CONSIDERATION OF REPORT OF THE
COMMITTEE ON PROTECTION, PARKS AND CULTURE

The Executive Policy Committee has had before it the Report of the Committee on Protection, Parks and Culture, dated March 1st, 1991, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Douglas, the Report of the Committee on Protection, Parks and Culture, dated March 1st, 1991, was considered.

North Committee Room,
Council Building, Winnipeg.
March 1st, 1991.

His Worship the Mayor and Councillors:

Your Committee on Protection, Parks and Culture submits the following Report and recommends:-

Program Change in the 1990 Capital Estimates - Transcona Optimist Park - East Kildonan- Transcona Community
File PR-2

634 - 1. Your Committee on Protection, Parks and Culture has been advised that to date, costs associated with the construction of an asphalt parking lot at the Transcona Optimist Park indicate expenditures in the order of $148,519.33; while available funding for construction purposes represents a total amount of $106,232.40. The projected shortfall in funding totals $42,286.93.

On December 11th, 1990, the East Kildonan-Transcona Sub- Committee on Parks and Recreation passed a motion, later ratified by the Community Committee, "that the Administration be requested to exhaust the balance of monies from the Community Centre parking Lot Improvements Program; and whatever the outstanding monies required for the balance of the shortfall be taken out of the Land Dedication Reserve Account."

Funds in the amount of $400,000.00 were approved in the 1990 Capital Estimates of the Parks and Recreation Department for the purpose of upgrading and paving Community Centre parking lots.

Funds in the amount of $68,000.00 were approved in the 1990 Capital Estimates for the purpose of constructing a parking lot, including associated site development at the Transcona Optimist Park. As well, funds in the order of $42,717.40 for construction purposes remain in the 1986 Capital Estimates of the Department for site development of the Transcona Optimist Park.

By report dated October 19th, 1990, the General Manager of Parks and Recreation advised that uncommitted funds approximating $18,000.00 to $20,000.00 was anticipated to remain in the Community Centre Parking Lot Improvements Program for 1990 and such funds could be considered for transfer to the Transcona Optimist Park project to assist in reducing the budget shortfall.

In consideration of approved Capital Funding in 1986 and 1990 for the Transcona Optimist Park, a total of $106,232.40 is available for construction purposes:-

1990 Approved Budget	$ 68,000.00
Less Finance/Administration Charges	..4,485.00
- 1990 Construction Funds Available	$ 63,515.00
- 1986 Construction Funds Available	$ 42,717.00
Total Construction Funds for 1990 Program	$106,232.00

During the course of implementing the 1990 Program of Requirements for the Transcona Optimist Park, unforeseen additional expenditures in the order of $42,286.93 were incurred by the project. While a series of minor unforeseen

expenditures and "last minute" site adjustment improvement costs occurred; two unforeseen items accounted for the majority of the funding shortfall:-

Report of the Committee on Protection, Parks and Culture, dated March 1st, 1991

1. Due to the prolonged surface discharge of the Recreation Centre sump pump into the site of the proposed parking lot, excessive excavation of saturated soils was necessitated and replacement of the excavated material with a suitable sub-base material.

2. As a result of the excessive soil saturation, and as a precautionary measure to avoid damage to the parking lot due to heavy loading by refuse pick-up trucks, the construction of a concrete pad was proposed adjacent to the parking lot entrance road to support the large refuse bin.

In order to partially alleviate the projected over expenditure, it is proposed that three items of the project be deferred to 1991 for completion and the related funds provided within the 1991 Current Estimates of the Community Parks and Recreation Branch; these three items being -

a)	installation of post and chain fencing at a cost of	$ 8,500.00
b)	line painting of the parking lot at a cost of	$ 390.00
c)	installation of a concrete pad at a cost of	$ 2,500.00
	As well, it is proposed that the landscaping associated with the parking lot, previously estimated at $11,215.00 for budget preparation purposes, be reduced to that of $6,215.00 in order to effect a cost savings of	$ 5,000.00
	Total Cost Reduction to 1990 Construction Budget is	$16,390.00

