CONSIDERATION OF REPORT OF THE EXECUTIVE POLICY COMMITTEE

On motion of Mayor Norrie, the Report of the Executive Policy Committee, dated February 6th, 1991, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg,
February 6th, 1991.

His Worship the Mayor and Councillors:-

Your Executive Policy Committee submits the following Report and recommends:-

Rezoning - South Side of McGillivray Boulevard between Kenaston Boulevard and Dovercourt Road - Assiniboine Park-Fort Garry Community
File DAZ 251/89 (c/r DASSF 679/89)

428 - 1. Your Executive Policy Committee on January 16th, 1991, laid over consideration of Clause 12 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990, relative to rezoning of property located on the south side of McGillivray Boulevard, between Kenaston Boulevard and Dovercourt Drive, until its meeting to be held on February 20th, 1991.

Your Executive Policy Committee recommends that Council grant an extension of time of 60 days to deal with this matter.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Independent Review Mechanism for Utility Rates — File HR

429 - 2. Council on December 12th, 1990, referred the following motion to your Executive Policy Committee:-

"WHEREAS utility rates are constantly criticized for being unfair and uneven due to politically driven decisions by City Council;

AND WHEREAS public confidence in the financial soundness of the utilities would be increased by an independent review of the rates;

THEREFORE BE IT RESOLVED that the City of Winnipeg support an independent review mechanism for utility rates by a body such as the Public Utilities Board."

On January 9th, 1991, your Executive Policy Committee referred this matter to the Board of Commissioners and was advised that should an independent review mechanism such as the Public Utilities Board review the City's utility rates, Council would lose all authority to set its own rates. Furthermore, the preparation of an application by an outside review body could prove lengthy and costly.

For example, the General Manager of Hydro is presently in the process of preparing the City's objections to Manitoba Hydro's application for a rate increase in 1991. This matter has consumed a number of weeks by staff in the Hydro Department to prepare. If the application was the City's application it is expected that even more time would be required to prepare and to also prepare for any objections which may be raised by other parties to the City's application.

Report of the Executive Policy Committee dated February 6, 1991

Your Executive Policy Committee therefore recommends that the aforementioned motion regarding an independent review mechanism for utility rates be filed and no further action be taken in connection therewith.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Land Development Charges File EP-2

430 - 3. Council at its adjourned meeting held on October 10th, 1990, referred the following motion to your Committee, namely:-

"WHEREAS the mill-rate-supported borrowing for capital growth projects was 10% in 1985, 11% in 1986, 33% in 1987, 38% in 1988, 49.3% in 1989 and 33.85% in 1990;

AND WHEREAS the City incurs costs for new infrastructure built to service new development;

AND WHEREAS land development charges should be set at a level necessary to recover the City's costs, in keeping with the principle of 'user pay';

THEREFORE BE IT RESOLVED:

1) That the negotiating committee request the province, in consultation with the City, to draft and pass necessary legislation to bring new land development charges into effect; and

2) That an administrative committee be established to recommend to Council, on an ongoing basis, the City cost levels associated with a proposal for development or redevelopment of any specific land parcel." On October 17th, 1990, your Committee referred the referenced matter to the Ad Hoc Committee appointed to Review Development Agreement

Parameters and also to the Board of Commissioners, for report back to Executive Policy Committee.

Your Executive Policy Committee recommends that Council grant your Committee a further extension of time of 60 days to deal with this matter.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Draft Legislation for Changes to The City of Winnipeg Act - Area Charges for Local Improvements Files GL-5.1 & SL-1

431 - 4. Council, on October 31st, 1990, referred back Clause 1 of the Report of your Executive Policy Committee, dated October 24th, 1990, relative to the above matter.

On December 5th, 1990, your Executive Policy Committee referred the aforementioned clause to the Board of Commissioners. Council, on December 12th, 1990, granted your Committee an extension of time of 60 days to further consider this matter.

Your Executive Policy Committee requests that Council grant your Committee a further extension of time of 60 days to deal with this matter.

Report of the Executive Policy Committee dated February 6, 1991

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Petition to Amend The Greater Winnipeg Development Plan - Plan Winnipeg, By-law No. 2960/81 - to facilitate development of a condominium project immediately south of the Winnipeg Canoe Club facilities by redesignating lands from "Golf Course" to a "Suburban Residential Neighbourhood" Policy Area - St. Boniface-St. Vital Community File EP-1.1(PW 44/90).

