CONSIDERATION OF REPORT OF THE
COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it the Report of the Committee on Works and Operations, dated March 12th, 1991, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Lorenc, the Report of the Committee on Works and Operations, dated March 12th, 1991, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg.
March 12th, 1991.

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following Report and recommends:

Cost of Temporary Street Closures for Entertainment Purposes File SC-3.13

637 - 1. On December 6th, 1972, Council adopted a report of the Committee on Works and Operations recommending a procedure for dealing with requests for temporary street closings for entertainment purposes. The conditions of approval for such requests included an application fee of $10.00 per street closing to defer the cost of the insurance premium.

On July 27th, 1988, Council adopted a Policy on Temporary Closure of Streets for Entertainment Purposes which included the following statement:

> "The applicant for a street closure should pay all costs associated with the closure with the exception of street closures for residential block parties; funding for residential block parties street closures are to be included in the Current Estimates for the Works and Operations Division."

On June 6th, 1989, the Committee on Works and Operations instructed that the temporary closure of Jubilee Avenue be processed as a "residential block party", the cost of which is to be borne by the Streets and Transportation Department.

The cost of the work carried out for block parties, for the Manitoba Marathon and for the temporary closure of Jubilee Avenue has never been paid for by the applicants.

On July 17th, 1990, the Committee on Works and Operations requested a report concerning a proposal by Councillor Selinger that, in order to reduce the City's costs associated with the temporary closure of local residential streets for entertainment purposes, community volunteers be allowed to close and re-open the streets in such a manner that the City of Winnipeg would not be liable for personal injuries or property damage.

The 1991 Preliminary Current Estimates of the Streets and Transportation Department contain no funds for overtime labour to install and remove the necessary barricades associated with block parties, the Manitoba Marathon and the Jubilee Avenue Celebration.

A review has been undertaken of the fees charged for permits issued for temporary closure of streets for entertainment purposes.

At present, all temporary local residential street closures for entertainment purposes are carried out by Traffic Services employees. This ensures that the necessary signs and barricades are installed and removed where and when specified in the use-of-street permit by staff who have the training and experience to carry out the work in accordance with City standards. This methodology is considered by the Law Department to minimize the City's liability in the event of personal injury or property damage. If community volunteers were to carry out this work, the City would have no assurance that the street was closed or re-opened in accordance with the permit specifications. Authorized civic employees would be required to inspect the signs and barricades to ensure that the closure had been carried out in the proper manner at the proper location. According to the Law Department, community volunteers could not carry out temporary street closures and still eliminate the City's liability for personal injuries and property damage.

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The costs of temporary street closures for entertainment purposes are paid for by the applicants with the following exceptions:

EVENT	1990 LABOUR COST
Block parties (130 in 1990)	$ 21,130.00*
Manitoba Marathon	6,900.00
Jubilee Avenue Celebration	2,300.00
	$ 30,330.00

* Average cost per block party was $162.54.

In addition, the 1990 labour cost associated with the installation and removal of signs and barricades on summer Sundays and holidays for the Wellington Crescent, Wolseley Avenue and the Scotia/St. Cross Street bicycle routes was $11,500.00.

To meet budget guidelines, funds in the overtime salaries account in the 1991 Preliminary Current Estimates of the Traffic Operations Section have been reduced to $15,900.00, sufficient to pay the anticipated costs for emergency overtime (e.g. fires, flooding, replacing missing stop signs), plus the work associated with establishing bicycle routes on Sundays in the summer. The overtime budget includes no funds to carry out block parties, the Manitoba Marathon and the Jubilee Avenue Celebration.

Since all other applicants pay the cost of temporary street closures, it is proposed that applicants for block parties, the Manitoba Marathon and the Jubilee Avenue Celebration pay all the costs associated with these events. Alternatively, the necessary funds ($30,330.00) must be added to the 1991 Current Estimates.

