On behalf of Council, I would like to again, acknowledge the important role of those who actively participated in this event.

And, Mr. Speaker, if I might, I would also like to acknowledge our participation in a major announcement last Friday, April the 20th, that has helped bring our city another step forward to showing the world how dedicated we are as a city and as a country, to preserving history, our successes and our failures and honouring human rights.

I'm referring of course to our participation in the Canadian Museum for Human Rights announcement with Prime Minister Stephen Harper and Premier Gary Doer. The museum is a symbol of our city's spirit, of tolerance, acceptance, and in doing so, we have shown our support and solidarity for the preservation of human rights. Mr. Speaker, I wish to acknowledge all of my esteemed colleagues here on City Council who's efforts helped make our participation and support of this event possible. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor.

MINUTES

Councillor Smith moves the Minutes of the meeting held on March 20, 2007 and March 21, 2007 be taken as read and confirmed.

All in favour, contrary? Carried.

DELEGATIONS

Mr. Speaker: We have no delegations. Must be good news for today. Executive Policy Committee report of April 4, 2007, Mayor Katz

REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED APRIL 4, 2007

Mayor Katz: Thank you Mr. Speaker. I'd like to introduce the report and move adoption of consent Agenda Items 1 to 4.

Mr. Speaker: All in favour, contrary? Carried. Report of April 18, 2007, Mayor Katz.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED APRIL 18, 2007**

Mayor Katz: Thank you Mr. Speaker. I'd like to introduce the report and move adoption of consent Agenda Items 1 to 11.

Mr. Speaker: Number 1. Councillors, any more? One and six have been stood down. One and six and the rest of consent agenda, all in favour, contrary? Carried. Item 1.

**Item 1 - Bronx Park Community Centre/Home of Good Neighbours Senior Centre - Additional Capital Project Requirements
File PR-2(33)**

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, I would very much like to hear from the Councillor, their comments and then I would be glad to respond.

Mr. Speaker: Thank you. Councillor Gerbasi.

Councillor Gerbasi: No, that wasn't me.

Mr. Speaker: Oh, Councillor Thomas on number one.

Councillor Thomas: Thank you. I'm looking at the clause entitled Bronx Park Community Centre, Home of Good Neighbour Senior Centre Additional Capital Items; it acknowledges the contribution for myself for community incentive grant funding and disposition of the sale of 755 Henderson Highway. I'm hoping that our Community Committee will move across to the joint community centre, seniors centre that'll be, that will be happening so we will have no further need of that building.

I regret that we, that the former City Hall of East Kildonan will be done that way, but we do have no programming other than Community Committee that operates from there. So I'm acknowledging that. I'm thankful to the community centres for their programming, of their money of 650,000 dollars. The one clause that concerns me is the allocations of net proceeds from the disposition of Kelvin Community Centre.

I know that there's going to be some funding from a yearly grant that goes to the operation of Kelvin and that Bronx will be taking over management of the fields and the fieldhouse. I'm hoping that that doesn't mean that the property is for sale because my understanding was that, was that we would be keeping the property as recreational space, so that clause is a little bit unclear.

I regret that I showed up late at Executive Policy Committee so I was not able to hear what occurred in that regard, but I just wanted to say that, that I do have a few concerns but I am definitely glad and will be supporting the clause that Bronx Park Good Neighbours Project gets the money that they require to do their project completely and fully as they would like and have anticipated for some time. Thank you.

Mr. Speaker: Thank you. No further speakers? Clause 1, Mr. Mayor

Mayor Katz: Mr. Speaker, just for clarification, I want to thank Councillor Thomas for her comments. Mr. Speaker, this is a project that was approximately four million dollars and as time passed ended up exceeding six million dollars. There was a shortfall of approximately, just under two million dollars, with the cooperation of Councillor Thomas and Councillor Browaty, as well as the department, along with E.P.C., we were able to find ways to access the monies we needed to complete this project.

The reason was quite simple. This is a very good project. It's good for the city, it's good for the community, it definitely has the support of Executive Policy Committee. My understanding is it certainly has the support of Councillor Thomas as well as Councillor Browaty and just for clarification, when a property is declared surplus, my understanding is that it can be sold and those revenues are actually part of funding this project, Mr. Speaker. It's all in black and white. I want to make sure there is no

misunderstanding there whatsoever. Thank you.

Mr. Speaker: Thank you. On the clause, all in favour, contrary? It's carried. E.P.C. motions if any, clause six I'm sorry.

Item 6 - Red Tape Commission - Recommendation 4.1, 4.2 and 4.3 - Improved Application Processes and Elimination of License in lieu of Business Tax File EL-1

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I would very much like to hear from Councillor Gerbasi and then be pleased to respond.

Mr. Speaker: Okay, Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I do have some serious concerns about the plan to, the decision today to eliminate licence in lieu of business tax. First of all, I think people need to know that this isn't small potatoes. We are talking about the loss in 2008 budget of close to a million dollars and 800,000 a year every year going forward in perpetuity.

The report states that if eliminating this revenue is approved, we will need to increase other revenue sources, i.e. user fees I guess or other taxes, I don't know what that means, reduce service or find efficiencies in the 2008 budget. This is over and above the other pressures on the budget every year, such as inflation, ongoing tax cuts that have been brought in. And as well, this is over and above Councillor Fielding's commission which is suppose to recommend ways to eliminate 53 million dollars of ongoing revenue each year through eliminating the business tax.

Surely this money is going to have to come from somewhere and it makes me uncomfortable to approve this blindly now, with no clear idea of where that money will come from. Does this mean user fee increases in other areas of service reductions? We really don't know and we are being asked to make this decision now, without knowing that.

I know some will argue that if in next year's budget we can't find the savings that this doesn't have to happen, but we've all been to this movie before. We know that the decision is really being made today and when the budget documents arrive in 2008, there will be another million dollars to find somewhere.

It's clear that something else will have to go or revenue will have to raise from somewhere else to pay for this. What bugs me is we really don't have a sweet clue about what that something is or who that someone will be. We also don't really know if this tax cut is the best use of one million dollars in revenue because it is out of context with the decisions in the overall budget and without understanding what we are really trading off.

The purpose of this licence fee is to level the playing field for business. According to the Community Services Department, there are 440 licences and business taxes that are paid by businesses who are not located in the city of Winnipeg. I don't see how it can be justified to eliminate this fee for people who pay the city no taxes, use our services and compete with Winnipeg-based tax paying businesses.

Council already made changes to the licenses in lieu of business tax, you may recall when the issue with Avon ladies and some other small businesses came forward; approximately 400 fees were reduced to zero as per the changes to the By-law if revenue was less than 5,000 a year or severe disability or a few other reasons. So these changes to the By-law took care of that concern of the hardship for the smallest of these businesses.

The reason this tax was in place is that home-based businesses do compete with other small businesses. Other small businesses have to pay for additional costs involved with running a store front operation, involved with other fees and taxes that are in place. In fact, the business tax has not been eliminated to these other businesses and we don't know when that will happen or even if it will happen for sure. So it seems very premature to eliminate this fee which did

provide a more level playing field for all businesses.