432 - 5. On December 12th, 1990, Council adopted Clause 7 of the Report of your Executive Policy Committee, dated December 5th, 1990, with respect to petition to amend The Greater Winnipeg Development Plan - Plan Winnipeg, By-law No. 2960/81, to facilitate development of a condominium project immediately south of the Winnipeg Canoe Club facilities by redesignating lands from "Golf Course" to a "Suburban Residential Neighbourhood" Policy Area, in the St. Boniface- St. Vital Community.

Recommendation 1. of the said Clause 7 contained in the report required your Committee to consult with the St. Boniface-St. Vital Community Committee pursuant to Section 579(2) of The City of Winnipeg Act.

The St. Boniface-St. Vital Community Committee at a meeting held on January 15th, 1991, took the position that it had no objections to the proposed amendment to The Greater Winnipeg Development Plan, proceeding to a public meeting.

Your Executive Policy Committee therefore submits for first reading, draft by-law to amend The Greater Winnipeg Development Plan (Plan Winnipeg, By-law No. 2960/81) to facilitate development of a condominium project immediately south of the Winnipeg Canoe Club facilities by redesignating lands from "Golf Course" to a "Suburban Residential Neighbourhood" Policy Area.

Your Committee recommends that in accordance with Section 579(5) of The City of Winnipeg Act, your Committee be instructed to hold a public meeting on February 20th, 1991, relative to the proposed amendment.

Moved by Mayor Norrie,
Adoption of the clause.

Moved by Councillor Thomas,
That the clause be referred to the Committee on Planning and Community Services.

The motion to refer was put.

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

Yea: Councillors Wade, Boychuk, Diamant, McKee, Murray, Reese, Selinger, Thomas and Timmers. 9

Nay: Councillors Brown, Clement, Demare, Douglas, Duguid, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Mitchelson, O'Shaughnessy, Prystanski, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 19

and the motion to refer was declared lost.

Report of the Executive Policy Committee dated February 6, 1991

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

Carried.

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

Councillor Wade asked to be recorded as voting against the clause, in accordance with Section 50.7 of the Procedure By-law.

Deferment of Local Improvement Levies Presently being assessed against Lot 2, Plan No. 22288, D.G.S. 43 Kildonan, Roll No. 34114-04, C.T. 1006758 File SL-1

433 - 6. Council's policy regarding Local Improvement Levies includes the requirement that "...each request for deferment of a local improvement assessment be first submitted to the Board of Commissioners for report and recommendation to the Executive Policy Committee and Council, and that each such request be judged on its own merit."

On April 7th, 1989, Council advertised its intention to install a wastewater sewer and watermain in Mitchelson Way from Bonner Avenue to a point approximately 370 feet south of the south line of Bonner Avenue.

There were no petitions against the installation of the wastewater sewer and watermain.

The wastewater sewer and watermain were installed in 1989 and assessed for the first time in 1990.

Council's Deferment Policy includes the following condition for an owner to qualify for deferment:-

- the property must be the owner's principal residence; or
- the property is being used for agricultural purposes from which the owner derives his/her primary source of income; and
- the owner must have opposed the installation of the subject improvements by formally petitioning against the same.

On the "Application for Deferment", the appellant has declared the property for which the deferment is being requested is his principal residence. The appellant resides at 651 Bonner Avenue and not on the property in question, which is vacant land.

Also, the appellant, on the Application for Deferment further declared that he had opposed the installation of the subject improvement(s) by registering that opposition on a formal petition against same. No petition against the subject improvements was registered by the appellant subsequent to the April 7th, 1989 advertisement.

It should be noted that subdivision and/or development of said lot cannot occur until it has frontage on a fully serviced street.

Your Executive Policy Committee recommends that the deferment applied for by Donald and Beatrice Tymko, be denied.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

Report of the Executive Policy Committee dated February 6, 1991

1991 Bus Refurbishing Program
Files TE-1 & FE-1

434 - 7. In 1982 the Transit Department undertook the refurbishing of five older GMC buses as a demonstration project. Due to the success of this demonstration, the refurbishing program has been continued each year since. A total of 70 buses have been completely refurbished to date. Only 4 older full size GMC buses remain to be refurbished.