The revised budget shortfall of $25,896.93 ($42,286.93 - $16,390.00) could be partially offset by $18,938.00 of uncommitted funding remaining in the 1990 Community Centre Parking Lot Improvements Program. Of the $86,622.00 currently remaining in the subject program, a total of $67,684.00 has been committed to the completion of three parking lot projects previously identified in the Parking Lot Improvements Program; this being:-

Dakota Community Centre Parking Lot	$11,000.00
Victoria Community Centre Parking Lot	$ 1,184.00
Norwood Community Centre Parking Lot	$55,500.00
	$67,684.00

Although the Transcona Optimist Park was not a project originally identified in the Community Centre parking Lot Improvements study, which became the basis for the seven year upgrading program; the Transcona Optimist Park parking lot nevertheless fits the program criteria and could be the beneficiary of the surplus 1990 program funds without unduly compromising the program intent.

The balance of the funding shortfall could be obtained from the Community's Cash-In-Lieu of Land Dedication Account:-

Revised Funding Shortfall	$25,896.93
Less Program Transfer (Community Centre Parking Lots)	$18,938.00
Funds Required from Cash In Lieu of Land Dedication Account	$ 6,958.93

On March 1st, 1991, at its Special Meeting to consider the 1991 Current Estimates, your Committee on Protection, Parks and Culture recommended that the parking lot related items totalling $11,390.00 to cover post and chain fencing, line painting and concrete pad be included in the 1991 Current Budget of the East Kildonan-Transcona Community.

Your Committee on Protection, Parks and Culture therefore recommends:-

1. That funds in the amount of $18,938.00 be authorized for transfer from the 1990 Community Centre Parking Lot Improvements Program of the Parks and Recreation Department, Account No. 03 118XXX 5490560701, in order to partially offset a funding shortfall in the construction of an asphalt parking lot and related works at the Transcona Optimist Park in the East Kildonan-Transcona Community.

Report of the Committee on Protection, Parks and Culture, dated March 1st, 1991

2. That the necessary by-law be enacted for the expenditure of $6,958.93 from the East Kildonan-Transcona Cash in Lieu of Land Dedication Account in order to offset the remainder of the aforementioned funding shortfall.

3. That the proper officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

CONSIDERATION OF REPORT OF THE
COMMITTEE ON PROTECTION, PARKS AND CULTURE

The Executive Policy Committee has had before it the Report of the Committee on Protection, Parks and Culture, dated March 11th, 1991, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Douglas, the Report of the Committee on Protection, Parks and Culture, dated March 11th, 1991, was considered clause by clause.

North Committee Room,
Council Building, Winnipeg.
March 11th, 1991.

His Worship the Mayor and Councillors:

Your Committee on Protection, Parks and Culture submits the following Report and recommends:

Interim Grants to Cultural Organizations
File FG-1.1

635 - 1. On November 7th, 1984, Council established the Winnipeg Arts Advisory Council and delegated it with the responsibility for screening of applications, definition of criteria and recommendations as to appropriate grant levels for cultural organizations. The Winnipeg Arts Advisory Council transmits its recommendations to your Committee on Protection, Parks and Culture.

On March 11th, 1991, your Committee on Protection, Parks and Culture considered a request from the Winnipeg Arts Advisory Council for interim operating grant funding in recognition of the pressing cash flow needs of cultural organizations.

Pursuant to delegated authority, Committee approved the interim operating grants as outlined on Appendix "A" and submits for favourable consideration the following recommended interim grant allocations which exceed $50,000.00 per individual grant.

Your Committee on Protection, Parks and Culture therefore recommends:-

1. That interim operating grants be approved for payment to the following cultural organizations:-

Organization	Category	Interim Grant
Royal Winnipeg Ballet	Dance	$122,985.00
Winnipeg Art Gallery	Museums and Galleries	180,000.00
Winnipeg Symphony Orchestra	Music	70,000.00
Manitoba Theatre Centre	Theatre	67,500.00
Folklorama	Festivals/Specials	58,750.00

2. That the proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Douglas,
Adoption of the clause.

Moved by Councillor Fleisher,
That the question be now put.

Carried.

The motion for the adoption of the clause was put and declared carried.