Now I know the argument's been made that some home-based businesses aren't getting their licences so the system isn't fair and level anyway between different home-based businesses. But if you followed that reasoning, you would eliminate dog licences, too, because lots of people don't get those. So I really think that reasoning is somewhat faulty. Or building permits because some people don't get them, are we going to eliminate you know all the fees we have because they aren't fair because some people don't follow the rules.

This licence is put in place to make the situation more fair for existing store-front businesses that are up against competition from businesses that don't have to pay the other costs of running official business. For example, hair dressers have to have a shop; they have to pay payroll tax and all kinds of things they have to pay and other kinds of taxes and somebody can just set it up in their home and it's not fair and this is a very small thing that made it a little bit more fair.

Another argument is the trickle down theory that will reduce these fees and suddenly money will pour back into our coffers. Now, I'm not convinced of that theory. I know maybe that's an ideological point. It didn't really work to well in the 1980's, it was discredited. It's been a disaster in the United States where they have poorly funded schools and a terrible record on poverty and I don't think this will trickle down to building a safer, healthier, more equitable society and so I'm concerned about the philosophically the overall direction this Council is going by eliminating all these sources of revenue which is suppose to make us rich but ultimately, we don't have money to do the things we want to do and that's what I'm concerned about, that we may not.

Economic times wax and wane and when this election fever dies down, the other levels of government, when priorities shift, when all these other tax cuts that are coming, the other levels of government are promising kick-in, there will be less for us and we are chipping away at our basic sources of revenue one after another and I'm very concerned about it. I think we need to think longer term.

And I really hope next year's budget will also contain the wonderful new funding to clean streets, to plant flowers, to do some long-term planning which was only put in for one year. What's going to happen next year? You know, I don't want to be saying the message, sorry folks we just don't have money now and this will be one of the reasons we will have to say that because we are giving away our sources of revenue and I don't think it's been properly justified as to why.

So I urge Council not to support this plan prematurely to eliminate this tax. Perhaps in the future, if all business tax is eliminated then it will no longer be needed to level the playing field. I don't know, but at this point this is premature and we're making a decision in the absence of knowing what we are really, the price that we will be paying or the impact this will really have on next year's budget. So I urge Council to reconsider this decision. Thank you.

Mr. Speaker: Councillor Smith on clause six.

Councillor Smith: Yes, Mr. Speaker. You know, I understand why this is coming forward. You know the idea of people starting businesses and they can't afford to go into a commercial space. It will start many people forming new businesses. I think there's a strong point there.

But at the same time, I cannot support this basically for the same reason that Councillor Gerbasi basically has cited. We don't know where the revenue will come from to replace the revenue from this tax. You know, I think it's very unusual, I've never known a government to go ahead and pass something with the hope, with the faith, that they'll find money in next year's budget. You know, this is ludicrous. You know, I don't know why, plus what about the possibility that many home-based businesses will want to stay there and not rent commercial space?

So you're going to have an expansion of home-based businesses at the expense of the commercial sector, commercial rental. You know, I think people that rent a store front deserve to be treated fairly and it just seems to me that there is a disadvantage here for people who start a business and have to go into commercial space.

So, I can't support this because it's based on faith, hope and this is not a church. We should know where the money is coming from, not just based on hope and the fact that we like the Mayor. Thank you.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. Just want to clarify for my colleagues that this is not a motion to undo the licence in lieu of business tax. This is technical in nature, what's in front of us today. What's in front of us today is saying that if we were to consider this in the 2008 budget process that we need to shift the date of when the taxes are collected and a couple of other pieces that allow us to be able to do that and deal with it in the 2008 budget process.

It's not saying, none of the recommendations here are to eliminate the business or the licence in lieu of business tax. Councillor Gerbasi used the term we all know that this is just setting up, well, I don't want to be one of we, because I don't know that and I don't agree with that statement and that's not where this is going. This is technical in nature and it just gives us the opportunity to be able to explore going down this road.

Because if going down this road we find that we can prove that the, eliminate, that the business, licence in lieu of business tax is costing us more to collect, to regulate and to enforce, then we certainly want to look at that. And when you take into consideration the review of By-law 6400 and some of the changes that may come along with regard to licence in lieu of business tax or properties that need licences and uses that can be considered in residential use, this may even be far more beneficial to taxpayers than might have been suggested when it was originally brought forward.

So, not only is there the cost benefit analysis that needs to be done in the 2008 process and we all like to see the elimination of taxes whether they be property taxes, business taxes, everybody wants to pay less taxes, but there is still in this case a collection of fees, because in many case there's conditional uses that are required, conditional use approvals that are required for home-based businesses and occupancy permits. So there's still are other revenue streams that come to the city that will help us to regulate and enforce the proper operation of home-based businesses.

So just in summary, Mr. Speaker, I just want to remind all my colleagues that this is technical in nature and just allowing us to have a sensible conversation about the elimination of licence in lieu of business tax and hopefully will enable us to deliver once again a wonderful budget for the city of Winnipeg in 2008.

Mr. Speaker: Councillor Clement

Councillor Clement: Yes, thank you Mr. Speaker. I agree with Councillor Swandel that some of this is technical but clearly this is about elimination of the licence in lieu and I've got no problem with that, Mr. Speaker. I think that the majority of Councillors in this chamber have made it clear that we're on a path to eliminate the business tax and I think that's a very positive thing because when you do that, businesses, not all of them necessarily, but most businesses will take that extra revenue and put it back into their businesses and that generally creates jobs.

You know Mr. Speaker, when you hear announcements made by the upper chambers of government, the federal and provincial governments, they have a cookie cutter formula per million whether it's 15 employees or 115 employees per million. Every time that they invest money in business, whether it's the feds or the province, they announce that it's going to create this many jobs. They don't really know it's that many jobs on that specific grant or application, but they know in general, every year based on how many

million dollars that they invest what the stats show them and so they spit out these numbers all the time.

There's no question that if the business tax is eliminated in the city, that it will create more investment business and clearly create jobs. And this really is not a huge issue, I don't think. This, you have to remember, we invested in 2005 I guess it was, we invested 2.9 million dollars to reduce the business tax by 20% downtown. Then this past budget we spent another 4.2 million dollars reducing it by 20% everywhere else but the downtown and here we're talking about serving notice that next year we're going to reduce licence in lieu of business tax by 843,000 dollars which eliminates the licence in lieu for something over 7,000 small businesses. What a terrible thing.

I know that we are going to have to find the money but we're on a path to reduce that 53 to 56 million dollar price tag down. There is a committee right now that's being chaired by Scott Fielding that's dealing with that and they're working at that over the next bit of time, to come back with some ideas on how we can accommodate that with the least amount of pain and we're looking at that. But, this is no surprise and this is one small piece of that larger puzzle and I support it fully Mr. Speaker. Thank you.

Mr. Speaker: Councillor Thomas

Councillor Thomas: Yes, thank you. I just wanted to first say that some of the concerns that were mentioned by previous speaker about the dangers of saying everybody when you say that everybody would like a reduction in their taxes, I just read a couple of articles in the paper last week where people were advocating an increase in taxes but they wanted it for a specific project. And you do get people who do that, who say something is best, settled and run through government and taxes are a way of creating that. So I don't necessarily think that everybody wants their taxes reduced to zero, they just want their taxes to be fair.