The Transit Department requires an early approval of the 1991 Refurbishing Program so that work can continue on the refurbishing program.

The bus refurbishing program has been successful in adding 8 to 10 years of life to 20 year old GMC buses for approximately ½ of the cost of purchasing a new bus.

The refurbishing program undertaken to date and that proposed for 1991, is an in-house program. This program is accomplished by utilizing existing Transit facilities and equipment and by the use of temporary staff to undertake the necessary additional work.

Council policy does not normally allow for departments to undertake expenditures on "Special Programs" prior to the final approval by Council of the Current Estimates. Since Council did not deal with the Utility Estimates in December as anticipated, approval is requested at this time in order to complete the refurbishing of the last 4 older GMC buses in an orderly fashion.

The 1991 Transit Department Current Estimates (utilities portion), as approved by the Board of Commissioners and the Committee on Works and Operations, contain the amount of $360,000.00 for refurbishing and an assumed Provincial Capital Grant of $180,000.00 for this program.

Your Executive Policy Committee recommends:-

1. That the refurbishing of 4 older GMC transit buses at an estimated cost of $360,000.00 (City's share $180,000.00), be approved as a first commitment against the Transit Department's 1991 Current Estimates (utilities portion).

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

Moved by Mayor Norrie,
Adoption of the clause.

Carried

Joint Committee - Council Members and C.U.P.E. Representatives
Files GU-4 & GC-7

435 - 8. Council on November 7th, 1990, appointed Councillor C. Lorenc as a member of the Joint Committee - Council Members and C.U.P.E. Representatives, for a one year term.

For your information, the Joint Committee is composed of six members - 3 members of Council and 3 representatives of C.U.P.E., Local 500.

By way of communication, dated January 30th, 1991, addressed to His Worship Mayor Norrie, Councillor Lorenc tendered his resignation from the Committee.

Your Executive Policy Committee recommends that Councillor D. Brown be appointed to replace Councillor Lorenc on the Joint Committee - Council Members and C.U.P.E. representatives, for the balance of the term expiring November, 1991.

Moved by Mayor Norrie,
Adoption of the clause.

Carried.

EXECUTIVE POLICY COMMITTEE
MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Kaufmann,

436 - THAT Councillor Mendelson be granted leave of absence from the Council meeting of this date due to illness.

Carried.

Moved by Councillor Diamant,
Seconded by Councillor Gilroy,

437 - WHEREAS the 1991 current budget is now under review;

AND WHEREAS the estimates as submitted by the Board of Commissioners provide for a reduction of 377.3 person years;

AND WHEREAS we recognize that City employees are hardworking and our actions should minimize lay-offs of current employees;

AND WHEREAS we are uncertain as to the impact of a national recession on the Winnipeg economy;

THEREFORE BE IT RESOLVED that City Council approve a hiring freeze effective immediately, which will include:

1. no funding for new positions;

2. current vacancies outstanding greater than four months will not be filled except on the recommendation of the appropriate Standing Committee and the approval of Executive Policy Committee;

3. any position that becomes vacant will not be filled by the hiring of a new person for a period of four months, except upon the recommendation of the appropriate Standing Committee and the approval of Executive Policy Committee;

4. that positions, departments and services that may be identified by Council from time to time be excluded from the above;

5. that an Ad Hoc Committee composed of one representative from Executive Policy Committee and each of the four Standing Committees be established to develop innovative programs to achieve an acceptable level of service within budget limitations and to report back with recommendations to Executive Policy Committee and Council within 90 days.

Moved by Councillor Kaufmann,
That the motion be referred to Executive Policy Committee. The motion to refer was put.
Councillor Wade called for the yeas and nays, which were as follows:-

Yea: Councillors Brown, Clement, Kaufmann, Lazarenko, Lorenc, Prystanski and Mayor Norrie. 7

Nay: Councillors Wade, Boychuk, Demare, Diamant, Duguid, Fleisher, Fraser, Gilroy, Golden, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young, Yuen and Eadie. 19

and the motion to refer was declared lost.

The Speaker called the Deputy Speaker, Councillor Wade, to the Chair, and left the Chamber.

Councillor Eadie returned to the Chamber and resumed the Chair.

The Speaker advised that each item in the motion will be considered separately.

Councillor Timm-Rudolph called for the yeas and nays on each item.

Item 1 was put.

