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 April 21st, 1992, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Gilroy, the Report of the Committee on Protection, Parks and Culture, dated April 21st, 1992, was considered clause by clause.

Conference Room No. 1,
Council Building, Winnipeg.
April 21st, 1992.

His Worship the Mayor and Councillors:

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

Exemption for Licensing of Non-Revenue Bearing Amusement Devices at Community Centres File EL-1

902 - 1. On January 23rd, 1991, City Council enacted By-law No. 5599/91 exempting the Isaac Brock Community Centre Inc. from licensing any amusement devices, games, billiard or pool tables, bowling alley or shuffleboards kept at its premises for the use of its members and not operated for gain.

The report to the Committee on Finance and Administration which recommended that a licensing exemption be given to Isaac Brock Community Centre Inc. contained the following information:

> "It should be noted that the License Branch is in the process of surveying all Community Centres within the City and that further applications from other Community Centres for similar licensing exemptions are expected as that process continues."

The provisions of The City of Winnipeg License By-law generally apply only to those businesses, occupations and activities which are carried on for gain. An exception to that general rule exists in the case of billiard and pool tables, bowling alleys, games and amusement devices. As specifically authorized under The City of Winnipeg Act, subsection 3(6) of the License By-law provides that any billiard or pool table, bowling alley, game or amusement device had or kept in premises to which the public is admitted whether used or not or had or kept for the use of its members by any club shall be deemed to be kept for gain. Accordingly, the By-law requires that a license be obtained for any amusement device or game kept in a clubhouse for the use of the club members even where the club does not charge its members any fee to operate the amusement device or game and derives no profit from the amusement device or game.

The City of Winnipeg Act further provides that the City may by by-law exempt any club from either the licensing requirements applicable to billiard and pool tables, bowling alleys, amusement devices and games generally or may exempt specific clubs from the provision which deems the amusement devices or games had within their premises to be kept for gain.

The License Branch conducted a survey of all community centres and reports that a total of 15 billiard tables, 6 games and 27 amusement devices are available to members at no charge. If the current by-law provisions deeming these machines to be kept for gain are enforced, the total license revenue for the 48 licenses would be $2,975.00. It should be noted that none of these machines are currently licensed so the proposed by-law amendment would validate the current situation and would not result in a decrease in the licensing revenue which is presently being collected.

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The License Branch indicates that 4 licenses have been issued for billiard tables and amusement devices which are operated for gain within Community Centres. An additional 4 licenses will be required for unlicensed billiard tables and amusement devices operated for gain within Community Centres.

The License Branch and Parks and Recreation Department are in agreement with a blanket exemption being provided.

Your Committee on Protection, Parks and Culture recommends as follows:-

1. That the By-law submitted herewith, being an amendment to the City of Winnipeg License By-law No. 4007/85, providing a blanket exemption for any amusement devices kept by a Community Centre and operated without payment of a fee or charge, be given favourable consideration.

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

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Purchase of Building for Police Department Shooting Range
File FI-2(23) c/r GF-2

903 - 2. In 1983, the Fire Department made plans to relocate from their District No. 4 Station located at 730 Pandora Avenue, which houses both police and fire services, to the southeast area of Transcona. In 1984 Council approved funds in the amount of $125,000.00 for District No. 4 Station for the associated renovations required once the Fire Department had relocated. The Fire Department never did relocate because of changes in departmental priorities and anticipated service demands. The Fire Department plans to occupy 730 Pandora Avenue for the foreseeable future.

The Cadboro range building is not part of the building inventory under the Director of Civic Properties and is not part of that Director's responsibility for maintenance. The range was operated by the Fort Garry police and remained so after amalgamation of the City. Maintenance was done via volunteers from police and by members of the private gun club who use the facility.

In September of 1991 the Civic Buildings Department inspected the existing buildings, at the Cadboro Road range and advised that repairs to the facility were not economically viable. The department also recommended that the existing buildings not be used past October, 1991, for safety reasons.

The Cadboro outdoor shooting range is a critical component of the Police Department inasmuch as yearly re-certification in firearms proficiency is necessary to ensure that acceptable standards are maintained. Moreover, theoretical and practical training are also part of the re-certification program. In order for such training to occur, classroom and storage facilities totalling 2,000 square feet are required on site.

