COUNCIL OF THE CITY OF WINNIPEG
Wednesday, June 18, 2008

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 Swandel.

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.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: Thank you. Pages, we have Simone Jaman of Miles MacDonnell Collegiate, resides in the Elmwood-East Kildonan ward, welcome. (Applause).

Welcome of Guests and Announcements. First is a presentation of the Go Green Certification for 510 Main Street to His Worship Mayor Katz by Glenn Cayer, President of Building Owners and Managers Association of Manitoba. Is the presenter here? Thank you, proceed.

Glenn Cayer: Good morning everyone. Your Worship Mayor Katz, Council members. As President of the Building Owners and Managers Association of Manitoba, I'm pleased to be here today to present to the City of Winnipeg the BOMA Go Green Certification for the Civic Centre complex here at 510 Main Street.

For those of you unfamiliar with BOMA, we're part of an international organization representing the needs of commercial property owners, developers and managers providing advocacy, education and networking opportunities to our members. BOMA has approximately 130 member companies in Manitoba representing approximately 80% of the commercial office space.

BOMA Go Green is a national environmental recognition and certification program for existing commercial buildings including office towers, shopping centres and institutional and industrial properties.

You probably are somewhat familiar with the Lead program. The difference is the Lead program focuses on new construction, and the BOMA Go Green program focuses on existing buildings. So if you're hearing of the two that's the difference.

The Go Green program also concentrates on the areas of resource consumption, including energy, waste reduction and recycling, the proper use of building materials and the interior environment and tenant awareness. By incorporating BOMA best practices into building management the City will realize significant cost savings while helping to protect the environment.

There are now 22 buildings certified in Manitoba including various public works and MPI properties, the Winnipeg Convention Centre and private sector properties such as the Richardson Building and Royal Bank downtown. There are also many more currently working towards certification. In Canada there have been more than 500 buildings certified Go Green or Go Green Plus since the program began nationally about three years ago.

The City of Winnipeg obviously plays a key leadership role in promoting and ensuring the sustainability of commercial and institutional buildings in Manitoba and your participation in the Go Green program is a fine model of environmental stewardship.

Our association congratulates you on this achievement and encourages the City's adoption of the BOMA Go Green program into future green building policies eventually incorporating all of the City of Winnipeg buildings.

Mayor Katz on behalf of the Building Owners and Managers Association of Canada I'm pleased to present you with the BOMA Go Green certification.

Mayor Katz: Thank you very much. I appreciate that. (Applause).

First of all I very much want to thank BOMA. In April of 2008, we were certified and it certainly is an honour for us to join the other 21 buildings that have also been certified. And I very much want to thank the public service for helping us make this a reality and I think we're very proud of this accomplishment and thank you for being, for acknowledging us. It's our pleasure. Thanks again.

Mr. Speaker: Thank you.

Glenn Cayer: Thank you.

Mr. Speaker: I think we will go into leave of motions for Councillor Wyatt due to City business

MOTIONS

Motion
Moved by Councillor Thomas
Seconded by Councillor Browaty

That Councillor Wyatt be granted a leave of absence from today's meeting due to City business.

All in favour? Contrary? Carried.

Mr. Speaker: I would like to introduce to you, in recognition of the students that are here from the University of Winnipeg, and they are learning politics and mass media courses with their instructor Donald Benham. They are right up in the gallery to our right. Welcome. (Applause).

I just want to announce in recognition of the City Clerk's efforts regarding to broadcast of Council meetings which are now shown on Shaw and also on MTS. It took a lot of effort to get this done and a lot of viewers have been calling me, those who want to watch. Such as the calls that I've been getting from the Holy Family Nursing Home residents, and also the residents who are on the life lease at the back of the building.

And I would like to say, my oldest sister, she is the oldest in my family now, is living in her new condominium, Kay Tereck and I had promised them that I was going to introduce this today, and also, urged to maybe get all the other, others who are shut-ins, such as nursing homes, and systematically to make it available for them to watch because a lot of them have shown a lot of interest in the, you know what is happening at City Hall, with keen interest, and I promised them that this will be, I'll announce it. And I'm sure that those of you who are watching there this morning, Council will be very, very precise. We'll be right on schedule with what we want to do, and to those, especially to Kay Tereck, welcome and congratulations in your residence.

Also, I believe there is Councillor Pagtakhan; you have an announcement to make?

Councillor Pagtakhan: Yeah I just wanted to urge all members of Council and all citizens of Winnipeg to attend Canadian Multicultural Day on Saturday, June 28th at The Forks. The festivities start at 11:00 o'clock at the Scotia Bank Stage and continue until 5:00 o'clock in the evening. There will be food, games, crafts, songs and dance and tons of activities and they are all free events happening on Saturday, June 28th at The Forks for Canadian Multicultural Day.

Mr. Speaker: Thank you.

MINUTES

Councillor O'Shaughnessy moves that the Minutes of the meeting held on May 14, 2008 be taken as read and confirmed.

All in favour? Contrary? Carried.

COMMUNICATIONS

Councillor Smith moves that the rule be suspended and the following communication which was received too late to be placed on the regular agenda be received as information.

All in favour? Contrary? Carried.

DELEGATIONS

Addendum Delegations. We have one, is Patrick Hitchcock, Nexus Loft Development Corporation, in opposition to Item 1 of the report of the Executive Policy Committee dated June 11th of 2008 regarding Heritage Conservation Tax Credit - Bathgate Block, 242 Princess. Introduce yourself for the record.

Patrick Hitchcock: Good morning, Your Worship, Councillors. My name is Patrick Hitchcock. In 1998 I moved here from Nova Scotia and bought a building in the Exchange District and started the process of developing a heritage condo project that at the time was the first in Winnipeg that had happened for approximately 10 years.

In the early days, 1999 to 2002, I was the poster boy for downtown rejuvenation. My project was mentioned every chance the Mayor or the head of CentreVenture spoke as a shining example that Winnipeg was serious about downtown redevelopment. Oh those heady days. Everyone with a microphone was singing the same song. Winnipeg supports downtown redevelopment.

Well, I'm here today to tell you that this was a huge lie. I've been at it for 10 years and my original project is not yet complete. It is unbelievably difficult to get anything done in this City, any heritage development. Politicians saying they support downtown development doesn't actually get it done. You need to translate that into action and it has to get down to the levels of the people that I or someone like myself would deal with in the City, and that is exactly what has not happened in the City of Winnipeg.

The worst thing I would say is that the process hasn't gotten any easier, really at all. I mean there have been a few small steps but the basics are that it hasn't gotten any easier at all. Even knowing what I do now, if I was to start a similar project today, it wouldn't go much better.