Yea: Councillors Wade, Boychuk, Clement, Diamant, Duguid, Fleisher, Fraser, Gilroy, Golden, McKee, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young, Yuen and Eadie. 20

Nay: Councillors Brown, Demare, Douglas, Kaufmann, Lazarenko, Lorenc, Prystanski and Mayor Norrie. 8

and Item 1 was declared carried.

Item 2 was put.

Yea: Councillors Wade, Boychuk, Clement, Demare, Diamant, Duguid, Gilroy, Golden, McKee, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young, Yuen and Eadie. 19

Nay: Councillors Brown, Douglas, Fleisher, Fraser, Kaufmann, Lazarenko, Lorenc, Prystanski and Mayor Norrie. 9

and Item 2 was declared carried.

Item 3 was put.

Yea: Councillors Wade, Boychuk, Clement, Demare, Diamant, Duguid, Gilroy, Golden, McKee, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young, Yuen and Eadie. 19

Nay: Councillors Brown, Douglas, Fleisher, Fraser, Kaufmann, Lazarenko, Lorenc, Prystanski and Mayor Norrie. 9

and Item 3 was declared carried.

Item 4 was put.

Yea: Councillors Wade, Boychuk, Clement, Demare, Diamant, Duguid, Fleisher, Gilroy, Golden, McKee, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Young, Yuen and Eadie. 19

Nay: Councillors Brown, Douglas, Fraser, Kaufmann, Lazarenko, Lorenc, Prystanski, Timm-Rudolph and Mayor Norrie. 9

and Item 4 was declared carried.

Item 5 was put.

Yea: Councillors Wade, Boychuk, Clement, Demare, Diamant, Duguid, Fleisher, Gilroy, Golden, Kaufmann, McKee, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timmers, Young, Yuen and Eadie. 21

Nay: Councillors Brown, Douglas, Fraser, Lazarenko, Lorenc, Timm-Rudolph and Mayor Norrie. 7

and Item 5 was declared carried.

(Note: See Minute No. 441 for composition of the Ad Hoc Committee.)

Moved by Councillor Demare,
Seconded by Councillor Kaufmann,

438 - WHEREAS Council, Executive Policy Committee, and the Standing Committees should control levels of service and staffing;

AND WHEREAS one of our goals and objectives is to exercise fiscal responsibility;

AND WHEREAS the system of keeping previously budgeted but unfilled positions on the books allows too much flexibility in the system;

THEREFORE BE IT RESOLVED that all unfilled established positions and all removed budgeted positions after final approval of the 1991 current budget, be permanently removed positions in each of the affected departments.

Moved by Councillor Demare,
That the motion be referred to the new Ad Hoc Committee on Service Levels established by the previous motion.

Carried.

Moved by Councillor Kaufmann,
Seconded by Councillor Fraser,

439 - WHEREAS until Council determines the total business assessment, it is not possible to set the proper rate;

AND WHEREAS the current assessment level should be compared to the 1972 assessment level (in 1972 dollars);

THEREFORE BE IT RESOLVED that before making changes in the business tax rates in the City of Winnipeg, the Board of Commissioners demonstrate that the present business tax collection has been properly updated.

Referred to the Executive Policy Committee.

Moved by Councillor Eadie,
Seconded by Councillor Lorenc,

440 - WHEREAS the Province of Manitoba is proposing to table legislation in the upcoming sitting of the Legislature to deal with amendments to The City of Winnipeg Act which may affect the size and structure of Council;

AND WHEREAS Winnipeg City Council, on November 18th, 1987, requested the Government of Manitoba to amend the City of Winnipeg Act to change the term of office of the Mayor and Councillors from three years to four years;

AND WHEREAS the Government of Manitoba did not concur in this request because it was specific only to the City of Winnipeg and not to the other municipalities in Manitoba;

AND WHEREAS the average life-span of the Federal Parliament and the Provincial Legislature in Canada is four years between elections;

AND WHEREAS a four-year span between elections has been accepted by the general public as a reasonable term of office for elected officials across Canada;

AND WHEREAS municipal councils in the Provinces of Newfoundland and Quebec have been elected for four-year terms for a number of years to date, such terms of office having no detrimental effect on the conduct of municipal public business in those provinces;

AND WHEREAS it is appropriate for the Province of Manitoba to deal with the issue of term of office on a province-wide basis;

THEREFORE BE IT RESOLVED that the Manitoba Association of Urban Municipalities request the Government of Manitoba to amend the relevant legislation in order to provide a four-year term of office for all elected Municipal Councils and School Boards in Manitoba, and that this change become effective following the Municipal General Elections in October of 1992.

