CONSIDERATION OF REPORT OF THE

COMMITTEE ON FINANCE AND ADMINISTRATION

The Executive Policy Committee has had before it the Report of the Committee on Finance and Administration, dated October 16th, 1990, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor Gilroy, the Report of the Committee on Finance and Administration, dated October 16th, 1990, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg,
October 16th, 1990.

His Worship the Mayor and Councillors:

Your Committee on Finance and Administration submits the following Report and recommends:-

Sale of City-owned Land known as Block 5, Plan 6376 - La Corporation Archiepiscopale G.R. de St. Boniface.
File FI-2.4(25)

1689 - 1. Your Committee on Finance and Administration has considered the attached Item 2 of Report No. 1 of the Technical Advisory Committee on City Properties, dated October 2nd, 1990, (File 7471) relative to the sale of City-owned land known as Block 5, Plan 6376, located south of Cottonwood Road between Coral and Conifer Crescents to La Corporation Archipescopole G.R. de St. Boniface as an addition to adjoining land for expansion of parking area.

The St. Boniface-St. Vital Community Committee, at its meeting held on May 22nd, 1990, concurred in the proposed sale of the land subject to the conditions requested by the Parks and Recreation Department and the District No. 5 Operations Development Co-ordinator.

For the information of Council, sale of the referenced land will require approval of at least two-thirds of the members of Council pursuant to Section 156(2) of the City of Winnipeg Act.

Your Committee on Finance and Administration recommends that the offer to purchase the City-owned Block 5, Plan 6376 made by La Corporation Archiepiscopal G.R. de St. Boniface, be accepted, in accordance with the terms and conditions as outlined in the referenced report.

Your Committee further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Leave and License Agreement to Use Public Footpath and part Public Reserve between Nos. 47 and 49 Bibeau Bay.
File FI-2.2(25)

1690 - 2. Your Committee on Finance and Administration has considered the attached Item 1 of Report No. 1 of the Technical Advisory Committee on City Properties, dated October 2nd, 1990, (File SB 7263), relative to a Leave and License Agreement to be entered into between the City and Ronald Kreitz, 49 Bibeau Bay, to use the public footpath and part public reserve between Nos. 47 and 49 Bibeau Bay.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

The St. Boniface-St. Vital Community Committee advises it has no objections to the leasing of the lands.

Your Committee on Finance and Administration recommends that a Leave and License be granted to Ronald Kreitz, 49 Bibeau Bay to use the public footpath and part reserve between Nos. 47 and 49 Bibeau Bay, in accordance with the terms and conditions as outlined in the referenced report.

Your Committee also recommends that the Proper Officers of the City be authorized to do all things necessary to implement the above recommendation, including the execution of any documents related thereto.

Moved by Councillor Gilroy,

Adoption of the clause.

Carried.

Appointment of Representative to the Management Committee for the Lindenwoods Joint Venture Agreement. Files FI-2.4.5 and GC-7.

1691 - 3. The Joint Venture Agreement between the City and Genstar for the Lindenwoods Residential Subdivision provides that a Management Committee be formed which will consist of two (2) individuals appointed by the City and two (2) individuals appointed by Genstar.

The function of the Management Committee pursuant to the agreement is outlined as follows:-

The Management Committee shall:-

i) Meet as appropriate to review the progress of the Joint Venture, but, in any event, at least once annually; the Committee shall meet within ten (10) days of a request to do so being received from one of its members;

ii) Be bound by the decision of such Committee; in the event of a tied vote, Genstar shall cast the deciding vote except as provided in sub-paragraph 9(b) and 12(c) hereto and except as to matters relating to the general ranges of pricing for sale of lots or parcels and the general timing of the development for the Lands, which shall be decided by mutual agreement. If mutual agreement cannot be reached, then either part at its option may refer the matter to arbitration pursuant to the procedure and provisions of sub-paragraph 9(d) hereof;

iii) Make and establish

(a) broad program and policy decisions; and

(b) general limits within which Genstar may act, without recourse to the Management Committee in order to undertake the day to day management of the Joint Venture respecting:

i) General servicing programs;
ii) General marketing schedules and programs;
iii) General ranges of pricing for sale of lots or parcels;
iv) Annual budgets, the budgets shall set forth the estimated receipts and expenditures (including construction, capital, operation et cetera) for the Joint Venture for the period covered by the budget;
v) Award general contracts.

The Genstar appointees are Mickey La Brie, Vice President, Genstar Winnipeg Region and Peter Gualtieri, Development Manager or Ray Klassen, Development Manager as an alternate appointee.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

Councillor M. Laurendeau and Councillor A. Wade were the City's appointees to the Committee. A replacement for Councillor M. Laurendeau is required due to his election to the Manitoba Legislative Assembly following the recent Provincial election.