Anyway, I'm here today because I quit. You've driven me out. I'm moving out of this City, out of this Province. I've spent over $2 million dollars on 123 Princess Street, taken in a revenue of less than $1.4 million. Those are simple numbers that probably anyone can understand and they don't make sense.

I should have been here many times to complain about many different issues. I chose to not come to the, I find it ridiculous that we have a system that I have to go to a City Councillor or the Mayor about every single little thing. I should be able to deal with the head of a department or someone lower than that normally, and get something resolved but it has taken months and months on many numerous occasions.

I should have been here, there was one occasion when the plan examiners approved our plans to use plastic piping for our drainage for all our drainage systems and for four months there was a dispute between the plan examining department and the city inspectors department that my whole project was on hold for at least four months for that part.

My project was held up for approximately nine months, when I went to develop phase 2 of my project, which was the main floor part of my project and the plan examiner that we dealt with first, conveniently forgot all the discussion that my architect and I had with him about how the project was going to be developed and it took nine months to sort that out.

Handicap access took another three months to sort out, which is supposed to be something everyone is supposed to be supporting and I could go on and on and on. Sidewalk patio, I went in with a proposal to use, do a sidewalk patio. It was opposed by every single department that had a kick at it. I went through the list, and with no significant changes, eventually, I turned them all around and we got the approval for it but it took months and numerous hours of my time and expense.

The penthouse, phase 3 of my project, again delayed for a year because of a change in, it wasn't even a change in personnel. It was just a, some sort of a

change in the plan examining department and again, it was all agreed at the start of my project, and went back and actually tried to get a building permit for it and it took a year to sort out.

These are huge issues and there are still lots of issues with my project that aren't resolved. My garbage and recycling don't get picked up regularly. The (inaudible) doesn't actually want to do anything about it. My back lane needs paving. We don't receive any snow removal. No one wants to do anything about that. Snow routes, the entire downtown for the City of Winnipeg is designated as a snow route. When we do not clean the snow every night for 3-1/2 months of the year, all parking needlessly disappears from this downtown. I think it's ridiculous.

I've proposed numerous solutions to all these things over the years to many people and it is unbelievable to try to get anything done. The Red Tape Commission, it may have helped someone add a garage to their house in St. Vital, it didn't do anything for downtown development. There was nothing in there that really helped downtown development.

I've asked someone, I've asked numerous people on numerous occasions, someone be assigned to shepherd my project and use it as a test case to try to learn something from it and get it done and help me out. Always denied.

No one has learned anything from my project or any of the others that have occurred in the last few years. I proposed to many people that we need an office to accumulate some corporate knowledge, and nothing has ever been done. When I presented at EPC, I think the response was that it should be up to me to set up a website to handle something like that.

I'm one guy trying to develop one little building. You folks run the City of Winnipeg, a city of 700,000 people. If we can't figure out a way to have a little office to learn something from some project to try to make downtown development better, then I don't know what, it's not my job.

CentreVenture in my opinion started out with a reasonable mandate and was doing some fairly good work. I think they've become a total failure. They've reached the point where they are doing more harm than good by wasting the time of ordinary people and getting your false hopes up. They are now only concerned with making rich developers even richer.

The Heritage department used to act in an honourable fashion but this hasn't been the case recently. They're also now doing more harm than good by, they waste your time when they ask you to apply for things and then don't actually follow through and try to make things happen.

The Heritage Tax Credit was ill-conceived. It has still many bugs in it. One of the bugs was that it hadn't been thought out how to deal with the sale of condos and give the developer any benefit of that Heritage Tax Credit. My project was a guinea pig for that. That caused months of delays on my project and extensive legal bills. I even had to pay the legal bills for the CentreVenture lawyer to learn that process.

My units at 123 Princess continue to be assessed at half the value that they actually are selling for, so my tax credit loan is not getting paid down as it was supposed to be and so I'm not getting the real value of the tax credit that I was approved for that project.

Just in general I don't understand why I'm even here today or why you have to come to this level to get anything done in this City. I can't understand how you've got a system set up that you don't put more on your department heads and unload on them a little bit, or actually unload them if they don't handle things. It seems ridiculous that everything has to come to this level.

Quickly I'll go through some of the comments. There was one comment at my EPC presentation that lawsuits happened because it's easy to sue the City. I totally reject that. I don't think it's easy to sue anybody. I don't think anyone wants to sue anybody. The reason people

end up suing the City is that the City acts in bad faith. That's why you have lawsuits.

Just to get to the points of this matter, the historical background of this one page sheet that's titled "Historical Background, 242 Princess Street", there are some factual inaccuracies. Item 1 the building was purchased in 2004 for $125,000 dollars, no significant work since that time. That's totally false. We've done lots of work on the project since then, all sorts of repairs, demolition, cleanup. The building is in much different shape than when we purchased it.

And 2, they just sort of gloss over it, they say it magically appeared on the Building Conservation List. We applied for that and the reason we applied for that was to have access to be able to take in some grants or some tax credits to make this project happen. It didn't just magically happen. And it wasn't the Heritage department. They were happy that we did it, but they, we did it on the understanding that they were going to support us for some tax credits.

And, item 5, paragraph 5 of the 2007 assessment, it was reduced from $327,000 to $118,000. That's totally false. The City Assessment department wanted to raise the assessment to $327,000. We had to strenuously, strenuously oppose that and get it to stay the same at $118,000 because at that point, we hadn't completed any sales and we hadn't figured out a plan to do this.

The facts of this matter are that in 2004 we purchased the building for $125,000. It was on the market for many years and we had a very good deal. It was assessed at $118,000. We asked to have the building designated, as I said for the purpose of applying for tax credits and it was approved. We made numerous attempts to get the condo conversion going. Did not, was not able to work out. CentreVenture backed out of financing for that so we couldn't do that. We tried to sell the whole building. We had no luck with that. It was too big of a project for most. We had to carry the building for four years.

Just one other comment at EPC there was a question about that we were making too much profit. I didn't have a quick answer for anybody there but over the four years I went back and went through and we spent over $100,000 dollars to carry the building for four years including interest, insurance, gas, electricity, elevator maintenance, repairs, legal, architectural fees and taxes.

We devised a plan to split the building into three separate titles and sell smaller semi-developed chunks. CentreVenture and the Heritage department encouraged us to apply for the Heritage Tax Credit. We spent $100,000 dollars in work; it's already been done, to make this happen to split the building into three chunks. We put these three buildings on the market and while we're still in the planning phase, and the three chunks, where the building had sat before for years as a whole, before we bought it, we sold those three chunks in less than two weeks for a total value of $370,000 dollars.

The simple matter is the buildings are worth more because of the work we did and because now they are easily developable, and to their end state and to get an occupancy. I just have one minute if I could beg your approval.