Costs to raze the existing structure and provide a furnished replacement capable of meeting current and future needs are estimated at $117,000.00. A total of $123,984.00 is remaining in the aforementioned 1984 capital account. If the recommendation to expend these funds for the subject proposal is approved, these remaining funds will be distributed as follows:

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Building expense		$ 97,900.00
Furnishings		19,066.00
Overhead @ 6%		7,018.00
	Total	$123,984.00

It is, therefore, recommended that a prebuilt mobile structure with associated furnishings be purchased for the following reasons:

- It is cost-effective insofar as the total cost, including set- up, taxes, water and sewage tanks and hookup, is approximately $97,000.00 (or $51.00 per square foot).

- Buildings can be set-up on site within 40 days from the date of order.

- The unit could be easily relocated should the present range site no longer be viable.

The following alternatives were also considered:

1) Use other facilities for classroom training.

This is not practical due to the logistics involved in moving personnel between theoretical and practical training sessions.

2) Build a new structure on site.

Industry standards suggest a minimum cost of $100.00 per square foot not including architectural fees and contingencies. Higher than average building costs are due to the site being an old landfill refuse dump. This alternative is not recommended because of the cost and the inadvisability of placing permanent structures on landfill sites.

3) Rent a prebuilt mobile structure.

Rental is not recommended due to prohibitive costs, namely: $46,000.00 for the initial year with a $33,000.00 annual cost thereafter. Upon termination of the rental agreement, there would be an additional fee of $7,900.00 to remove the units.

In view of the fact that Council authority is required for all new capital programs, your Committee on Protection, Parks and Culture recommends:

1. That authority be granted for the purchase of a mobile building and furnishings to re-establish the Cadboro outdoor firearms for the Police Department.

2. That funds in the amount of $123,984.00 be transferred from Account No. 03-118XXX-5684010701 (District No. 4 Fire Station, 730 Pandora Avenue - 1984 Capital Estimates).

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

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Amendments to the Policy for Cultural Grants Administered by the Committee on Protection, Parks and Culture File FG-1

904 - 3. Council on March 23rd, 1992, adopted the 1992 Current Estimates in which the 1992 distribution of cultural grant monies is allocated in accordance with policy C302 as follows:

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Individual artists account 10 grants of $500.00 each; 9 grants of $1,000.00 each;	$ 14,000.00	(.70%)
Administrative account	68,620.00	(3.5%)
Project grants account	98,025.00	(5%)
Primary operating grants account	1,793,900.00	(90.85%)
TOTAL	$1,974,545.00	

On April 21st, 1992, your Committee on Protection, Parks and Culture considered a number of recommendations for amendments to the Cultural Grants Policy as submitted by the Winnipeg Arts Advisory Council.

The Winnipeg Arts Advisory Council has recommended that this existing policy be waived for the year 1992 only in order to reflect the following:-

- an increase in the individual grant allocation
- a decrease in the administrative allocation
- a decrease in the project grants allocation
- an increase in the primary operating grants allocation

Two other recommended amendments from the Winnipeg Arts Advisory Council include the provision of guidelines pertaining to surpluses within the policy and criteria/guidelines for grants to individuals.

Your Committee concurs in the recommendations of the Winnipeg Arts Advisory Council and recommends as follows:

1. That the existing policy insofar as the distribution of the global allocation be waived for 1992 in order that said funds be distributed as follows:

   a) Individual artists account $20,000.00 (1.01%);
   12 grants of $1,000.00 each;
   16 grants of $ 500.00 each;

   b) Administrative account $58,000.00 (2.93%)

   c) Project grants account $75,000.00 (3.79%)

   d) Primary operating grants account (the balance of the global amount $1,821,545.00 - 92.27%)

2. That the following guidelines pertaining to surpluses be added to the existing policy as item (27), namely:

   "(27) Guidelines pertaining to surpluses -

   a) Any accumulated surpluses whether operating surpluses or designated surpluses (eg. for capital replacement or special projects) shall be considered when determining financial need for a grant.

   b) Reasonable operating surpluses are acceptable in order to provide an organization with a prudent short term financial reserve for operations.

   c) Reasonable non-operating reserves are acceptable. The allocation to the reserves from operations shall be reasonable relative to the revenues, expenses and net surplus/deficit from operations. Such allocations shall not be contributing in any significant manner to operating deficits. Reasonable non-operating reserves must have several attributes:

      i) Established for a defined purpose
      ii) Appropriate purpose, given the normal operation of the organization

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iii) Reasonable expectation for the appropriated funds to be expended within a reasonable time frame.

d) All surpluses shall be applied to operations in order to reduce reliance on government grants wherever accumulating surpluses cannot be justified by prudent business practice."