Your Committee on Finance and Administration recommends that Councillor Demare be appointed the City's representative on the Management Committee for the Lindenwoods Joint Venture Agreement, replacing Councillor M. Laurendeau.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

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

Revision to License Fees in Lieu of Realty Taxes on Mobile Homes. File EL-8

1692 - 4. Your Committee on Finance and Administration has been advised that due to the reassessment in 1990, the Assessment Department has provided updated mobile home assessments bringing the assessment values up to 1985 values consistent with other Winnipeg properties. Inasmuch as these properties comprise buildings only, (Exhibit I) the proposed fees are calculated to effectively recognize these holdings as a special class.

Exhibit II on file in the City Clerk's department illustrates the effects of the recommended fees in their application to the mobile homes licensed as at September 1st, 1990. (Copies attached)

Your Committee wishes to advise that as a class, the percentage increase was 9.27%; individual mobile homes depending on their size have varying levels of change.

Your Committee wishes to further advise that the 1990 license fees approximated 1989 tax equivalents. Similarly, the recommended fees for 1991 approximate 1990 tax equivalents.

In order to maintain a consistent relationship between license fees and taxes, your Committee on Finance and Administration recommends that Schedule "A" to By-law No. 821/74 be repealed and that the following proposed schedule be substituted therefor effective January 1st, 1991, (The present schedule is shown for comparison purposes in brackets), namely:-

Size of mobile home (based on exterior dimensions)		Proposed Monthly Fee	Present Monthly Fee
(a)	400 sq. ft. or less	$36.10	($33.20)
(b)	over 400 sq. ft. first 400 sq. ft.	36.10	(33.20)
	each additional 100 sq. ft.	4.95	(4.50)

Your Committee further recommends that the City Solicitor be instructed to prepare the necessary by-law for submission to Council for approval and adoption to implement the intent of the above recommendation.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

Appointments to the Investment Committee of the Civic Employees' Pension Plan. File GC-7

1693 - 5. On December 20th, 1989, Council passed By-law No. 5300/89, being a By-law of The City of Winnipeg to merge the pension plans and pension funds established and maintained by the City, thereby establishing the "Civic Employees' Pension Plan."

Section 27(1) of By-law No. 5300/89 requires the appointment on or after November 7th, 1990, of four non-member representatives to the Investment Committee established under that by-law.

On March 5th, 1980, Council passed By-law No. 2582/80 which By-law provided for the City Treasurer to be permanently appointed to the Employee Benefits Investment Committee.

Your Committee is of the opinion that the City Treasurer should now be permanently appointed to the Investment Committee for the Civic Employees' Pension Plan for the reason that in the event of his absence or inability to attend, the Deputy City Treasurer automatically assumes the responsibilities of the Treasurer and this ensures City Administration representation at all meetings of the Committee.

Each of the other three (3) appointments recommended for a three-year term were members of the Investment Committee created and established under By-law No. 1125/75, and all have expressed their willingness to serve for a three-year term as members of the Investment Committee for the Civic Employees' Pension Plan.

Your Committee on Finance and Administration recommends that:-

1. The City Treasurer be permanently appointed to the Investment Committee for the Civic Employees' Pension Plan.

2. The following persons be appointed to the Investment Committee for the Civic Employees' Pension Plan for a term of three years:-

Alan G. Howison
Marshall Smith
C. Mark Zeilstra

Your Committee submits for favourable consideration draft By- law to appoint the above named to the Investment Committee for the Civic Employees' Pension Plan.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

By-law to Authorize the Expenditure of Monies in 1991 before the Adoption of the 1991 Annual Estimates. File FE

1694 - 6. Section 281(1)(d) of The City of Winnipeg Act authorizes the City to pass a by-law authorizing the expenditure in any year before the adoption of the annual Estimates for that year, of amounts not exceeding in aggregate 30% of the estimate of expenditures adopted for the previous year.

For the information of Council, the budgeted expenditures adopted in 1990 for both current and capital purposes totalled $1,096,188.525.00.

Your Committee on Finance and Administration submits for favourable consideration draft by-law duly approved as to financial details by the City Treasurer and certified as to form by the City Solicitor, authorizing the expenditure of up to $328,856,557.00 in 1991 before the adoption of the 1991 annual Estimates.

Report of the Committee on Finance and Administration, dated October 16th,1990.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

By-law to Authorize the Borrowing of Monies during the year 1991 under The City of Winnipeg Act. File FC-2

1695 - 7. Section 281(1) of The City of Winnipeg Act authorizes the City to pass a by-law for the borrowing, from banks or from any other persons or corporations, of monies for capital and current purposes, and to issue promissory notes in respect thereof.

According to the policy adopted by Council on April 15th, 1987, the annually approved short-term borrowing limit is calculated at 15% (rounded to the nearest $1 million) of the previous year's budgetary estimates for both current and capital purposes. Cash flow estimates indicate that the maximum borrowing is expected to reach $70 million in 1991; $50 million by issuing promissory notes and $20 million by way of call funds deposited by the Sinking Fund Trustees of The City of Winnipeg. Maximum borrowings at any one time outstanding during 1990 to date totalled $67.2 million of which $20 million was by way of issuing promissory notes.