And that's where I'm going in my lack of support for this clause about licence in lieu. I certainly would like the business tax forms to be written more user friendly, and that's 4.1 of the change. But 4.2, having the tax reduced to zero, I don't think is fair. Now, licence to do solves several purposes.

One as Councillor Gerbasi mentions, it's to level the playing field for those businesses that actually operate outside the city and come in here. When I'm on the Appeal Committee and we all take turns being on that, one of the frustration that we have is with people who live outside of our community, who don't pay business taxes and who don't know the rules, who come in and promise people that they're going to get the appropriate licences and build their buildings in a certain way and they build them too close to the neighbour's property and it ends up with somebody complaining and then there's this addition on the house and somebody ends up coming and saying, I thought they had all the licences, but they assured me that they got all the licences but they didn't and they didn't go to the appropriate department, this is the way of making sure that those licences are there, in that order to operate during the city, in our city, they have to have a licence in lieu of business tax and if we can get the name of the person who's done that and the address of the person who's done that, we can take care of their licence in lieu.

And it also provides a level playing period, field for those businesses that operate inside the city, have all the appropriate reality taxes and other taxes that they're paying and eliminating this is actually more unfavourable to our local businesses.

Also, licence in lieu is a way of providing inspections for the site. Do you inspect the space, the amount of space that's in there, if you apply for a licence in lieu of business tax, you have to go down there and show how much of your property is going to be used for the business. You have to show, comply with guidelines with regard to how many people that you have coming to your property and I have quite a few people in my area who are operating with these licences in lieu of

paying business tax because they're home-based businesses. And the residents in my area, while they co-operate very well with these home-based businesses, want some controls on the number of hours, on operations and the way you get that is through licensing. And how can you control it if you have a licence that doesn't have any fee? So that just doesn't make any sense at all.

I've had experiences with people who they've had a licence in lieu and we've had that at Appeal Committee as well. When it's come for renewal of that licence and they say, we do not want this licence renewed because the business that was operating in the community was suppose to close on Sundays and they didn't. They were not supposed to have banners on their land and they did. They were not supposed to put items for sale in their front yard and they did and we do not like our community looking like dog patch.

And this way, we get at it. If they have to do a licence in lieu and they have to come forward and they have to comply and there's regulation and it costs time of our staff to put those regulations in place, then to make sure that things work well in the community, that the home-based businesses are operating out of, it's important to have rules and regulations governing their relationship in the community and that costs time and money on behalf of our staff in order to implement those rules and regulations and that's the way we get the money back is by charging them a licence in lieu and it's supposed to be on a cost recovery basis and if it's not on a cost recovery basis, then we should be raising the licence in lieu rather than looking at eliminating it and eliminating the controls and making it a free for all in our community. I think residents in my community would not want any businesses operating out of homes if they felt that they weren't able to control how they operated. And this is a way of controlling them.

So that is why I will not be supporting this clause because I don't think that it's thought that aspect of control very clearly, when it just says eliminate the fees. We're going to have staff, it's doing work on it to look at developing commercial businesses in residential areas, then we have to make sure that those staff are paid for their work or else they're taking money from other places in order to do that. Or else we don't have inspections at all and that's I think, even worse. Thank you.

Mr. Speaker: Councillor Wyatt

Councillor Wyatt: Mr. Speaker, I've never heard so much fuddle duddle in a long, long time and fuddle duddle and I say this Mr. Speaker because let's set the record straight here on a few things.

Number one, we are not accepting this on faith alone, Mr. Speaker, though faith is important. Number two, of the clause it's very clear, subject to Council approving increased revenues, service reductions and/or efficiencies during the 2008 budget process, subject to. It's very clear. This clause is right after the first clause, number two. So we know that this cannot happen unless we, it's subject to Council being able to achieve those efficiencies. There's no reason to have faith, this is the requirement. And if it doesn't happen, this clause doesn't happen, simple as that.

Number two, this is a licence in lieu of business tax. It was created not to regulate the businesses going into residential homes, this was created to correct, collect taxes in lieu of business tax. We still have, as noted in the report, the requirement for a home occupation permit. And the home occupation permit, Mr. Speaker, is the vehicle upon which the city can regulate and ensure that there is no conflicts' taking place in communities and neighbourhoods when it comes to businesses occupying those homes.

It's very clear, home based businesses located within Winnipeg will still be required to obtain a one time home occupation permit, zoning compliance depending on the nature of the business being conducted, a general licence pursuant to licence By-law 65.1.95 may also be required.

So the safe guard that was previously spoke, concern that was previously raised, there is a safe guard already in place and it exists and that is a permit that we give one time, it's a one time fee of 118 dollars that yes, if they're problems in the neighbourhood, can be dealt with. But the fact of the matter is that is the vehicle to deal with it. Not through this method.

Out of all the business tax reductions, Mr. Speaker, this is the one that I actually find the most palatable and why, because it's the most democratic and broad based and makes the most sense. We're talking about 8,000 businesses being operated out of homes and you know what I would bet there's probably another 8,000 out there that we're not taxing, that are out there operating out of their homes, that are doing business in the city and that we're not taxing.

And who are these folks? We know a lot of, who a lot of these folks are. Some of us might have even gone and had our hair cut in some of these homes. Well, I not as often as everybody, but nevertheless and I still don't, I always ask for 50% off but I never get it Mr. Speaker, but anyway. There's no justice in that. But, you know, these are you know stay at home moms, wanting to make a few extra bucks to pay the bills. These are Mr. Speaker, maybe the working guy who at age 55 got laid off from his job and is operating a small home-based business just to make ends meet until he gets to 65.

That's who we're talking about here, Mr. Speaker. We're talking about folks like small contractors who are crucial to our economy, at this point in time when contractors are leaving the province, okay, to go to other jurisdictions and we're in demand for contractors to have operating here, to do business here and they have a small office in their house just to do their bookkeeping.

That's who we're talking about. You know, Mr. Speaker, this, to me, out of all the business tax reductions makes the most sense and when it comes right down to it, Mr. Speaker, I hope this encourages us to address the issue of looking at other forms of revenue to fund our city as was rightly pointed out by a previous speaker, rightly pointed out that we need to have other forms, whether it be a broader base, to broaden out our base on our reliance on these sorts of fees and property taxes.

You know, the time has come for us to get a share of the provincial sales tax. You know, the time has come for us to formalize and ensure we have a share of the provincial gas tax. These things have to be dealt with. But Mr. Speaker, that doesn't mean that we can't still correct the injustices that exist. I as a commissioner, I have the honour of working towards implementing this report and I'll tell you Mr. Speaker, having gotten to know this report and it sits beside my bed every night to my wife's chagrin, this is, this Mr. Speaker, this Mr. Speaker, is a report which had a lot of our many business leaders in our community write and contribute to and a lot of hard work was done writing the report and they clearly saw that there was a real inequality with regards to this fee and that this made no sense and that this was truly red tape at its worst. So I encourage all Council members to support this clause. Thank you.

Mr. Speaker: Thank you Councillor Wyatt. Now we all know how you spend your leisure time with your wife. Next speaker is Deputy Mayor Leipsic.