The Speaker called the Deputy Speaker, Councillor Wade, to the Chair in order to participate in the debate.

The motion was put and declared carried.

Councillor Golden asked to be recorded as voting against the motion, in accordance with Section 50.7 of the Procedure By-law.

Moved by Councillor Lorenc,
Seconded by Councillor Brown,

441 - THAT the following Councillors be appointed to the Ad Hoc Committee on Service Levels, established by Council this evening, namely:-

Councillor Diamant - Chairperson of the Ad Hoc Committee
- Committee on Protection, Parks and Culture

Councillor Golden
- Committee on Finance and Administration

Councillor O'Shaughnessy
- Committee on Planning and Community Services

Councillor Reese
- Committee on Works and Operations

Councillor Gilroy
- Executive Policy Committee

Carried.

(Note: See Minute No. 437 for establishment of the Ad Hoc Committee on Service Levels.)

Moved by Councillor Kaufmann,
Seconded by Councillor Lazarenko,

442 - THAT effective next council meeting and hereinafter, meetings of City Council begin at 7:30 p.m. instead of 1:00 p.m.

Required to Stand as Notice.

On motion of Mayor Norrie, Council reverted to the order of business "Consideration of Report of the Executive Policy Committee".

CONSIDERATION OF REPORT OF THE EXECUTIVE POLICY COMMITTEE

On motion of Mayor Norrie, the Report of the Executive Policy Committee, dated February 13th, 1991, was considered.

West Committee Room,
Council Building, Winnipeg.
February 13th, 1991.

His Worship the Mayor and Councillors:

Your Executive Policy Committee submits the following Report and recommends:

Queen's Bench Actions - Motor Sales/C.N.R./ City of Winnipeg
Files FI-2(21) & GL-3.2

443 - 1. Pursuant to an Agreement dated December 14th, 1987 between the City of Winnipeg and the Canadian National Railway Company, the City acquired the freehold interest to part of the lands occupied by Motor Sales Inc. These lands were subject to a ten year lease in favour of Motor Sales with the expiry date of the lease being August 31st, 1994. Under the terms of the said City/CN Agreement the City was entitled to receive possession of the subject lands when the City required possession to commence construction of the York/St. Mary Extensions. Furthermore, the City was required to delay the termination of the lease by expropriation, or agreement with the tenant as long as possible given the requirements of the City to construct the extensions so that the rent revenue to be received by C.N. continues as long as practically possible. The agreement specified that until such time as the property was required by the City the rent would continue to flow to C.N.

The City required vacant possession of the property no later than January 1st, 1992. If it was necessary to expropriate the leasehold interest as of the proposed possession date the tenant would have been entitled to receive due compensation for its leasehold interest for the remainder of the lease term.

In mid 1988, Motor Sales, having become aware of the City's agreement with CN, approached the City with the intention of discussing the possibility of renegotiating the terms of its lease and/or an agreement to terminate its lease. Prior to any agreement being reached C.N. advised both parties that in light of the fact that it continued to have the right to collect rent for the said property until the land was required for construction purposes, that it, C.N., would be responsible for negotiating the annual rents and terms of the leasehold.

The City advised Motor Sales that the provision of steam heat was to be terminated in June, 1990 and as a result thereof a dispute arose between C.N. and Motor Sales respecting the responsibility for installing a new heating system in the building. As a result of this dispute and the potential for it to be faced with a future expropriation of its leasehold interest Motor Sales vacated the premises on September 30th, 1989 alleging that its lease had been frustrated by virtue of the actions and of the conduct of the C.N. and of the City.

On May 16th, 1990 C.N. commenced Suit No. CI 90-01-46412 against Motor Sales wherein it claimed for loss of rents from Motor Sales for the unexpired portion of the lease.

Motor Sales filed a Defense to the said action and named the City as a third party alleging that its vacating the premises was directly attributed to the actions of the City which were perceived by Motor Sales as a "constructive expropriation". Motor Sales also commenced an action on October 12th, 1990 under Suit No. CI 90-01-49694 wherein it claimed against the City and C.N. damages of $1,817,673.00 attributed to loss of leasehold interest, business disturbance and other costs associated with the relocation of its business.