Mr. Speaker: Go ahead. Give you one minute.

Patrick Hitchcock: The biggest problem with this application was that the Heritage department recognized there was a flaw in the Heritage Tax Credit program and did nothing to correct it. The Heritage Tax program as it exists doesn't have any consideration to easily support partial development which is what we're doing. That's a huge flaw because many buildings could be developed that way. One party does most of the work or some of the work and then the end users finish the spaces and get occupancy.

Heritage did a very poor job of selling this to the Assessment department and they got an initial answer that the building was worth the same value as before we started. It's totally ridiculous. The Assessment department's first look didn't

even recognize that we were splitting the building into three separate titles, but once they had that, Assessment, everyone sort of circled the wagons to try to support it. Heritage did a bad job of selling it.

We went to EPC once and we asked for a review, went back and had a meeting with Heritage. The meeting started out with the Assessment guy saying that nothing we were gonna say was going to get him to change his mind and he was going to stick to his original number.

So my point is, that it's ridiculous that four years later after significant change in the market, significant work being done to the building, the building partially developed, the building split into three easily developable chunks and the building that sat on the market for years before we bought it, sold in two weeks when we sold these chunks and for the Assessment department will say that we hadn't changed the value at all. I think it's ridiculous. Heritage basically tried to ram this through and gave us no time to appeal.

We've gone through the process, the final step here, my opinion is that you have two choices. You can vote to support a ridiculously untenable position advanced by the Heritage and Assessment departments that this building has not had any change in value in the past four years or you could vote to say that the City of Winnipeg does support downtown development. Thank you very much.

Mr. Speaker: Thank you Mr. Hitchcock. There may be some questions. Any questions Councillors? Councillor Vandal, your first question.

Councillor Vandal: So you taken a building, you've made three condominiums out of one building.

Patrick Hitchcock: Three titles.

Councillor Vandal: Three titles and you've sold all three titles?

Patrick Hitchcock: Yes.

Councillor Vandal: And the City of Winnipeg was aware of this information?

Patrick Hitchcock: Yes.

Councillor Vandal: Thank you.

Mr. Speaker: Thank you. No further questions? Mr. Hitchcock thank you for your presentation. Councillors we'll get into the agenda. The report of the Executive Policy Committee dated May 21 of 2008, Mayor Katz.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED MAY 21, 2008**

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the report and move adoption of Consent Agenda Item 1.

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

Report of June 4, 2008, Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED JUNE 4, 2008**

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

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

Report of June 11, 2008.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED JUNE 11, 2008**

Mayor Katz: Mr. Speaker I would like to introduce the report and move adoption of Consent Agenda Items 1 through 9.

Councillor Gerbasi: Item 1 please.

Mr. Speaker: Item 1.

Councillor Vandal: Item 6.

Mr. Speaker: Item 6. Nothing else? Okay, so there will be Nos. 2 to 8 as Consent Agenda.

All in favour?

Mayor Katz: No, 2 to 5, 7 to 9 Mr. Speaker.

Mr. Speaker: Oh pardon me, pardon me. Yes, okay.

All in favour? Contrary? Carried.

Item 1.

Item 1 – Heritage Conservation Tax Credit – Bathgate Block, 242 Princess Street, File G-3.1.5

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I would very much love to hear whatever comments, Councillor Gerbasi has and then I will address them.

Mr. Speaker: Councillor Gerbasi.

Councillor Gerbasi: Thank you, Mr. Speaker. I don't have very detailed comments because to be honest, until I heard Mr. Hitchcock speaking today I wasn't aware of some of the issues that he raised and I guess I was just really hoping that either the Mayor and/or the chair of the Standing Policy Committee could enlighten the public and the rest of Council about what happened here, because obviously we're trying to support downtown development and the way it was presented from the delegation certainly raises a lot of concerns.

And I would like to be assured that I know some action was taken there. But maybe there is another reason behind this, or how did we get to this point where somebody who had spent so long trying to improve our downtown is now feeling this way and acting this way? I would just like to know, what, if we could get some more information about what went on here, it would be greatly appreciated.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, I would be happy to share the information that I have access to. It's my understanding and I think Mr. Hitchcock alluded to the fact he bought the property in 2004, sold it in 2008, bought it for $125, spent $100,000 dollars, carrying costs of $100,000 dollars, so approximately $325, sold it for $370. I think everybody can do the simple arithmetic there, approximately a 10% return on your investment.

The key issue is there was really no significant work. I think it was Councillor Vandal who talked about condos, nothing has been done there, that's why, there is nothing there. It was basically sold. It's more or less raw space, and I think down the road for those who do develop it, there would be an opportunity to see something come back. But if you don't do the work and as we all know when you are looking at assessments, there is the base year that they're working on so for all intents and purposes from the department's point of view Mr. Speaker, there has been no increase in the value of the property, vis-à-vis they have not recommended a tax credit.

I believe he was looking for $40,000 dollars. That is my understanding of the issue. If there is any further questions on it I will try and address it, but that's what I know to be the facts shared from the department and what came out at the EPC meeting, Mr. Speaker.

Mr. Speaker: Thank you. No further speakers? The vote on Item 1.

All in favour? Contrary? Carried.

Item No. 6, madam clerk.

Item 6 - General Council of Winnipeg Community Centres – 2008-2010 Business Plan, File PR-2

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, the GCWCC is, presents us with a business plan for us to review and make sure they're going in the right direction. As we all know, we do have a policy regarding our recreational facilities. I would love to hear from

Councillor Vandal and then I'll go from there.

Mr. Speaker: Councillor Vandal.

Councillor Vandal: Thank you, Mr. Speaker. I am rising on behalf of the Southdale Community Centre and the Winakwa Community Centre who have been in line for funding increases for quite awhile. And we know that this report was approved back in 2004 of March, excuse me, Mr. Speaker I'm feeling very dizzy at this point so I'm going to have to sit down and my apologies.

Mr. Speaker: Thank you. Councillor are you okay?

Councillor Vandal: I'm fine. I just need to sit.

Mr. Speaker: Okay. (inaudible) Mr. Mayor do you want to continue?

Mayor Katz: Mr. Speaker, I will, while Councillor Vandal hopefully takes a few moments to feel a little better, I know he and I have spoken about Southdale and I believe everybody in the chambers right now is aware of the fact that there was a promise or commitment made during the Provincial election. As we all know, we do have a policy in place and we follow our policy, which obviously contravenes our policy. And I know there has been some dialogue to try to move it forward.