Councillor Leipsic: Thank you Mr. Speaker. I just want to stand and say I'm in support of this home business tax. I want to address a couple of points that my colleague, Councillor Gerbasi made here, about a fair and even playing field. I think and unlike hair dressers or women, moms, stay at home moms which perhaps could be construed as a bit sexist, I'd say many people are working out of their homes, people walk around with blackberries, cell phones today, Mr. Speaker and that's their business because it's up here and many people don't pay the tax, we know that.

How are you going to enforce it? I for one, and this might be shocking to Councillor Smith, Councillor Gerbasi, Councillor Thomas; I'm totally in support of assisting business and encouraging it here in our

city. So, let's come to grips with the fact that this is a new age, it's an age of technology and regarding the issue of faith, I'd remind Councillor Smith of an expression, God helps those that helps themselves.

I'm from that school and I would say it's time for us, its incumbent on us, the Councillors to assist Mayor Katz, assist Councillor Fielding in finding the money. Let's, when we find the money, we encourage business. We bring people here and therefore, I would encourage everyone here to vote with this. Thank you.

Mr. Speaker: Thank you. Councillor Vandal.

Councillor Vandal: Thank you Mr. Speaker. As stated by several Councillors, this is clearly a budget issue and as such I will move it be referred to the 2008 annual budget.

Mr. Speaker: Referral is in order. Recorded vote, all in favour of the referral motion moved by Councillor Vandal, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Gerbasi, Smith, Thomas and Vandal.

Nays

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Leipsic, Nordman, O'Shaughnessy, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Lazarenko.

City Clerk: The vote Mr. Speaker, Yeas 4, Nays 12.

Mr. Speaker: The motion is lost. Councillor Vandal, speak to it.

Councillor Vandal: Thank you Mr. Speaker. This is an interesting issue and first of all I want to make it very clear that as the Councillor of St. Boniface I'm not adverse to cutting taxes. I've supported the operating budget this year which equalized the level of business taxes that we pay across the city, supported that, and in past years have supported up to a six percent reduction in property taxes for all home owners in Winnipeg and I'm proud of that.

What concerns me about this motion is that this is entirely out of context with our 2008 budget and let's be clear that if we approve this today, it's going to happen in 2008 and in fact, what we are saying is that this is the priority. This jumps the cue ahead of Assiniboine Park, it jumps the cue ahead of heritage investment, it jumps the cue in front of transit investment and there are so many unknowns in our 2008 budget that I think it's inappropriate to approve a million dollars of, giving away a million dollars of revenue without having a greater context.

Number one, we don't know what our revenue's going to be in 2008 unless Councillor O'Shaughnessy and the Mayor have information that we don't. We don't know whether we're going to be cutting an extra five, ten or fifteen million dollars of business tax from the 2008 budget, unless the Mayor and Councillor Fielding have that information now and we don't exactly know what our revenues are going to be or our expenditures are going to be in '08 as well.

The contingencies, the things that you never expect are going to happen, may occur in 2007 that builds some more liability in '08, and I just think the prudent issue would be to have this front and centre in a budget discussion in 2008. And if we approve this now, we're saying this is the priority, it's going to happen and for me, frankly that's out of context and I cannot approve it in this form. Thank you.

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Thank you Mr. Speaker. My good friend from St. Boniface has it a little out of context this time I'm afraid. This is a goal. This is not a fait accompli, this is a goal. If we can

eliminate it, we will. If we can't, we will simplify it. We must set goals. If we don't set goals, well let's rise and sit again after we do next year's budget.

I don't think there's anything wrong in here, the Red Tape Commission looked at a situation that was not at all optimum and said, let's eliminate the problem and if we can't, let's simplify the process. So we have two alternatives here. The elimination only comes in, in lieu of the simplification if we can find the revenues to offset it in next year's budget.

If we can't, all we're changing in here, in fact, is the date from January 1st due to May 31st due, the same day the business taxes are due. The rest is setting out two parallel courses; hopefully we can do the elimination which is the simple solution to everything. If not, we will simplify the ongoing continuance of this particular tax. Should we not have a goal to eliminate it? Should we not have a fall back position? I think this is very responsible and I think should be supported by all Councillors who understand it, who want an efficient, friendly system of government for our city.

Mr. Speaker: Thank you Councillor O'Shaughnessy. No further speakers? Mr. Mayor, closing.

Mayor Katz: Thank you Mr. Speaker. As I listen to all the comments being made Mr. Speaker, I was very glad to see that there are some people here who get it. This is all about timing at this stage of the game. This is all the motion is, changing a date and hopefully, to reach the goal of eliminating it. And I for one tell you, I want to see us accomplish that goal, no different than we had a goal to decrease business tax in the downtown by 20%.

Mr. Speaker, we accomplished that goal. We then had a goal to decrease business tax in the rest of the city so we had an even playing field, Mr. Speaker; we accomplished that goal as well and guess what, the sky did not fall. We did not fall off the face of the earth. We did it and the reason we did it, because of fiscal responsibility. That's our job. That's why we're all here, Mr. Speaker. If we're not setting goals and trying to make change, if we're going to accept the status quo, what are we here for Mr. Speaker.

We're here to make things better and I for one will tell you eliminating this makes things better. Even Councillor Gerbasi told me that when it came to eliminating or phasing out business tax, the most important thing was for the small businesses. These are legitimately the small businesses. There's fifteen Councillors here and a Mayor, any one of us today with a computer and a phone can have a home business, some of us may have, for all intensive purposes. We can't even enforce this Mr. Speaker, okay. That's the reality of it and when we talk about facts, its 843,000 dollars. Not a million. That's a significant difference and number two, when you collect revenue, there's also a cost to collecting revenue. So the target would even be lower.

I mean it's, the Red Tape Commission came up with recommendations, okay. They got a national award for this. This was one of their recommendations. We're doing something positive. If we truly want to see a city of opportunity, then let's grow our businesses. Because you know what, these could be young families that have children. They have to work out of their home. People starting up a business who haven't got to the point where they can move to the next phase. We want to nurture them, we want to encourage them. This is how we create employment for our young people. This is how we get them to stay in our city and if we don't have these kind of goals and we don't get this, we're in big trouble. But thank God, I believe the majority of Council gets it and I hope they will all support this Mr. Speaker. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Recorded vote has been called for. All in favour of the clause please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Leipsic,

Nordman, O'Shaughnessy, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Lazarenko.

Nays

Councillors Gerbasi, Smith, Thomas and Vandal.

City Clerk: The vote Mr. Speaker, Yeas 12, Nays 4.

Mr. Speaker: Clause is carried.

EXECUTIVE POLICY COMMITTEE MOTIONS

Mr. Speaker: E.P.C. motions, we have one motion that's before us here and that'll be automatic referral to the Executive Policy Committee. Yes, Councillor Vandal.

Motion No. 1
Moved by Councillor Vandal
Seconded by Councillor Thomas

WHEREAS the Kelvin Community Centre is scheduled to close permanently on April 30 2007;

AND WHEREAS the facility improvements at the Bronx Park Community Club are several years away from completion;

AND WHEREAS in the St Vital area of the City, where Glenlee Community Centre and Norberry Community Centre are amalgamating, the Glenlee Community Centre is allowed to remain open for indoor programs until the facility improvements are completed at Norberry Community Centre, at which point Glenlee will permanently close;
AND WHEREAS there are currently approximately 150 youth per week involved in indoor activities at Kelvin Community Centre;

AND WHEREAS the current plan to use the Kelvin Fieldhouse / clubhouse for the community is insufficient in that there is no space for indoor programs, other than 4 dressing rooms;

THEREFORE BE IT RESOLVED THAT the Kelvin Community Centre volunteers be allowed to use the current community centre until the improvements at the Bronx Community Club are complete, at which point the Kelvin Community Centre will permanently close.