Based on the 1990 experience of 130 block parties per year, the current $10.00 permit fee provides revenue of $1,300.00 per year; the proposed $25.00 permit fee would provide revenue of $3,250.00 per year. The proposed $25.00 permit fee will cover the cost of the insurance premium and the administrative cost involved in the processing and issuance of this permit.

Your Committee on Works and Operations recommends:-

1. That employees of the City of Winnipeg continue to be the only personnel authorized to install or remove barricades for the temporary closure of streets for entertainment purposes.

2. That all costs associated with all temporary street closures for entertainment purposes be paid by the applicants.

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3. That Schedule "A" of the City of Winnipeg Streets By-law No. 1481/77 be amended by the addition of the following clause: "(n) For each permit for the temporary closure of a street for entertainment purposes: $25.00"

4. That the City Solicitor be requested to draft the necessary amending by-law in accordance with 3. above and submit same directly to Council for approval.

5. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Lorenc,
Adoption of the clause.

Carried.

Amendments to the City of Winnipeg Traffic By-law, Streets By-law and Private Approaches By-law
Files SC-1.1, ST-5.2 and ST-5.3

638 - 2. The Commissioner of Works and Operations had requested a review of the current license and permit fees charged for various applications/permits sold to the public as provided under the Traffic By- law, the Streets By-law and the Private Approaches By-law.

The existing fees are not representative of the current administrative costs involved in the processing and issuance of these licenses and permits.

Table A shows the current and recommended rates for applications and permits, including the corresponding estimated annual revenues. Adoption of the proposed rates is estimated to increase the annual revenue by $56,930.00.

Your Committee on Works and Operations therefore recommends:-

a) That the City of Winnipeg Traffic By-law No. 1573/77; Streets By-law No. 1481/77; and Private Approaches By-law No. 329/73 be amended as shown on Schedules A, B and C, respectively;

b) That the City Solicitor be requested to draft the necessary amending by-laws in accordance with the foregoing for direct submission to Council for approval;

c) That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the above recommendations.

Moved by Councillor Lorenc,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 641, 642, 643 and 644 for attachments.)

Portage Avenue and Main Street street-level pedestrian crossings - City Centre- Fort Rouge Community
File SC-3.2.1

639 - 3. Council, at its meeting held on June 20th, 1990, referred the following motion to your Committee on Works and Operations, namely:-

"THAT the City of Winnipeg re-open Portage Avenue and Main Street street-level pedestrian crossings."

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On September 4th, 1990, Committee received advice from His Worship Mayor Norrie that he will provide to Committee responses received from all the signatories to the Portage and Main Concourse Agreement once received.

On October 10th, 1990, Council granted your Committee a 90-day extension of time in which to report back to Council in this matter, in view of the above advice.

On January 23rd, 1991, Council granted your Committee a further 60-day extension of time in which to report back to Council.

Inasmuch as no further advice has been received from the Office of the Mayor, your Committee on Works and Operations recommends that pursuant to Section 16.4 of The Procedure By-law No. 5400/90, a further 60-day extension of time be granted in which to report back to Council in this matter.

Adoption of the clause.

In amendment,

Moved by Councillor Golden,
Seconded by Councillor Kaufmann,

THAT Clause 3 of the Report of the Committee on Works and Operations, dated March 12th, 1991, be amended to provide for a 21-day extension, rather than a 60-day extension.

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

Carried.

The amendment was put and declared lost.

The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Boychuk, Clement, Demare, Douglas, Duguid, Fraser, Gilroy, Lazarenko, Lorenc, Mitchelson, O'Shaughnessy, Prystanski, Young, Yuen and Eadie. 15

Nay: Councillors Diamant, Fleisher, Golden, Kaufmann, Mendelson, Murray, Reese, Selinger and Timmers. 9

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

Exemptions to the Council Approved Hiring Freeze - Operations Department
File GP-1.4

640 - 4. On March 12th, 1991, the Committee on Works and Operations considered advice received from the Director of Operations on the impact of the hiring freeze on the functioning of the Operations Department. In order to achieve economies, temporary staff have been laid off in response to minimal winter work levels. Temporary staffing is now required in order to address a wide variety of work functions such as refuse collection, litter control, spring clean-up, pothole patching, drainage relief, and construction inspection.