As a result of a meeting with Councillor Vandal, I did get together with the GCWCC to try and address this issue. They are right now in the process of completing a thorough report. It appears that they are getting very good buy-in from all the community centres. They wanted to at least wait until the report was complete before they addressed this issue. It's very important for the future of our recreational facilities. They were of the opinion we would have it before Christmas of this year.

I know that there are some who would like to move forward immediately. I understand that. But if you have a policy in place, you know, one thing I've seen quite often, if you ignore the policy then what's the point of having it? So, although I understand that there are people there who wish to build a hockey rink, et cetera, I understand that the Province has made commitments. I mean the City is basically acting on the policy and letting the people that we've asked to do this work, do it. And that's what I'm hoping to do.

You know there might be some changes and maybe Councillor Vandal might have more information to add because we haven't spoken on it, so I will sit down and see if Councillor Vandal can add anything or any other comments or questions that he may have.

Mr. Speaker: Councillor Vandal are you in a position to speak?

Councillor Vandal: Mr. Speaker, I'm fine.

Mr. Speaker: You're okay? No, no, he doesn't have to stand but are you okay, Dan?

Councillor Vandal: I'm fine. The Mayor has clarified the questions that I had and it was my intention to support the clause, but put those issues on the table. I'm fine.

Mr. Speaker: Thank you.

Mayor Katz: Mr. Speaker, if I may, just to allude, everyone is aware of the situation and everybody is aware of what Councillor Vandal is trying to accomplish for those citizens, and I know that GCWCC is working towards that goal, and there have to be some assessments done, et cetera. Hopefully, we can find a path that everybody will be happy. We're not there today as we speak but hopefully we will get there.

Mr. Speaker: Thank you. Councillors are you ready on the vote of Item 6?

All in favour? Contrary? Carried.

EPC Motions if any? None, there's no Motions? No Motions Mr. Clerk? Okay. Consideration of By-laws Mr. Mayor.

Mr. Speaker: Dan are you okay, Councillor Vandal?

Councillor Vandal: I'm all right.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: I would move that the following By-laws…

Mr. Speaker: (Inaudible) Proceed Mr. Mayor, first by-law.

Mayor Katz: I would move that the following By-laws be read a first time, By-laws No. 114/2008, 115/2008 and 116/2008.

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

Clerk: By-laws No. 114/2008, 115/2008, 116/2008.

Mr. Speaker: Mr. Mayor.

Mayor Katz: I move that By-laws No. 114/2008 to 116/2008, both inclusive, be read a second time.

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

Clerk: By-laws No. 114/2008 to 116/2008.

Mayor Katz: And Mr. Speaker I move that the rule be suspended and By-laws No. 114/2008 to 116/2008, 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.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Mr. Speaker: Questions. Councillor Nordman first, Gerbasi.

Councillor Nordman: Thank you Mr. Speaker, through you to the Mayor, there has been a lot of conversation and dialogue about an inland port in the City of Winnipeg. We had one false start years ago with Winnport. I'm just curious as to what the status is of those negotiations, if in fact we're heading in that direction Mr. Mayor.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, through you to Councillor Nordman, I'm sure everybody has heard through the media about the fact that we are working towards an inland port. This is something that the City has been supportive of for quite awhile. I can tell you for the first time in a long time, we are seeing definitive action.

We had a meeting of all the stakeholders, including representation from the City, yours truly, along with the Premier, and I believe something very wonderful and something special could happen in our City in the very near future, which would not only create an economic boom with construction and quality jobs, but could also solve many of our transportation issues as well.

So there is a great deal of hope. We hope to move forward. We're also working with the Provincial government. I am in constant communication with Minister Toews and Premier Doer and we're hoping in the very near future we'll have a very special announcement on this project.

Mr. Speaker: That's it Councillor Nordman? Councillor Gerbasi your first question.

Councillor Gerbasi: Thank you Mr. Speaker. My question is in regards to arts funding. We had an amazing well attended Mayor's Luncheon for the Arts last week with over 700 people, 760 people attended. And I guess my question is, is in the light of the support for the arts in our City and the benefit of the arts to our City, is the Mayor prepared to make a commitment publicly, that he will support public art funding for 2009? There is a lot of concern that since it was cancelled in 2008 that the same thing could happen in the future and I would like to have a commitment from the Mayor on that.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker I thank Councillor Gerbasi for the question. The attendance was phenomenal. Great representation from the City of Winnipeg, except just to clarify, arts funding was not cancelled in last year's budget. There is one specific item that was deferred for one year. Arts funding in our City has almost doubled Mr. Speaker, to approximately $4.2 million dollars.

Unless Councillor Gerbasi is aware of something that I am not, there is no intention that I know of, to make any changes. Keeping in mind, when you look at these issues, you know, it's always tied into our budget and obviously the budget process will be starting very shortly. But, as far as I think the commitment is there from the City.

We've also been doing funding for other projects which I think the Councillor alluded to, which we did take a sabbatical for one year, and that was the half million dollars, but we said we would be back on track with that.

We've also made major strides when it comes to the arts community and a lot of not-for-profit organizations. It was this Council that finally eliminated that dreaded entertainment tax which cost a significant amount of money of revenue to the City and we've done that as well.

So I think we are showing our support, and I believe that the speaker basically said that the City of Winnipeg is doing an excellent job of supporting the arts. That was Mr. Enright who was the speaker there. Could we do more? Absolutely, you can always do more, but I think that would come at a time when we address the budget issue Mr. Speaker.

Mr. Speaker: Your second question Councillor.

Councillor Gerbasi: Thank you Mr. Speaker and I appreciate the response which is accurate in all of those things, and I am glad of the arts funding we have provided.

But there was a cut in public arts that came out in the public art program specifically was all I was speaking to, and I just want, my question is just to confirm that there is a commitment from the Mayor to not do what happened this year, to not eliminate the funding for that program as was eliminated just for one year. I want to know that there is a commitment to keep that program going in 2009 because there is a lot of community projects on the back burner for a year now and delayed because of that decision in our Operating Budget.

Mr. Speaker: Mr. Mayor.

Mayor Katz: Thank you for reminding me Councillor Clement. Mr. Speaker, maybe this is semantics, but when that cut was made to public art it was stated very specifically and very accurately and reported in the media, that it was just for that year. If anybody got any different interpretation of that, that was certainly our intention, and I certainly stand behind exactly what we said at that point in time. Nothing has changed Mr. Speaker.

So if Councillor Gerbasi is looking for something that I am not aware of other than the fact is we very accurately and succinctly said that this would be for one year and then we would go back to the way things were. I'm sure it's probably somewhere in the Hansard as well. I don't know what bigger commitment you can get from that Mr. Speaker.

Mr. Speaker: Thank you. Final question Councillor? Councillor Smith, your first question.