Councillor Vandal: I'd like to move, given the circumstances behind this situation that it be, the rules be suspended so that we can discuss this today.

Mr. Speaker: Recorded vote. Who, Councillors take your seat. Okay those in favour of the referral, referral by Councillor, to suspend the rules to deal with it now, just pardon me, to suspend the rules to deal with it now, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillors Gerbasi, Smith, Thomas and Vandal.

Nays

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Leipsic, Nordman, O'Shaughnessy, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Lazarenko.

City Clerk: The vote Mr. Speaker, Yeas 4, Nays 11.

Mr. Speaker: It's lost. It's automatic referral. Councillor Thomas.

Councillor Thomas: Yes, I put on a motion number three to only be brought forward if this motion number two fail, and I would, I know it has to be handed out to people, but I'd like, I would like to suspend, to deal with this motion right away and I'd like to speak to the necessity.

Mr. Speaker: Councillor Thomas, I wish that you would have done this before. You had plenty of time, you knew that Councillor Vandal was coming in with his motion but that motion was not, it's being referred. We have to get the Clerk to read

out the motion, Councillor Vandal and then a recorded vote will be called. Councillor Swandel, you had a point of order.

Councillor Swandel: Notice of Motion. You know I'd like to call for a notice of motion, I think this being walked on at this time, you know after this other motion is really a practice that you know, we have to curb here. We need some sort of information to come with us and just to be doing this on the fly at the 11th hour; perhaps Notice of Motion is the way to go, Mr. Speaker.

Mr. Speaker: Well let's hear, Councillor Thomas, the Clerk will read out the motion, please sit. Read out the motion. Read out the motion first, you'll hear what it's about.

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

WHEREAS the Kelvin Community Centre field house is not ready for occupancy for existing or future programming;

AND WHEREAS the current programming has neither been offered space nor has it secured space in the community;

AND WHEREAS Bronx Community Club will not have its upgrades completed before a new field house is built;

THEREFORE BE IT RESOLVED THAT the Kelvin Community Centre club house remain open until the field house renovations are complete to allow access to the club house washrooms and other facilities for existing program users;

AND BE IT FURTHER RESOLVED THAT the Kelvin Community Centre club house remain open until alternative arrangements have been secured for programming that is currently in operation.

Mr. Speaker: Thank you. The reason I asked for the Clerk to read it out, because that motion was walked on, just hang on Councillor, was walked on. I've heard that motion being read out and I'm going to rule that that motion is out of order. Just a minute. Hold it, I'll just tell you why, the reason, because it's identical to the one that we had just referred to Executive Policy Committee.

Councillor Thomas: It's, point or order, Mr. Speaker, it's not identical. It's identical to the motion that occurred a couple of months ago for a stay to allow alternative arrangements to be found until the fieldhouse is open. I was in E.P.C.

Mr. Speaker: Councillor Thomas, Councillor Thomas, I have ruled that that motion is out of order.

Councillor Thomas: I know, in speaking to, a point of order with regard to your ruling, I was.

Mr. Speaker: You can't speak to it. Councillor Thomas you can't speak. I have ruled that it's out of order and if you want to challenge the Chair, do so and let's continue on with the business of Council.

Councillor Thomas: Then I will challenge the Chair and in speaking to my challenge, the other motion which I hoped would carry, asks for the community centre to allowed to remain open until Bronx Park was ready to do it.

Mr. Speaker: Councillor Thomas. Councillor Thomas, you're out of order. You have challenged the ruling of the Chair. We will have a vote on it now. You're not speaking. You're speaking. You're starting a debate, Councillor Thomas. Please sit.

Councillor Thomas: I'm speaking, I do have.

Mr. Speaker: Challenge the question, Councillor Thomas.

Councillor Thomas: Do I not have three minutes to speak to my challenge.

Mr. Speaker: No, you made your point clear Councillor Thomas; you've made it very clear, we understand. We'll have, you've challenged the Chair, now I'm going to ask Council Members, shall the challenge to the chair be sustained?

Recorded vote. The ruling of the Chair be sustained. All in favour, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Leipsic, Nordman, O'Shaughnessy, Pagtakhan, Steeves, Swandel, Wyatt, Mr. Speaker Councillor Lazarenko.

Nays

Councillors Gerbasi, Smith, Thomas and Vandal.

City Clerk: The vote Mr. Speaker, Yeas 12, Nays 4.

Mr. Speaker: The ruling of the Chair has been sustained. Let's get on with the business now. E.P.C. Consideration of By-laws, Mayor Katz.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: Thank you Mr. Speaker. I move the following By-laws be read a first time, By-laws No. 98/2007, 100/2007, 101/2007, 106/2007, 107/2007, 108/2007 and 109/2007.

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

Clerk: By-laws No. 98/2007, 100/2007, 101/2007, 106/2007, 107/2007, 108/2007 and 109/2007.

Mayor Katz: Mr. Speaker I move that By-laws No. 98/2007, 100/2007, 101/2007, 106/2007 to 109/2007 both inclusive be read a second time.

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

Clerk: By-laws No. 98/2007, 100/2007, 101/2007, 106/2007 to 109/2007 both inclusive.

Mayor Katz: Mr. Speaker, I move that the rule be suspended and By-laws No. 98/2007, 100/2007, 101/2007, 106/2007 to 109/2007 both inclusive be read a third time and that same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour, contrary? Carried. Question Period. Councillor Thomas, Gerbasi.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Councillor Thomas: Thank you. Mr. Speaker, I rise to ask the Mayor several questions with regard to the Kelvin Community Centre. Two months ago when the, this Council gave an extension of time to Kelvin Community Centre to allow it to continue its programming while alternate space was found and while the fieldhouse got fixed up, is he aware that in that time there had been a health inspection done, that the Greater Council was ordered to make repairs on the fieldhouse that I had been informed by the administration that I would be phoned when those repairs were complete, that those repairs have not been completed.

Mr. Speaker: Councillor Thomas, Councillor Thomas your question.

Councillor Thomas: Is he, worded in the form of a question when I said is he aware that those repairs are not complete and that the fieldhouse is not ready for occupancy at this time.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, the fieldhouse was professionally cleaned and inspected on February the 24th and is completely usable as we speak here today. I'm afraid I totally disagree with the comments that were just made.

Mr. Speaker: Your second supplementary.

Councillor Thomas: Yes, another part of that motion which I, which I spoke to previously, referred to, yes. Is the Mayor aware that when it was requested that there be an opportunity for programming,

that alternative space that Greater Council of Community Centres assist the groups now occupying Kelvin Community Centre, that they be found another place to do their programming, that they have not approached the Kelvin Community Centre people and made any effort to assist them in moving their programming to other locations in the community or to other clubs?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, the G.C.W.C.C. is working with all the groups, have communicated with all the groups, have already moved some of them and continue to work with those who are co-operating. They're most definitely are some who may not co-operate, but the G.C.W.C.C. is doing everything humanly possible to make this a smooth transition.