3. That the following be added to the existing policy pertaining to Criteria/Guidelines to Individuals, namely:-

"(14) An individual will not receive a grant in two consecutive years as of January 1st, 1993.

(15) That the names of jurors remain confidential until grants to individuals are approved."

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

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Signage at Community Centres
File PR-2

905 - 4. Council on April 15th, 1992, referred back the attached Clause 3 of the Report of your Committee dated March 30th, 1992, with the following proposed amendment:

"That Clause 3 of the Report of the Committee on Protection, Parks and Culture, dated March 30th, 1992, be amended by deleting the words 'The Parks and Recreation Department' where they appear in Recommendations 1. and 4., and substituting therefor the words 'the appropriate Community Committee'."

Your Committee has reconsidered this matter and does not concur in the proposed amendment.

Your Committee on Protection, Parks and culture, resubmits for favourable consideration, the following recommendations as outlined in Clause 3 of its report dated March 30th, 1992, as follows:

1. That the Parks and Recreation Department assume responsibility for regulating the external signage at Community Centres.

2. That signage at Community Centres conform to the by-law(s) pertinent to the site on which the Community Centre is located.

3. That the proposed revised Zoning By-law for the City currently being prepared by the Planning Department address the minimum level of permitted signage for Community Centres.

4. That the use of third party advertising on external Community Centre signs be acceptable upon written approval from the Parks and Recreation Department.

5. That existing and future signage at Community Centres be reviewed in consideration of the above-stated recommendations.

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

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Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Councillors Golden and Reese asked to be recorded as having voted against the clause pursuant to Section 50.7 of the Procedure By-law.

Subdivision and Rezoning - North side of Roblin Boulevard between Harstone Road and Greenbriar Avenue - preservation of mature Trees Files DASZ 8/91 and PF

906 - 5. On April 15th, 1992, Council ruled automatic referral of the following motion to your Committee, under Section 16.1 of the Procedure By-law No. 5400/90:-

"WHEREAS the survival rate of replanting mature trees in the 100+ age bracket is almost nil;

AND WHEREAS the 90 lot subdivision will allow a small percentage of the trees on the Richardson property to be saved;

THEREFORE BE IT RESOLVED that the Committee on Protection, Parks and Culture direct the City Forester to provide an assessment of the following on the Richardson property:-

1) the survival probabilities of replanting mature trees; and,

2) the percentage of mature trees that can be realistically preserved in this proposed 90 lot subdivision;

BE IT FURTHER RESOLVED that this information be available for the three readings of the by-law regarding the Richardson property subdivision."

Your Committee on Protection, Parks and Culture, has considered this matter and recommends adoption of the above referenced motion.

For the information of Council the General Manager of the Parks and Recreation Department has been requested to prepare a report and ensure its circulation to all members of Council prior to the By-law under File DASZ 8/91 being submitted to Council.

Moved by Councillor Gilroy,
Adoption of the clause.

The motion for the adoption of the clause was put.

Councillor Duguid called for the yeas and nays, which were as follows:-

Yea: Councillors Boychuk, Brown, Clement, Demare, Diamant, Douglas, Duguid, Fleisher, Fraser, Gilroy, Golden, Hyman, Lorenc, Mendelson, Mitchelson, Murray, Prystanski, Reese, Selinger, Thomas, Timmers, Young, Mayor Norrie and Councillor Eadie. 24

Nay: Councillor Kaufmann. 1

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

COMMITTEE ON PROTECTION, PARKS AND CULTURE

CONSIDERATION OF BY-LAWS

907 - On motion of Councillor Gilroy, By-law No. 5942/92, a By-law of The City of Winnipeg to amend By-law No. 4007/85, being the City of Winnipeg License By-law, was read a first, second and third time, the rule being suspended for third reading and was passed and ordered to be signed and sealed. File No. EL-1.

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QUESTION PERIOD

908 - Councillor Golden asked, on behalf of a constituent, what the City is doing with respect to increased collection of outstanding fines, and whether any consideration might be given to publishing the names of those with outstanding fines over a set amount.

Councillor Gilroy replied a report was considered by his Committee. He added the Police Department has made a commitment that it will continue to be as vigilant as possible in continuing to improve collection. The Chairman undertook to have the Commissioners provide a copy of said report for the information of the public.