Councillor Smith: Yes. Mr. Mayor, I'm wondering about the cladding of the Police Service Building. You know, how many months do we require to make a decision on proceeding with cladding or any idea of a new building?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker, I appreciate that question from Councillor Smith. The process right now that's taking place is that when it comes to cladding, as I'm sure Councillor Smith knows, the costs have increased dramatically. And when that happens, you have to explore

all the other options that might make sense for the City of Winnipeg. Whether it's re-cladding, whether it's a new building, whether it's another location, and 16 other options.

And I can tell Councillor Smith, through you Mr. Speaker, that all those options we're looking at and I have no doubt in my mind that Councillor Smith would want us to make sure that whenever we spend a dollar, we get the biggest bang for the buck for our taxpayers and that is what the department is doing, and as soon as we get that report, I'd be happy to contact Councillor Smith and share that information with him.

But right now, we're going to let them do their due diligence and make sure they come up with the answers. And this Council in the end will decide which of the many options make the most sense. And all I can ask for is patience because when you're talking of projects of $30, $40, $50, $60 million dollars, I think we all want to do it right the first time.

Mr. Speaker: Your second question Councillor Smith.

Councillor Smith: Can you give us any idea on the time line? Like when do you expect this report? How, how you know, are you just leaving it open for like, like let's have some more concrete information?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, no, it's not open. But I would be happy to speak to the department and find out but obviously I believe we should have some recommendations, you know, before this year is over, so we can move forward and know exactly where we're going and make a plan. If Councillor Smith is asking me is there going to be something within the next 30 or 60 days, I do not believe that to be accurate, if that helps.

Mr. Speaker: That's it Councillor Smith? Councillor Pagtakhan your first question.

Councillor Pagtakhan: Thank you Mr. Speaker. Good morning, through you to the Mayor. Well three-and-a-half years ago this Council committed to provide around $6 million dollars to a recreational user facility in northwest Winnipeg, to be located at the Old Exhibition grounds across from McPhillips Street Casino.

I had a chance to talk to the Mayor but there is a lot of inner City residents, north end residents and residents of northwest Winnipeg who are interested in the status of that project and where things are at and for the public record, I would like the Mayor to enlighten us as to what is happening with that project?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Thank you Mr. Speaker. I'm going to make one correction to what Councillor Pagtakhan said. I believe, if my memory serves me well, the amount originally was $7 million dollars committed, was part of our recreational infrastructure commitment, and $1 million dollars of that was spent elsewhere which leaves the $6 million that Councillor Pagtakhan referred to.

I don't think there will be anybody on this floor of Council that would argue that there is a significant need in that area, which is why we made that decision. And when that decision was made, there was all sorts of other stakeholders coming to the table and what started off to be a $7 million dollar project, they were talking about a $20 million dollar facility and then a $30 million dollar facility, and of course there was dialogue going on between the department and these stakeholders and nothing happened.

I can tell you that I decided along with EPC, that it's time we provide a facility there. Too much time has passed. It's time for us to build. We've seen what happened with the Red River Community Centre. They've built a wonderful facility. And from my point of view, the directive to the department is to get out there and build a facility now so that the children have a facility to use, to go to for the activities, for the entire community. And if some of the other stakeholders want to come forward and have more money to contribute, they could always add on.

And right now, my understanding is the department has been communicating with the stakeholders in the area. As Councillor Pagtakhan knows, there is a lot of other activities and facilities on that location. They want to make sure it's located properly, they, it's connected properly, and that is in process, and I believe you will be hearing an announcement in the very near future but we have decided it's time to move and build and get that facility ready for our children.

Mr. Speaker: No further questions? Your second question, Councillor Pagtakhan.

Councillor Pagtakhan: Yeah. Thank you, Mr. Speaker and I thank the Mayor for that detailed response on behalf of the citizens of northwest Winnipeg.

My next question for the Mayor through you is, in 2006, the spring of 2006 we established, we authorized up to $45,000 dollars to establish a Poverty Reduction Council by the United Way. I would like to know if the Mayor could shed some light in terms of some of the activities that have been happening to date relative to the Poverty Reduction Council.

Mr. Speaker: Mr. Mayor.

Mayor Katz: I thank Councillor Pagtakhan for that question. He is absolutely correct. Our former CAO was the representative on that committee. I believe right now the CAO, Glen Laubenstein is the new representative. And what I would love to do in this situation is to sit down and talk to our CAO and once I get an update I would be more than happy to share whatever information I have with Councillor Pagtakhan.

But I believe there have been some meetings since then but I don't have enough details at this particular point in time to address that question, so I will be more than happy to get back to Councillor Pagtakhan.

Mr. Speaker: That's it Councillor? Councillor Vandal, your first question.

Councillor Vandal: Thank you Mr. Speaker, let me try this again. I understand that the Friends of Upper Fort Garry have met every condition as per the City of Winnipeg criteria, but they have not been transferred title to 100 Main Street. So I'm wondering if you can give an update as to when the City of Winnipeg will be transferring the title to 100 Main Street to the Friends of Upper Fort Garry?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, I am of the opinion that Councillor Vandal does not have accurate information. I met with Mr. Cunningham, who is the lead on this project as of right now, and we told them that our departments need specific information, so they can validate that the terms and conditions have been met.

I believe it was, might have been on Monday of this week, received a letter and right now, basically, our Chief Financial Officer as well as our Legal department, will be going through the documentation to make sure that all conditions have been met, and if they haven't they will be communicating with the Friends of Upper Fort Garry to tell them what is missing. That, to me, is the case as we speak today.

Mr. Speaker: Councillor Vandal your second question.

Councillor Vandal: Can you give this Council an idea of what information has been missing from the Friends?

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker, in the motion that was approved by Councillor, by Council which I'm sure Councillor Vandal is aware of, there was a financial commitment that they had to raise $10 million of the $12 million dollars. That has not been validated yet. Obviously there has to be an audit done. That will be done by our Chief Financial Officer.

The other thing, the other key criteria that I recall was that they have concluded a transaction regarding the Grain Exchange Curling Club. As of yet, I have not seen a signed offer to purchase with a signed

offer to accept. Obviously our Legal department will go through that and maybe that has come since the information that I've received. So I know those were two of the key criteria in there.

Mr. Speaker: That's it Councillor Vandal? No further questions?

Okay, let's get on with the Standing Policy Committee on Finance. There is no report. Finance Motions if any? None. Consideration of By-laws, none. Finance Question Period. Any questions of the Finance Committee? None.

Standing Policy Committee on Downtown Development. No report. Motions, none. Consideration of By-laws, none. Any questions? None.

We're really moving on. Those who are watching us this is precisely how we operate each and every Council meeting.