Mr. Speaker: Your final supplementary.

Councillor Thomas: My final supplementary is he aware that there had been a person hired by the Greater Council of Winnipeg Community Centres to go out and look at programming in this area and when they were approached by members of RENN and other community centres in the area, with regard to what the programming needs were in the Elmwood area, in the Chalmers Glenelm neighbourhood that they were directed to talk to the people who were operating the programs and to the ward council, and that neither of those two actions have occurred today.

Mr. Speaker: Okay, Mr. Mayor.

Mayor Katz: Mr. Speaker, I'd like to clarify something because it was brought to my attention, even as recent as the beginning of this week, there are not only members of the public who don't understand what's taken place but also some Councillors who are still not aware of the facts. When it comes to programming, I'm specifically referring to the outdoor programming, whether it's baseball, soccer, hockey, et cetera, all those facilities remain there. They're in use and the public has access to them. Part of the problem that exists right now is that they 're being operated and they're not under the auspices of the G.C.W.C.C. which means for certain programs such as soccer or baseball, there are children who'll only be able to participate because they are not part of a community club. And I think it's very important that everybody realizes that this is a satellite of Bronx. Everybody accepts it. Everybody works in co-operation. If people do not want something to happen, I guess it's their choice to not participate or not to co-operate. But if everybody co-operates, there will be a resolution which will be in the best interests of the children. Thank you Mr. Speaker.

Mr. Speaker: Councillor Gerbasi, your first question.

Councillor Gerbasi: Thank you Mr. Speaker. Dr. David Suzuki recently released the findings of his If You Were Prime Minister Tour and the report outlined five top themes that emerged in the need to address global warming. The first of the five was to build a sustainable affordable public transportation system meaning rapid transit. And yet, this week, our media continues to portray the Mayor and as not seeing this as a priority, a high priority. Will the Mayor clarify for Council whether building bus rapid transit as is in our adopted city plans, is in fact a high priority for him or a low priority.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, I believe I've addressed this question on many occasions. I'm happy to do it again. I think Councillor Gerbasi should know better than to believe everything she reads in the media and I'm sure she does, but the facts are I've already said that rapid transit is something that we hope to accomplish as soon as possible. The big city Mayors are lobbying to basically make sure that we have a national transit program in effect, so we all are dealing with this. We have a meeting coming up in the very near future to address this issue. We've already provided some funding. We will continue to do this. So the bottom line is this is something that we're addressing right now and we're making inroads. Can we build it tomorrow? No. Is it something that I'm

going forward every time I go to Ottawa and to talk to the province about finding funding to make this happen? The answer is a definitive yes, Mr. Speaker.

Mr. Speaker: Your second supplementary.

Councillor Gerbasi: Yes, will the detailed design studies for the busways that, still the funding did remain for in this year's capital budget actually occur this year? That's my question.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, what I will commit to do for Councillor Gerbasi, I will speak to the department and get back with her on a timetable. I don't know the answer to that right now.

Mr. Speaker: No further questions? Councillor Vandal.

Councillor Vandal: The question I have, Mr. Mayor is in St. Vital there are two community centres amalgamating, Glenlee and Norberry. The improvements occurring at Norberry and Glenlee are allowed to stay open until those improvements in Norberry are complete. My question is if it's good enough for St. Vital, why can't we do the same thing in Elmwood and let Kelvin stay open until Bronx Park is complete.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Thank you Councillor Vandal. I believe you're comparing apples with oranges. There's a wonderful term, they call it rationalization. It's a term that most of us don't use on a regular basis. The scenario that Councillor Vandal pointed to was where two community centres are working in co-operation to come under one roof and that's a direction they've chosen to go in. Okay. This situation is totally different. Councillor Vandal is aware of the fact we dealt with this issue three times prior to today. I guess today would be the 4th time Mr. Speaker, as well as we approved the motion which the Councillors for that ward are aware of, that the revenues that come from the sale of that land, will go to help construct, one, Bronx and two, the fieldhouse as well. The facts are there, Mr. Speaker. You're comparing apples with oranges I'm afraid to say.

Mr. Speaker: Thank you Mr. Mayor. Your second supplementary.

Councillor Vandal: Is the Mayor aware that there are approximately 150 youth using the Kelvin Community Club per week as we speak?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, I'm aware that there are youth using those facilities and I'm referring to the entire grounds on a regular basis and they will continue to use the entire grounds, including the fieldhouse which is also available Mr. Speaker.

Mr. Speaker: Councillor Vandal your final.

Councillor Vandal: Is the mayor aware that there is not enough room for a ping pong table in the fieldhouse?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, if everybody really tried to do what they said they were going to do, there would be no problem in having room for a ping pong table and many other amenities. As a matter of fact, in my most recent conversation, I came to the conclusion that Councillor Vandal was not aware of the fact that all the recreational outdoor facilities were still being, were going to be maintained and continued. He thought that even those were being closed as well, so that's why I clarified that. So I am aware that improvements can be done and if people worked co-operatively we can get things down but if people want to make an issue of certain things and play hard ball, the only people who suffer are the children. Thank you Mr. Speaker.

Mr. Speaker: Thank you Mr. Mayor. No further questions? Report of April 3, 2007, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED APRIL 3, 2007

Councillor Steeves: Thank you Mr. Speaker, regarding the meeting of April 3, 2007, I'll move items 1 and 2 as consent Items.

Mr. Speaker: All in favour, contrary? Carried. Motions, none. P.C.S. Consideration of By-laws, Councillor Steeves.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES CONSIDERATION OF BY-LAWS

Councillor Steeves: Thank you Mr. Speaker, I move By-law No. 96/2007 be read a first time.

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

Clerk: By-law No. 96/2007.

Councillor Steeves: Thank you Mr. Speaker, I'll move that By-law No. 96/2007 be read a second time.

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

Clerk: By-law No. 96/2007.

Councillor Steeves: Thank you Mr. Speaker, I'll move that rules be suspended and By-law No. 96/2007 be read a third time and that same be passed in order to be signed and sealed.

Mr. Speaker: All in favour, contrary? Carried. Question period, no questions? Standing Policy Committee Infrastructure Renewal and Public Works, Councillor Clement, pardon me, hold it Bill, Councillor Swandel, do you have a question or what, oh number 1, okay wait until he introduces it. Councillor Clement.

Councillor Clement: Do you want me to go now.

Mr. Speaker: Yes, go ahead. Report April 10th.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED APRIL 10, 2007

Councillor Clement: Yes, thank you Mr. Speaker. I'm pleased to introduce the report of the Public Works Committee for April 10 and I'll move Items 1 to 4 as consent and I understand that Councillor Swandel wants to talk about number 1, so I'll move 2 to 4 as consent.

Mr. Speaker: Okay, thank you. All in favour, contrary? Carried. Item number 1.

Councillor Clement: Then I'll move item 1.

Item No. 1 Project to raise level of flood protection for existing properties below 20.0 ft James Avenue File PD

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker just wanted to put some comments out for the record on this item. We, this was brought forward at the Riel Community Committee when we were coming to realization that we spend a lot of money on almost an annual basis and certainly in the last couple of years we've gone into the flood protection mode on three occasions in two years, providing protection to a level that's far less than the event of ten years ago in 1997.