Your Committee on Works and Operations therefore recommends, in light of the difficulties incurred by the Council approved hiring freeze resolution, that the Director of Operations be given the authority to:

1. Re-assign existing staff, as required, to other classifications and/or work locations.

2. Recall temporary staff from lay-off and recruit personnel into temporary classifications

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

Moved by Councillor Lorenc,
Adoption of the clause.

..... Carried.

641 - Table “A” referred to in Clause 2 of the Report of the Committee on Works and Operations, dated March 12th, 1991.

(NOTE: SEE PAGE 867 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

642 - Schedule “A” referred to in Clause 2 of the Report of the Committee on Works and Operations, dated March 12th, 1991.

(NOTE: SEE PAGE 868 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

643 - Schedule “B” referred to in Clause 2 of the Report of the Committee on Works and Operations, dated March 12th, 1991.

(NOTE: SEE PAGE 869 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

644 - Schedule “C” referred to in Clause 2 of the Report of the Committee on Works and Operations, dated March 12th, 1991.

(NOTE: SEE PAGE 870 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

COMMITTEE ON WORKS AND OPERATIONS
MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Young,
Seconded by Councillor Lazarenko,
645 - BE IT RESOLVED that the mandate of the Ad Hoc Committee of Works and Operations to study the feasibility of a seniors' transportation service be expanded to apply city-wide.

Carried.

MOTIONS

Moved by Councillor Golden,
Seconded by Councillor Mendelson,
646 - THAT the City of Winnipeg Law Department negotiate with parties to the agreement to close Portage and Main, to have said parties agree to the re-opening and report to Council within 42 days. The Speaker ruled that the motion is automatically referred to the Committee on Works and Operations.

Moved by Councillor Golden,
That the rule be suspended to allow consideration of the motion. The motion was put. Councillor Mendelson called for the yeas and nays, which were as follows:-

Yea: Councillors Boychuk, Diamant, Duguid, Fleisher, Golden, Kaufmann, Mendelson, Murray, Reese, Selinger and Timmers. 11

Nay: Councillors Clement, Demare, Douglas, Fraser, Gilroy, Lazarenko, Lorenc, Mitchelson, O'Shaughnessy, Prystanski, Young, Yuen and Eadie. 13

and the motion to suspend the rule was declared lost.

CONSIDERATION OF BY-LAWS

647 - On motion of Councillor Lorenc, the following By-laws were each read a second and third time, and were passed and ordered to be signed and sealed, namely:-

By-law No. 5642/91, a By-law of The City of Winnipeg to close Winnipeg Avenue, West of the CPR Line, East of Weston Street and North of Notre Dame Avenue. File No. DAC 5/90.

By-law No. 5645/91, a By-law of The City of Winnipeg to open and close part of the Public Lane adjacent to 229 rue Le Maire. File No. DAOC 4/89.

On motion of Councillor Lorenc, By-law No. 5653/91, a By-law of The City of Winnipeg to close Kirkdale Street, West of Lyndale Drive, was read a first time. File No. DAC 8/90.

Councillor Lorenc moved that this constitute the first reading of By-law No. 5653/91, which motion was carried.

On motion of Councillor Lorenc, the rule was suspended and the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 5673/91, a By-law of The City of Winnipeg to open the North-East corner of Kimberly Avenue and Henderson Highway and the North side of Kimberly Avenue from Henderson Highway to the public lane. File No. DAO 34/89.

By-law No. 5674/91, a By-law of The City of Winnipeg to open the South-East corner of Henderson Highway and Kimberly Avenue. File No. DAO 17/89.