Standing Policy Committee on Property and Development, report of May 20 of 2008, Councillor Swandel.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT DATED MAY 20, 2008

Councillor Swandel: Thank you, Mr. Speaker. I would just like to thank my colleagues on the Property and Development Committee for being the ones that always do all the work around here. Lots of reports and by-laws to put through.

Well I am, I am pleased to introduce the report and move adoption of the Consent Agenda Items 1 to 8.

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

Motions? None. Consideration of By-laws, Councillor Swandel.

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

Councillor Swandel: I'll move that the following By-laws be read a first time, By-laws No. 103/2008, 104/2008, 105/2008, 106/2008, 107/2008, 108/2008, 109/2008, 110/2008, 111/2008, 112/2008, 113/2008, 117/2008, 118/2008 and 119/2008.

Mr. Speaker: Boy that's a lot of by-laws.

Councillor Swandel: We do a lot of work.

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

Clerk: By-laws No. 103/2008, 104/2008, 105/2008, 106/2008, 107/2008, 108/2008, 109/2008, 110/2008, 111/2008, 112/2008, 113/2008, 117/2008, 118/2008, 119/2008.

Mr. Speaker: Councillor Swandel.

Councillor Swandel: Thank you Mr. Speaker. I'll make this a little easier this time. I'll move that By-laws No. 103/2008 to 113/2008, both inclusive, and 117/2008 to 119/2008, both inclusive, be read a second time.

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

Clerk: By-laws No. 103/2008 to 113/2008, both inclusive, and 117/2008 to 119/2008, both inclusive.

Councillor Swandel: Mr. Speaker, I will move that the rules be suspended and By-laws No. 103/2008 to 113/2008, both inclusive, and 117/2008 to 119/2008, 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.

Questions. No questions. Standing Policy Committee on Protection and Community Services, report of May 23 of 2008. Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED MAY 23, 2008

Councillor Steeves: Thank you Mr. Speaker, in regard to the report of May 23, 2008, I move adoption of Consent of Items 1 through 3.

Mr. Speaker: All in favour?

Mayor Katz: Mr. Speaker Item 1 please.

Mr. Speaker: Item 1. Okay and 2 and 3.

All in favour? Contrary? Carried.

Item 1, madam clerk.

Item 1 - Consequences of "Catch and Release" Policies, File GF-2

Mr. Speaker: Mr. Mayor.

Mayor Katz: Mr. Speaker first of all I want to thank the Committee for the work they've done, but I feel I just want to share some information so that everybody has a real understanding of what's going on. Not just in our City. I mean youth crime is on the rise across the country, and Winnipeg is no different.

Young people are starting fires, they are assaulting, they are stealing cars, and for all intents and purposes they don't seem to have a great deal of respect for basically, property or individuals. And I just want to share with you some of the events that have taken place in our City. This is all in the last little while.

A 15 year old was charged with first degree, and attempted murder, in the killing of three people at a house party.

Another 15 year old, a chronic offender since 2005, was sentenced to time in custody, four months of deferred custody and one year of supervised probation after a crime spree that involved stealing a car and ramming a police officer.

A 10 year old was arrested in connection with 32 arsons but is too young to be charged with an offence.

Two 15 year olds, one of whom is also wanted for breaching four court orders, were charged with over 30 firearm related offences after police were called to a home for a noise related event.

Yet another 15 year old, a chronic offender wanted on two outstanding warrants and multiple court order breaches had been arrested on at least five prior occasions in the past year.

And two 15 year old girls were charged after stealing an SUV and ramming a police cruiser, hitting a police officer, who was outside his vehicle.

A 14 year old driver was charged with manslaughter and other charges including breach of probation, following a collision between a stolen auto and a taxi, which killed the taxi driver. A 16 year old passenger charged with possession of property obtained by crime showed no remorse stating, "he had to die sometime anyway and it's not like it's a big deal" and later, skipped bail.

Another 15 year old, a chronic car thief was out on bail and under the care of CFS, at the same time of the incident, had prior convictions for robbery, theft, breaching court orders, was sentenced to supervision for 18 months with an ankle bracelet, for 3 months with a social worker in charge of the case stating that there were no suitable treatment options for this youth. His parents are not involved; alcoholic mother, absent father. And his home community of Wasagamack does not want him back.

A 12 year old girl and a 14 year old girl were charged with arson, damage to property after setting a fire to a brand new home.

Mr. Speaker, it's obvious that, this is all in April and May of this year Mr. Speaker. It's obvious that the Youth Criminal Justice Act is not working. It's also obvious that all it does is reinforce the catch and release that's going on in our City, where our police officers are using phenomenal amounts of resources, rearresting the people who have just committed a crime a few days ago.

I know it's frustrating for citizens. It's frustrating for police, which is why we went to Ottawa, not that long ago, a bipartisan group of people, myself, the Premier, the Minister, the leader of both the Conservative party as well as the Liberal party, along with citizens, went to Ottawa to lobby for changes to the Youth Criminal Justice Act and the Criminal Code.

And I guess what I'm hoping right now, and two of the initiatives that I think are very important, was amending the Youth Criminal Justice Act to include tougher penalties for youth involved and also, making auto theft a violent indictable offence.

There is no secret that some of our youth need help and should be given help and maybe we can turn around their lives. It's obvious there are others who just don't care about other people, have no respect for the law, and I want, I'm hoping that everyone will call their Member of Parliament and let them know that changes have to be made and let them know that the safety of our citizens should be priority number one. And when people are getting treatment, society should still be protected. I just wanted to add that. Thank you, Mr. Speaker.

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

Councillor Steeves: Thank you very much for those comments Mr. Mayor. A difficult issue, obviously these types of things in our community, Mr. Speaker.

The report probably represents different things to different people, depending upon how you approach these types of issues in our society. I want to be careful at the outset, as the person who brought the motion to ask our administration to bring this report back to Committee.

I always want to be careful to acknowledge, on behalf of this City Council, and on behalf of the citizens we represent, that probably around 96% of the youth in this City really don't have any involvement in the criminal justice system. They are just good kids who are out there doing their thing, making mistakes like all kids do, but really, not that serious mistakes. And by looking at some of these issues, we in no way want to impugn or to paint every young person in this City with a bad brush. That's not the intent.

And I want to be explicit in my acknowledgment that the vast, vast majority of young people in this City and frankly, in other cities as well, are good kids, doing good work, getting involved in good programs. We have every confidence that they're going to evolve to be good and productive members of our society.

As the Mayor alluded to however regrettably, there are things in our society that are going on, and I have to say that it does seem to, in certain circumstances, in certain areas, be getting somewhat worse.