And it was, the theory that we were working with was that by providing some permanent protection to a lower level there would be a great saving to taxpayers on a regular basis. The administration looked into that, they brought forward a report that did arrive at some conclusions that said that for a number of properties, for example, I think this year there's 33 properties identified that need to be protected and I think it was 17 or 19 of those 33 would give a return to taxpayers, a positive cost benefit ratio and that by funding 90% of the costs of those, of providing those protections with the homeowner funding ten percent

of them, that there would actually be a savings for the taxpayer.

There's a couple of things left out of the report and I raised them at committee and I just want to get them out here for the record and I, the two items were, positive cost benefit analysis if you only use the criteria of 90/10% you're really limiting what you can get as far as a positive cost benefit analysis and a savings for taxpayers. If the home owner is willing to pay more than 10%, I'm sure there would be more than the 17 or 19 properties that would come into play, would actually save taxpayers money, so we really should put that option on the table.

The other thing that was excluded in this was the funding of riverbank stabilization for the purpose of creating these, this lower level of protection, lower than the 1997 flood level. It doesn't wash really, if you take the principle of cost benefit ratio, a positive cost benefit ratio, whether or not you have to do some riverbank stabilization along with that, as long as there's a return to taxpayers, you should be able to fund anything.

We're not talking about doing riverbank stabilization without protection, without the enhanced protection for these properties, we're talking about only as required to provide the protection for the property. And we really should look at on a go-forward basis of bringing that piece forward and getting it into play.

There's another argument that I've heard, and you know the administration did a wonderful job. They identified some three hundred and something thousand dollars. I think 378,000 dollars to put forward to fund some of these projects so we can immediately get out of the gate. And I don't think that we need to identify any more money at this time, in order to open the doors up to more properties. You know, you can do it on first come, first serve basis or on a priority basis and then as you can find more money in future budget or budgets or from other flood protection projects that may have surpluses sitting in them right now in the capital projects accounts and Public Works or Property and Development or wherever, we may be able to add more money into that kitty as we go forward.

So I would like to see the administration or you know the public service provide us with a little more here so that we can eventually get to the point where these 33 properties, that cost taxpayers a great deal of money on an almost annual basis are eventually eliminated from having that need to provide protection and with that, I'll let Councillor Clement reply.

Mr. Speaker: Councillor Clement.

Councillor Clement: Well I thank Councillor Swandel for his comments. Certainly, I have no problem with the thrust of his comments for the longer term. None of his comments reflected on this motion going forward at this time to start spending some of the money that we've identified and so he and I can continue to have that type of dialogue, and I will move clause 1.

Mr. Speaker: All in favour, contrary? Carried. Motions, none. No motions. I.R.P.W. Consideration of By-laws, Councillor Clement.

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

Councillor Clement: Thank you Mr. Speaker. I'll move By-laws No. 95/2007, 97/2007, 103/2007 through 105/2007 be read a first time.

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

Clerk: By-laws No. 95/2007, 97/2007, 103/2007, 104/2007 and 105/2007.

Councillor Clement: I'll move that By-laws No. 95/2007, 97/2007, 103/2007 to and 105/2007 be read a second time.

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

Clerk: By-laws No. 95/2007, 97/2007, 103/2007 to 105/2007 both inclusive.

Councillor Clement: Mr. Speaker I'll move that the rule be suspended and By-laws No. 95/2007, 97/2007, 103/2007 to 105/2007 both inclusive be read a third time and that same be passed in order to be signed and sealed.

Mr. Speaker: All in favour, contrary? Carried. Question period, none. Standing Policy Committee on Finance, no report. Motions, none. Consideration of By-laws, none. Question period. Councillor Swandel.

STANDING POLICY COMMITTEE ON FINANCE
QUESTION PERIOD

Councillor Swandel: Thank you Mr. Speaker. I'd like to ask the Chair of Finance, recently it came to my attention that we have a number of outstanding expropriations, some going back as far as 1976 and the cost of carrying those expropriations forward and you know the costs to, for procedural pieces, whether it they be court whatever, plus interest is a burden that we take on at the final settlement of those. Can the Chair of Finance enlighten us as to how many open expropriations we might have and what the total funding is going towards the actual settlement of these expropriations and how much is additional costs?

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: Wish to share, thank the Chair of Property for the question, however, the, what properties we're expropriating, what is outstanding, I believe, fell within his bailiwick. The financing for it, we're sort of the tail that's wagged by the dog. I don't think we set the rules. I do know though and I have recently been raising questions that we have many, many millions of dollars sitting out for outstanding expropriations, which the few that I'm seeing settled, seems to come in, seem to be coming in at about half of what money we've set aside and I feel there may be a great deal of potential money sitting out there that either could be better put to use or cancelled, and I would have to say that I don't know the specific answers to the questions I've been asked and that I will find out those answers, but I'm afraid, in researching them I'm going to have to ask him most of the questions.

Mr. Speaker: Your second supplementary Councillor Swandel.

Councillor Swandel: My first supplementary Mr. Speaker, I guess I should have been a little more pointed. Can you, can the Chair let us know what happens to the surplus monies from those outstanding accounts when they're, when there are large sums of money, if they're coming in at 50%, what happens to the other 50% of the money.

Mr. Speaker: Chair of Finance Councillor O'Shaughnessy.

Councillor O'Shaughnessy: In the old days it was easy, I hate the old days, being so old with whatever, having had one year of experience, twenty seven times in this chamber so far. In the past we cancelled unused borrowing authority and it was easy. Now that money is sitting in limbo quite frankly. There is a report being worked on right now which recommends, it's odd that the recommendation would be finished before the reasoning for it, recommending that all monies for capital projects such as these, unspent after five years be automatically cancelled and reported on so that Council can either reduce its expenditures or find alternate use for that money. Unfortunately right now, what has happened is a lot of this money has been spent in Charleswood is what has happened. It's an easy approval now because departments are able to come forward in the middle of a budget year and say, we need this project so badly, but we found the money. This money wasn't all spent in project Y and that's what we're planning to stop with the new motion so that everything that's brought forward, the financing for it will have to stand its own test and not be gimmes for this Council to squander extra money on projects no matter how worthy that they will all have to be priorized properly and stand the test of a positive vote by this Council.

Mr. Speaker: Your final supplementary Councillor Swandel.

Councillor Swandel: Can you, can the Chair give any indication as to how much there may be in projects that are, capital projects throughout the city, throughout all the departments that are five years of age or greater.

Mr. Speaker: Councillor O'Shaughnessy.

Councillor O'Shaughnessy: I would hate to be out three or four cents, so I'll take that question under advisement and get the answer to all Members of Council very quickly.

Mr. Speaker: Thank you. No further questions? Standing Policy Committee on Downtown Development, no report. Motions, none. By-laws, none. Question period.

STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT QUESTION PERIOD

Councillor Swandel: For Downtown Development, I think that's where we're at.

Mr. Speaker: Yes.