Report of the Executive Policy Committee, dated February 13th, 1991

C.N. has also reviewed its position respecting the aforesaid claims and has advised that its loss of income through January 1992, would be in the neighbourhood of $400,000.00.

Discussions have been carried on between all parties and an agreement has been reached wherein Motor Sales has agreed to discontinue its action against C.N. and the City under Suit No. CI 90-01-49694 upon receipt of the sum of $200,000.00 from the City and upon C.N. discontinuing its action against Motor Sales under Suit No. CI 90-01-46412 and C.N. contributing the further sum of $50,000.00 to be paid to Motor Sales. The payments are due and payable no later than the earlier of either the date of issuance of Title to The Forks lands in the name of the City of Winnipeg or the 21st day after the closing of the said transaction. The proposed terms and conditions of settlement are shown on the attached Schedule 1.

It should be noted that C.N.'s agreement to discontinue its action and to make the $50,000.00 contribution to Motor Sales is contingent on the City concluding the purchase of the C.N. East Yards property.

It is submitted that the aforesaid settlement proposal is in the best interests of the City and that the City Solicitor be directed to pay to Pitblado & Hoskin (Solicitors for Motor Sales) the sum of $200,000.00 subject to the receipt of such documentation that he deems is necessary to protect the City's best interests.

All costs incurred in finalizing this settlement are to be charged to Account No. 03 118XXX 5190010703 as approved by Council in the 1990 Capital Estimates for the York Avenue/St. Mary Avenue Extension Project.

Your Executive Policy Committee recommends that the City Solicitor be authorized to pay to Pitblado & Hoskin, Solicitors of Motor Sales Inc. (now 0487814 Manitoba Ltd.) the all-inclusive sum of $200,000.00 in full, final and complete settlement of Queen's Bench Actions being No. CI 90-01-49694 and No. CI 90-01-46412, and to do all things necessary to protect the City's interest.

Moved by Mayor Norrie,
Adoption of the clause.

Pursuant to The Municipal Council Conflict of Interest Act, Councillors Boychuk and Lazarenko advised that they would refrain from entering the discussion and from voting on the clause because of a potential conflict due to their employment association with the Canadian National Railway, and left the Chamber.

Councillor Timm-Rudolph questioned consideration of this particular clause in advance of a similar clause contained in the Report of the Committee on Finance and Administration, dated February 4th, 1991.

The Deputy Speaker ruled consideration of the clause to be in order.

Councillor Timm-Rudolph challenged the ruling of the Chair.

The question, "Shall the ruling of the Chair be sustained?" was put and was declared carried.

Report of the Executive Policy Committee, dated February 13th, 1991

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

Councillor Timm-Rudolph asked to be recorded as voting against the clause, in accordance with Section 50.7 of the Procedure By-law.

(Note: See Minute No. 444 for attachments.)

Councillor Lazarenko here returned to the meeting.

444 - Attachments referred to in Report of the Executive Policy Committee dated February 13th, 1991.

(NOTE: SEE PAGES 488 to 489 for OFFICIAL SET OF MINUTES FOR ATTACHMENT)

EXECUTIVE POLICY COMMITTEE
CONSIDERATION OF BY-LAWS

445 - Mayor Norrie moved that the rule be suspended and By-law No. 5595/91, being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of One Hundred and Four Million, Eight Hundred and Ninety-Four Thousand Dollars ($104,894,000.00), be read a second time. File No. FC-2.

In amendment,

Moved by Mayor Norrie,
Seconded by Councillor Selinger,

WHEREAS By-law No. 5595/91 being an initial borrowing by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of debentures of the City in the principal amount of One Hundred and Four Million, Eight Hundred and Ninety-four Thousand Dollars ($104,894,000.00) received first reading on the 14th day of January, A.D. 1991;

AND WHEREAS the by-law has been submitted to the Minister of Finance for authorization pursuant to the provisions of The City of Winnipeg Act;

AND WHEREAS Section 282(4) of The City of Winnipeg Act provides as follows:-

> "Notwithstanding any other Act, in dealing with an application under subsection (2), the Minister of Finance shall consider only the financial position of the city and may refuse the application or may grant the application in whole or in part, or subject to conditions."