The remaining 4%, we know that regrettably, unfortunately, 1% to 2% of those young people or people in general, are just too far gone, where even the criminal justice system, and all the other systems that exist, couldn't contemplate their release even on an interim basis. They have to be incarcerated in a full time incarceratory situation and there just is no way around that, Mr. Speaker. Certainly that doesn't give anyone on this Council pleasure, and it certainly doesn't, I guess, make us feel better about what we're trying to do here today.

The challenge for me with respect to this report Mr. Speaker has to do with those people who fall into the realm of that 1% or 2 other percent of people who the criminal justice system makes the determination that, for whatever reason, even though they've been, I guess, brought into the criminal justice system, respect to criminal charges, they are in a position now, either through interim release or bail or probation, for all what have you, to be released back into the community.

Somebody has made that decision, and we know there's a couple different factors at work Mr. Speaker and some of them

are less concerning and some of them are frankly more concerning. One of the more concerning issues that we have out there is the issue of space. We do know that on any given day, the criminal justice system is pressed for space as to where individuals might be incarcerated, if in fact the determination is made that a person has to be left in an incarceratory situation. And in those circumstances, we know that sometimes, decisions are being made that a person should be released back into the community, rather than being held in incarceration.

Those are the types of situations, Mr. Speaker that are beginning to cause concern. Because as the Mayor alluded to and the stats, there are too many of these stories out there.

I mean if someone, for some reason, on a first offence basis, goes out there and does something that is, I guess abhorrent in our society, these are things that are difficult to predict, why someone would perform a first offence, steal a car for the first time, stick up a gas station for the first time. It's hard to say always what goes into those decisions.

But when we've already apprehended a person I think society at large and certainly the criminal justice system now takes a certain sense of responsibility and ownership for this young person and the actions that they might commit from that point forward. And that's the purpose of this report.

We know, based on the numbers that have been provided by our Police Service, that we are spending about $3 million dollars per year on rearresting individuals in our society and we know that those numbers come as a result of I guess, a gross amount of rearrests in our community for breaches and other types of things and in 2007 they totaled 1,718.

Now, we, in certain areas, bail checks, we do receive some support from the Provincial government, in different areas, but as the report clearly states it's not nearly enough to cover off the costs the Winnipeg Police Service is undergoing to deliver this service and that's the problem. If we as a society are going to be paying to deal with these individuals on a continuing and repeat basis, the question becomes who fairly should be paying that cost and what should be done?

As I stand here I guess, probably as you sit here as City Councillors, I would ask this question openly and rhetorically, when somebody is released on bail or parole or on some form of interim release, what happens with that person? What is the degree of supervision? How closely is that person watched to ensure that they don't reoffend in our community?

If somebody in the criminal justice system has made the determination that this person is okay to be released back into society, and we fully acknowledge that that's going to be an appropriate decision in certain circumstances, should that system not then take more ownership and more responsibility for that person being released back into society? And that's what this report talks about.

Right now, we do not believe that that is happening and we're going to continue to work at this and try to delve deeper and deeper into what happens to an individual when they are released back into society. Because we know that right now it's costing our Police Service about $3 million dollars to rearrest these people.

We also probably know that those rearrests have no rehabilitory effect and there is no benefit to these young people who are rearrested. They are simply put back into the system, potentially, to reoffend again, if indeed they are rearrested. These are some of the things that we have to ask ourselves and this is the direction that we have to go to.

We talk a lot about in our society about how to keep people out of harm's way. How do we keep people out of the criminal justice system? People talk about programming in our community. What exists? The baseball program, soccer, computers, crafts, all of those types of things. Clearly, some of our people, our young people primarily are not choosing to access this program, and when they are released back into society, there

should be a stronger and more robust program to ensure that these young people do not reoffend.

And if that costs money, if that takes resources to ensure that that doesn't happen, then in my respectful submission Mr. Speaker, that is money well spent. But it should be spent by another level of government that has the responsibility to do so, so that financial responsibility does not then fall to the Winnipeg Police Service to rearrest these young people.

Mr. Speaker: Thank you. Councillor Steeves was the last speaker. The, no Councillor Smith, the Mayor spoke and I asked if there was anybody else. And you, when he, Councillor Steeves started speaking you put up your hand. It's too late.

Councillors, on Item 1.

All in favour? Contrary? Carried.

Motions. No Motions. Consideration of By-laws, none. Question Period. No questions.

Standing Policy Committee Infrastructure Renewal and Public Works, report of May 26th of 2008, Councillor Clement.

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS DATED MAY 26, 2008

Councillor Clement: Thank you, Mr. Speaker. I'm pleased to move the minutes of the 26th of May and move Items 1 to 3 as Consent.

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

Motions, none. By-laws none. Question Period. Councillor Smith and Nordman. Councillor Smith.

THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS QUESTION PERIOD

Councillor Smith: Councillor Clement, I would like to know when the pothole program will be finished? In other words, when will we finish filling all the potholes? Do we know where all the potholes are? You know it seems to me that the department head said to me that personnel goes down all the streets and notes the potholes so we have a list of the potholes. When will they be finished? When will they be in effect filled?

Councillor Clement: Well I'm not sure who you were speaking to specifically, but my understanding is is that throughout the course of the year, virtually every time it rains we get more potholes, so we continue to fill them right through until October. And we're continually, it's a work in progress all the time. Obviously it's worse in the spring and anybody that knows where a pothole is if they phone it in they generally go and get it within 24 hours.

But I'm not aware that somebody drives every street looking for potholes. That's new information to me. Maybe they do it in the north area. That's possible. But if they do then they should fill them. That's what they're supposed to do. Is it west? Well no, he's, he's north. He is north of the river. Nobody is going to ask you any questions because you take too long to answer. (laughter) (applause). As far as I know, they're being filled on a regular basis.

(Councillor Pagtakhan in the chair)

Mr. Deputy Speaker: Next question, Councillor Nordman.

Councillor Nordman: Thank you Mr. Deputy Speaker. Councillor Clement I'm just curious to know, based on the phone calls that I've received in my office that are, being a new Councillor I should preface this by saying that as a citizen I always kind of wondered and this year in particular the speed with which we got up

to maintenance of our boulevards and our different parts of the City.

Have we less labour? Have we less equipment? Have we been faced with a 7 year cycle of weeds? Have we been faced with weather? I think it's, you know, awkward for us as a Council to suggest our citizens look after their property when the City hasn't done a very good job this year and I'm just kind of curious to know if there is a reason why we've had so many phone calls in St. Charles office, regarding the maintenance of our boulevards and properties?

Mr. Deputy Speaker: Councillor Clement.

Councillor Clement: I think the issue Councillor Nordman is dandelions for the most part and frankly, I think that the way we deal with them is atrocious. In fact I raised it with the CAO about a week ago.