Councillor Swandel: I have two items that I'd like an update on downtown. One is the, some time ago we implemented a program, a way finding signage program. I'm not quite sure where that's at and I haven't seen a great explosion of these new signs. I have seen some inside but not outside and I thought there was a whole strategy there and it may be as much as three or four years old now. I'd like an update as to where that's at and I don't know, I know I'm just bringing this blind to Councillor Wyatt and perhaps he'll have to bring it back to us later. And the other one is an update on where we're at with the weather protected pedestrian walkway system. We've been in the, you know in the go with that one for quite a number of years and I was expecting to see some headway with some of the projects and perhaps we can get an update on that as well.

Mr. Speaker: Thank you. Councillor Wyatt.

Councillor Wyatt: I'll take them under advisement and bring responses back to Councillor Swandel. Thank you.

Mr. Speaker: No further questions? Standing Policy Committee of Property Development report of April 3, 2007, Councillor Swandel.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED APRIL 3, 2007

Councillor Swandel: Thank you Mr. Speaker. I'd like to introduce the report and move adoption of the consent agenda Items 1 to 16.

Mr. Speaker: All in favour, contrary? Carried. Motions.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT MOTIONS

Mr. Speaker: There's one motion. I'll move that automatic referral by Councillor Swandel, seconded by Councillor Steeves. Councillor Swandel.

Motion No. 1
Moved by Councillor Swandel
Seconded by Councillor Steeves

WHEREAS Council on June 29, 2005 approved an application for Plan of Subdivision and Zoning Change under File DASZ 28/2004 for the premises at 3420 Pembina Highway, and on November 23, 2005 passed By-law No. 200/2005 to enact the zoning change;

AND WHEREAS in approving the application Council stipulated that the Plan of Subdivision be registered in the Winnipeg Land Titles Office (WLTO) and the Zoning Agreement be filed by caveat in the WLTO within twenty-four (24) months from the date that the rezoning by-law was adopted by Council;

AND WHEREAS the proponent is presently working to finalize with the City

and requires additional time to complete this process;

AND WHEREAS the Ward Councillor has consulted with the Planning, Property and Development Department, and the Department advised that it has no objections and that the proponent has paid the appropriate extension of time fees;

THEREFORE BE IT RESOLVED THAT:

1. That the time to provide for the registration of the Plan of Subdivision and Zoning Agreement under rezoning By-law No. 200/2005 for File DASZ 28/2004 be extended to June 30, 2009.

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

Councillor Swandel: Mr. Speaker, this is a matter just an extension on timing for a subdivision, rezoning and subdivision, former By-law, I'd like to move suspension of the rules that we deal with it right now. It is technical in nature. There's just some ongoing negotiations around some green housing stuff for lack of a better term, environmentally friendly components to the housing and I'd like to ask that we deal with it now.

Mr. Speaker: Thank you. All in favour, contrary? Carried. And his motion, all in favour, contrary? Carried. Councillor Thomas you had a point of order.

Councillor Thomas: Yes, I have a point of order. Mr. Speaker, in questioning of the Mayor with regard to the repairs to the Kelvin Community fieldhouse, he stated that he felt that the repairs had been completed. We tracked down the Director and.

Mr. Speaker: Councillor Thomas.

Councillor Thomas: This has to do. This is a point of order.

Mr. Speaker: It's over, talk to the Mayor later. Talk to the Mayor.

Councillor Thomas: It's not been completed.

Mr. Speaker: Talk to the Mayor later. Its past, you can't relive that. We're now in Property Development and Consideration of By-laws.

Councillor Thomas: So, I can't, even though I've got the facts on this statement.

Mr. Speaker: No, no. You deal with him. Deal with the mayor after the meeting. No, you can't. Sorry, Councillor Thomas. I will not bend the rules for you, because you have some kind of a, something with the Mayor because how he responded. He responded and that was considered by us. We've approved it, so look, whatever you've got, deal with the Mayor later on, on that or if not, then deal with the next Council meeting. Consideration of By-laws, Councillor Swandel.

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

Councillor Swandel: I was just a little; let me get back on track here Mr. Speaker. I think we jumped back to E.P.C. there for a brief moment. I'd like to move that the following By-laws be read a first time, By-laws No. 88/2007, 89/2007, 90/2007, 91/2007, 92/2007, 93/2007, 94/2007, 99/2007, 102/2007 and 110/2007 be read a first time.

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

Clerk: By-laws No. 88/2007, 89/2007, 90/2007, 91/2007, 92/2007, 93/2007, 94/2007, 99/2007, 102/2007 and 110/2007.

Councillor Swandel: I will move that By-laws No. 88/2007 to 94/2007 both inclusive, 99/2007, 102/2007 and 110/2007 be read a second time.

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

Clerk: By-laws No. 88/2007 to 94/2007 both inclusive, 99/2007, 102/2007 and 110/2007.

Councillor Swandel: I will move that the rules be suspended and By-laws No. 88/2007 to 94/2007 both inclusive, 99/2007, 102/2007 and 110/2007 be read a third time and that same be passed in ordered to be signed and sealed.

Mr. Speaker: All in favour, contrary? Question period, Councillor Smith.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT QUESTION PERIOD

Councillor Smith: Yes. Councillor Swandel, Swandel, what, swindle, no, no, no, no.

Councillor Steeves: That could stick. That could stick, Mr. Speaker.

Councillor Smith: I want to ask you about the (in audible) tax renovation program. Why haven't we not had it before us, are you thinking of scrapping it or what? Why the delay? Why the delay?

Mr. Speaker: Councillor Swandel.

Councillor Swandel: I, with regard to the Home Renovation Tax Assistance Program, I believe, pardon me?

Mr. Speaker: Proceed, proceed.

Councillor Swandel: That the program will be coming forward sometime in the near future. The Councillor is probably aware there's a bit of analysis that happens on every year when this program comes forward to try and meet the, to match the number of houses available and there's an adjustment to some of the amounts, so I anticipate a report coming from the administration, perhaps for our next Property and Development meeting and that we will have the program out at some point in the not too distant future.

Mr. Speaker: Thank you. No further questions? Secretariat Committee, Councillor Swandel would you please do a report on my behalf, January 22nd.

REPORT OF THE SECRETARIAT COMMITTEE DATED JANUARY 22, 2007

Councillor Swandel: Mr. Speaker I'd like to introduce the report and move adoption of the consent agenda Item number 1.

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

SECRETARIAT COMMITTEE CONSIDERATION OF BY-LAWS

Councillor Swandel: I will move that By-law No. 50/2007 be read a first time.

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

Clerk: By-law No. 50/2007.

Councillor Swandel: I will move that By-law No. 50/2007 be read a second time.

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

Clerk: By-law No. 50/2007.

Councillor Swandel: I will move that the rule be suspended and By-law No. 50/2007 be read a third time and that the same be passed in order to be signed and sealed.

Mr. Speaker: All in favour, contrary? Carried. No questions. No questions. No questions. Councillor O'Shaughnessy moves adjournment. All in favour, contrary? Carried. Roll call.

ROLL CALL

Clerk: His Worship Mayor Katz, Councillors Browaty, Clement, Fielding, Gerbasi, Leipsic, Nordman, O'Shaughnessy, Pagtakhan, Smith, Steeves, Swandel, Thomas, Vandal, Wyatt, Mr. Speaker Councillor Lazarenko.

Council Adjourned at 10:59 A.M.