Report of the Committee on Protection, Parks and Culture, dated March 11, 1991

Weed Control for Unkempt Privately Owned Lots in Developed Areas
Files PM & GC-10

636 - 2. Your Committee on Protection, Parks and Culture, at its meeting on September 4th, 1990, requested a report outlining all options that may be considered to reduce problems associated with unkempt privately owned lots in developed areas (establishing standards in connection with maintaining privately owned properties; increased number of mowings and/or spraying; increased charges or penalties to encourage the owners to maintain their properties to an established community standard).

On March 11th, 1991, your Committee considered an informational report outlining options that could be considered to increase the standard of maintenance on undeveloped lots.

The Weed Control Branch begins its annual mowing program of vacant properties on or about the second week in June for two reasons:- i) weeds are sufficiently grown by this point to be legally classified as a nuisance, and ii) equipment is committed to the broadleaf spray program until this date. Thereafter, with the present resources of equipment, manpower, and funding, most undeveloped public and private properties can be mowed only once a season (in 1990, an additional three hundred of the weediest properties, representing 15% of the total area, were mowed a second time). The delay in getting to some weedy undeveloped properties and subsequent regrowth after an initial mowing leads to an "unkempt appearance", especially when adjacent to well maintained lawns or parks. The problem is further compounded by the fact that undeveloped areas are often used as a dumping ground resulting in accumulations of garbage, fill, tree branches and wind blown paper. This, in turn, interferes with any mowing that may be planned.

Two pieces of legislation currently exist to address the problem of unkempt property. Firstly, the Manitoba Noxious Weeds Act has application to all land within the Province of Manitoba, including the City of Winnipeg. This provincial act outlines land owners' responsibilities with respect to weeds, along with the measures a weed district can take to control weeds on private property. The City of Winnipeg comprises one of approximately forty weed districts in the Province of Manitoba.

The Weed Control Branch has the responsibility for carrying out the provisions of the Manitoba Noxious Weeds Act within the City's boundaries. This responsibility includes mowing all weedy city-owned property, and if necessary, mowing weedy private property and recovering 100% of costs. Section 3(1) of the Act states weeds must be controlled often enough to prevent ripening and scattering of weeds or weed seeds. The number of mowings per season to meet this requirement is dependent on the type of weeds present, precipitation received and the timing of the first mowing.

While a single timely mowing is deemed sufficient to control most weeds under the Noxious Weeds Act, it is generally accepted that, if more than one cut is required to control weeds, the appearance would improve as well. This more desirable standard, generally 2-3 cuts per season, would still be enforceable under the Noxious Weeds Act but the City would have to ensure that this standard would be adopted for all publicly owned undeveloped property as well, including ditches. Currently, budgetary restraints allow only one mowing of all ditches and undeveloped City property.

The second piece of legislation dealing with unkempt properties is City By-law No. 762/74 (Appendix 1) known as the Untidy and Unsightly Premises By-law. Under this by-law, no person may permit their premises to become unsightly or littered, or allow the accumulation of debris (garbage, fill, etc.). Failure to comply could result in the City doing the work and charging costs of same to the owner. In addition, the by-law provides for fines of up to $1,000 for private property owners. This by-law is under the authority of the Commissioner of Planning and Community Services, and enforced through the Planning Department. However, notwithstanding that this by-law could address all those situations not provided for in the Noxious Weeds Act, discussions held with the Planning Department have revealed that because of staff funding limitations, action on unkempt privately owned properties usually is not taken except in special or severe circumstances.

Report of the Committee on Protection, Parks and Culture, dated March 11, 1991

In order to increase the standard of maintenance on undeveloped lots and improve the appearance, a number of options could be considered:-

A. Increase the resources of the Weed Control Branch so that a more acceptable standard of 2-3 mowings per year could be carried out. There would be annual additional costs of $161,330 (in 1991 dollars) and a one time initial cost of $288,750 to purchase extra equipment. An increase in the Parks and Recreation Department ditch mowing budget of $157,500 would also be necessary so that ditch mowing standards would be the same as those for undeveloped property. Total cost of this alternative is $607,580 in the first year plus $318,830 annually thereafter. Recoveries in the range of $77,000-$80,000 annually, which form part of the City's general revenues, could be expected.