And one of the problems is is that when you spray them, many of our green spaces have children playing in them, so they have activities that are planned in those parks through May and June, so you're not supposed to spray them in May and June. They typically spray them in July when they are not there. And I don't think it works worth a darn, frankly and I am tired of seeing the sea of yellow myself and then the white stuff.

But in terms of how the spring unfolded, nothing has changed in terms of the way we do maintenance. They generally start around the third or fourth week in April to do the street cleaning. They try to co-ordinate it as best they can although it's not easy because when you go on the boulevards and if they're wet and sometimes they are, they make more of a mess than if they left them alone. Sometimes they have to come back and do the street cleaning a second time after they've done the boulevard clearing.

But I think the real issue that you're driving at, although you didn't name them is dandelions. I've asked that somebody have a look at it and see if there is some other way we can approach this.

I believe what's going to happen is that the Provincial government is, as you know, looking at some changes to legislation that's not going to likely let us spray anything, and if they do that, then there is going to have to be another type of mitigation for this, and I suspect we won't see much of a change until we are able to deal with whatever that new mitigation is.

Mr. Deputy Speaker: Second question Councillor? No. Okay, Councillor Swandel.

Councillor Swandel: Thank you Deputy Speaker. My question through you to the chair of Public Works is regarding dirt and gravel back lanes. I think they're supposed to be gravel back lanes but many of our wards we have back lanes that are not paved, they're supposed to have some sort of a gravel surface on them but over the years they've been neglected, not maintained.

We all understand that these back lanes are supposed to be, if they are going to have gravel added they are supposed to done by the local improvement process. The recent wet season people have difficulty accessing these back lanes because there is no solid surface to them and similarly our garbage and recycling vehicles have trouble with them.

I'm wondering in light of the fact that this year we're doing some improvements on gravel roads that would normally be done by local improvement, if there is any consideration being given to getting outside of the local improvement process, and looking at these back lanes as well?

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

Councillor Clement: I'm not aware of any movement along those lines Mr. Deputy Speaker.

Mr. Deputy Speaker: Second question, Councillor Swandel.

Councillor Swandel: I guess to take it a bit further, would the Committee consider bringing these back lanes forward to be

paved either funded partially by the City or totally by the City as they seem to continue to be a problem for not just the residents but also for our operations like garbage and recycling. You know, a snappy answer of yes or no isn't going to do the job here. We have a problem and we need to address it.

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

Councillor Clement: Well I didn't want to wind up in the same league as my friend from St. Vital so I thought I'd... Okay. I'm not unwilling to look at anything, but I think that the appropriate time for that to be raised is during the budget process where we can review that type of a situation.

You're right, we did put some money in the Capital Budget this year to deal with some rural roads that would never get upgraded by local improvement because of the frontages that those people have got and in some cases those roads are dangerous. But, I believe that the way we deal with these back lanes is a little bit unfair. Personally, I always have.

I think you're aware that I repaired several of them in Fort Garry, with my Councillor's assistant's money and then got told I couldn't use it for that any more. And, but the ones I fixed are still fixed and the amazing thing was over in Fort Garry when we did it, every single back lane that we dug up we found catch basins buried under a foot of gravel and so the drainage was actually there. The minute that we opened up the drains we stopped having drainage problems. The minute we stopped having drainage problems we stopped having back lane problems in terms of bumps and grooves and that type of thing.

So, it's my recollection was when we did that about six years ago or so, or thereabouts, it was about $3,500 dollars a back lane for the whole cost. So you know, if people were willing to pay a part of it or something, if it happens, if there was some kind of a way to do that, I don't know how the local improvement by-laws are drafted, whether they have that flexibility or not, but I'm sure that we could come up with a way to deal with that. But personally, I don't have a problem looking at it but the appropriate time is budget time I think.

Mr. Deputy Speaker: Thank you Councillor. Councillor Swandel your third and final.

Councillor Swandel: One quick follow-up. Do you know Councillor Clement, I don't know if you will know off the top of your head, you discovered catch basins in the back lanes and at that time it was in your ward in Fort Garry, it's now Councillor Gerbasi or Councillor Leipsic's ward. Do you know if in general in the City catch basins were installed in all of these dirt or gravel back lanes?

Mr. Deputy Speaker: Thank Councillor. Councillor Clement.

Councillor Clement: Every one we dug up we found one or two and when I talked to Dave Brown about it who used to work for the town of Fort Garry he told me those catch basins were installed in the '70's, in and around that timeframe in all those back lanes.

So what happened I guess is after 1971, whoever was doing the work they would go down and they would put some gravel down or whatever and I guess over time they just filled them in and nobody seemed to, nobody seemed to care. Like I just can't believe it.

But when we got in there, every single back lane that we fixed had catch basins in it, and after we fixed them, they've all remained in pretty good shape, the ones we fixed.

Mr. Deputy Speaker: Thank you Councillor. Are there any further questions for the chair of Infrastructure Renewal and Public Works? Seeing none we'll move along on the agenda. We have addendum report of Secretariat Committee dated April 21st, 2008.

REPORT OF THE SECRETARIAT COMMITTEE DATED APRIL 21, 2008

Mr. Deputy Speaker: Councillor Lazarenko moves that the rule be suspended and that Item 1 be adopted by Consent.

Councillor Lazarenko: I move it.

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

SECRETARIAT COMMITTEE CONSIDERATION OF BY-LAWS

Councillor Lazarenko: Mr. Deputy Speaker I move that By-law No. 92/2008 be read the first time short.

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

Clerk: By-law No. 92/2008.

Councillor Lazarenko: Mr. Speaker, I move, Deputy Speaker, I move that By-law No. 92/2008 be read a second time.

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

Clerk: By-law No. 92/2008.

Councillor Lazarenko: I move that rules be suspended and By-law No. 92/2008 be read a third time and same be passed and ordered to be signed and sealed.

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

Councillor Lazarenko: Mr. Deputy Speaker I move that the rules be suspended and By-law No. 93/2008 be read a first time.

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

Clerk: By-law No. 93/2008.

Councillor Lazarenko: I move that By-law No. 93/2008 be read a second time.

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

Clerk: By-law No. 93/2008.

Councillor Lazarenko: Mr. Deputy Speaker I move that rules be suspended and By-law No. 93/2008 be read a third time and that same be passed and ordered to be signed and sealed.

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

Thank you very much.

Councillor Lazarenko: And I move Council adjourn.

Mr. Deputy Speaker: Mr. Speaker moves adjournment.

All those in favour? Contrary? Carried.

ROLL CALL

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

Council adjourned at 10:49 a.m.