AND WHEREAS by letter dated the 12th day of February A.D. 1991 the Minister of Finance has advised that he has authorized an interim amount of Fifteen Million Dollars ($15,000,000.00) for General (Tax Supported) Purposes and has further advised that he is still considering the balance of the City's application and will advise in due course;

AND WHEREAS City Council has approved the purchase of lands requiring borrowing authority of Eleven Million Dollars ($11,000,000.00);

NOW THEREFORE BE IT RESOLVED:

That sections 1, 2 and 3 of By-law No. 5595/91 be deleted and the following substituted therefor:

"1. (a) For General (Tax Supported) Purposes of the City money shall be borrowed on the credit of the City by the issue and sale of debentures of the City in the principal amount of Fifteen Million Dollars ($15,000,000.00). The particulars of said debentures may be specified in a subsequent by-law or by-laws of the City for borrowing money and the issue of debentures as security for the monies borrowed.

(b) Pending the issue and sale of the said debentures in respect to subsection 1(a), the City Council may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purposes aforesaid.

2. (a) For the balance of the purposes and objects of the City hereinbefore specified, a further amount of money shall be borrowed on the credit of the City by the issue and sale of debentures of the City in the principal amount of Eighty- Nine Million, Eight Hundred and Ninety-Four Thousand Dollars ($89,894,000.00). The particulars of said debentures may be specified in a subsequent by-law or by- laws of the City for borrowing money and the issue of debentures as security for the monies borrowed.

(b) Pending the issue and sale of the said debentures in respect to subsection 2(a), the City Council may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purposes aforesaid.

3. (a) Section 1 of this by-law shall come into force and effect on the final passing thereof. Section 1 of this by-law RECEIVED AUTHORIZATION OF THE MINISTER OF FINANCE OF THE PROVINCE OF MANITOBA on the day of , A.D. 1991.

Section 1 of this by-law RECEIVED SECOND READING on the day of , A.D. 1991.

Section 1 of this by-law RECEIVED THIRD READING AND FINALLY PASSED on the day of , A.D. 1991.

(b) Section 2 of this by-law shall come into force and effect on the final passing thereof.

Section 2 of this by-law RECEIVED AUTHORIZATION OF THE MINISTER OF FINANCE OF THE PROVINCE OF MANITOBA on the day of A.D. 1991.

Section 2 of this by-law RECEIVED SECOND READING on the day of A.D. 1991.

Section 2 of this by-law RECEIVED THIRD READING AND FINALLY PASSED on the day of , A.D. 1991. By-law RECEIVED FIRST READING on the 14th day of January, A.D. 1991."

Carried.

Mayor Norrie moved that this constitute the second reading of Section 1 of By-law No. 5595/91, as amended, which motion was carried.

Mayor Norrie moved that this constitute third reading of Section 1 of By-law No. 5595/91, as amended, and that same be passed and ordered to be signed and sealed, which motion was carried. On motion of Mayor Norrie, the rule was suspended and By-law No. 5632/91, a By-law of The City of Winnipeg to amend Plan Winnipeg, being The Greater Winnipeg Development Plan established by By-law No. 2960/81 of The City of Winnipeg, was read a first time. File No. EP-1.1 (PW 44/90).

Mayor Norrie moved that this constitute the first reading of By-law No. 5632/91, which motion was carried.

Moved by Mayor Norrie,
That Council recess for one hour.

Councillor Lazarenko advised that it is not his intention to immediately return to the meeting after recess due to the fact that Council will be discussing Clause 1 of the Report of the Committee on Finance and Administration, dated February 4th, 1991, in regard to the acquisition of C.N. lands north of The Forks Renewal Corporation lands. Councillor Lazarenko asked that his absence be noted, to comply with the provisions of The Municipal Council Conflict of Interest Act, inasmuch as he is employed by the Canadian National Railway.

The motion to recess was put, and carried, and Council recessed at 6:17 p.m.

Council reconvened at 7:33 p.m.

Present: The Speaker Councillor Eadie, Councillors Wade, Boychuk, Brown, Clement, Demare, Diamant, Douglas, Duguid, Fleisher, Fraser, Gilroy, Golden, Kaufmann, Lorenc, McKee, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timm-Rudolph, Young, and Mayor Norrie.

The Speaker Councillor Eadie in the Chair.

Councillor Lazarenko entered the meeting after roll call