   This option has the advantage of significantly improving appearances and lessening citizen complaints. It would also have the benefit of forcing owners to look after their own properties. A primary disadvantage would be the increased costs to the City. Because approximately 50% of the mowing is conducted on public property, only 50% of the $161,330 would be recovered through the Weed Control Branch's billing process for mowing private property. It would also be expected that owners of undeveloped property would resist this increased expectation for maintenance.

B. Increase the Weed Control Branch budget incrementally over a period of several years, better enabling the Branch to attend to priority areas a second or third time each year. The Branch now mows approximately 1,500 properties totalling 2,700 hectares in area with its current inventory of tractors and mowers. The purchase of one additional 45 H.P. tractor and five foot mower unit costing $30,000 would allow the mowing of an additional 150-200 City and/or private properties a second or third time. Additional annual costs for labour, maintenance, operating costs and depreciation would approximate $20,000 per tractor. Fifty per cent of the work would be on City property and 50% on private. The City would recover $10,000 of the additional annual costs for each additional unit. The ditch mowing budget for the Community Parks and Recreation Branch would also have to be incrementally increased by at least $50,000 in each of the next 3 years in order to attain the desired standard.

   This option has the advantage of gradually increasing the capacity of the Weed Control Branch to improve the mowing standard, with less of an immediate monetary impact on the City. The primary disadvantage would be the length of time required to reach the desired standard. The cost of this option is dependent on the incremental level of service chosen.

C. Contracting additional weed control to private firms has the advantage of saving start-up costs, (i.e. the City would not have to purchase additional equipment) which can be significant. Based on current pricing structures within the private sector, operating costs and revenue projections would be similar to a City-run program of weed control ($161,330 per year with revenues of $77,000 - $80,000), and public satisfaction would probably increase with the additional mowings. However, as there would be less City control over the work done, there would be an increased requirement for inspections and supervision ($15,717) to follow up on contractor's work. Also there is often reluctance by contractors to send private, expensive equipment onto rough or littered lots because of the damage that can result. In addition to increased inspection costs, the City would also have to increase the ditch mowing budget by $157,500 as with the other options discussed above to ensure that the mowing standard on ditches would be the same as for vacant properties. The total annual cost of this program is $334,547 less $77,000 - $80,000 in revenue.

The Manitoba Noxious Weeds Act currently provides enough authority to mow 2-3 times per year, a standard deemed sufficient to control weed growth and satisfy concerns for appearance. The main impediment is the lack of budget dollars to ensure all City-owned undeveloped property and all ditches are maintained often enough to achieve this standard. If vacant City property could be maintained more often, the Weed Control Branch would be in a better ethical and legal position to impose the same standard on privately-owned vacant property. The Planning Department, through its Enforcement Branch could definitely help improve appearances by enforcing the Untidy and Unsightly Premises By-law on vacant property that is filled with piles of fill, debris, rubble and garbage. However, as noted above, it also is hindered by limited budgets for inspections and enforcement.

Report of the Committee on Protection, Parks and Culture, dated March 11, 1991

While increasing charges or penalties to the private property owners for unkempt lots may appear to be a deterrent, it cannot be done at this time, as rates were increased between 16% and 22% in 1990 to ensure 100% recovery of mowing costs on private property (the top rate is now $70 per hour). The Noxious Weeds Act restricts recoveries to 100% of mowing costs. In addition, the appearance of undeveloped public property is considered to be as much of a concern, and needs to be dealt with simultaneously.

The Parks and Recreation Department has expressed the opinion that the publicity campaign of the Take Pride Winnipeg initiative may have the desired effect of encouraging all citizens to maintain their properties in good condition, and would have a positive impact on any option chosen. However, your Committee is of the opinion that penalties to private property owners for unkempt lots should be increased to serve as a deterrent and that costs such as inspection and administration should also be recoverable under provisions of the Noxious Weeds Act.

Your Committee on Protection, Parks and Culture therefore recommends:-

1. That the Official Delegation pursue with the Provincial Government an amendment to the Manitoba Noxious Weeds Act by which the City would recover costs associated with administration and inspection services, in addition to the costs of mowing;

2. That the Province of Manitoba (through the Official Delegation) provide an opportunity for the City to review the Manitoba Noxious Weeds Act with a view to proposing other possible amendments to the said Act.

Moved by Councillor Douglas,
Adoption of the clause.