Your Committee on Finance and Administration submits for favourable consideration draft by-law duly approved as to financial details by the City Treasurer and certified as to form by the City Solicitor authorizing the City of Winnipeg to borrow monies in 1991 from banks or from any other persons or corporations, in an amount not exceeding $164 million for the purposes of the City to issue promissory notes in respect thereof.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Report on the Operation of the Workers Compensation Committee. File GU-2.8

1696 - 8. On September 30th, 1987, Council approved a number of recommendations related to the City's continuing initiatives to reduce both the number of workers compensation claims filed by Civic workers and the associated costs. Included in the approved recommendations was the establishment of a Workers Compensation Committee to direct the continued initiatives. The Committee was to operate for period of two years, following which it was to provide a final report through the Committee on Finance and Administration to Council.

In keeping with that mandate, your Committee on Finance and Administration submits the attached report from the Commissioner of Finance and Administration, dated September 18th, 1990, on the operation of the Workers Compensation Committee over the last two years.

Your Committee on Finance and Administration recommends as follows:-

1. That the Workers Compensation Committee structured by the Board of Commissioners resulting from Council's motion of September 30th, 1987, be disbanded.

2. That a new management committee be structured by the Board of Commissioners to deal with the issue of workers compensation and such other matters as the Board of Commissioners may direct.

3. That the Workers Compensation Co-ordinator receive direction from the new Management Committee on larger workers compensation issues and that the Workers Compensation Section continue to report to the Finance Department on day to day matters pending further consideration by the management committee.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

4. That the City commit itself, through the collective bargaining process, to modify all collective agreements to provide legislated benefits only for workers compensation claimants.

5. That the City continue to support the efforts of the Workers Compensation Co-ordinator to confront culpable absence related to workers compensation.

Your Committee also recommends that the Proper Officers of the City's administration be instructed to submit a review of the policy to the Committee on Finance and Administration on a yearly basis.

Your Committee further recommends that the Proper Officers of the City do all things necessary to implement the intent of the above recommendations.

Moved by Councillor Gilroy,
Adoption of the clause.

Moved by Councillor Selinger,
That the clause be referred back to the Committee on Finance and Administration.

The motion to refer was put.

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

Yea: Councillors Wade, Boychuk, Diamant, Golden, Mendelson, Murray, Reese, Selinger, Thomas, Timmers and Yuen. 11

Nay: Councillors Brown, Demare, Douglas, Fraser, Gilroy, Kaufmann, Lazarenko, Lorenc, O'Shaughnessy, Prystanski, Timm-Rudolph, Young and Eadie. 13

and the motion to refer was declared lost.

The motion for the adoption of the clause was put.

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

Yea: Councillors Brown, Demare, Douglas, Fraser, Gilroy, Kaufmann, Lorenc, O'Shaughnessy, Prystanski, Timm-Rudolph, Young and Eadie. 12

Nay: Councillors Wade, Boychuk, Diamant, Golden, Lazarenko, Mendelson, Murray, Reese, Selinger, Thomas, Timmers and Yuen. 12

and the motion for the adoption of the clause was declared lost, in view of a tie vote, in accordance with Section 58 of the Procedure By-law.

Special Grant Application - Winnipeg World 1991 Inc. File FG-1.1(W)

1697 - 9. Winnipeg World 1991 Inc., 200 Main Street, Winnipeg, R3C 4M2, was created jointly by the Manitoba Curling Association and the Manitoba Ladies Curling Association exclusively for the purpose of organizing and operating the 1991 Men's and Women's World Curling Championships to be held in the Winnipeg Arena, March 23rd to 31st, 1991.

Winnipeg World 1991 Inc. has applied for funding in the amount of $61,756.00 to offset the expenses of the Committee to provide a shuttle bus service between the fourteen hotels which will accommodate visitors to the championships and the Winnipeg Arena, site of the event.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

Your Committee has been advised that because the City of Winnipeg generally does not derive its revenues from consumption based taxes, with the exception of the amusement tax and the taxes on natural gas and electricity, it will not realize any direct benefits as a result of hosting the 1991 championships.

Winnipeg World 1991 Inc. will be renting the facilities of the Winnipeg Enterprises and the Winnipeg Convention Centre to the benefit of both of those organizations.

The City has an interest in the well being of these organizations but again there will be no direct benefit to the City in the form of additional revenue. The City could not ordinarily expect to realize any direct benefits from supporting events of this type. However, the World Curling Championships will attract the attention of the curling world to Winnipeg in March of 1991. The thousands of visitors expected to attend the event will inject an estimated $25,000,000.00 to $30,000,000.00 into the local economy.

Your Committee on Finance and Administration is in complete accord with this venture, and therefore recommends that the existing policy relating to grants towards bus transportation be waived in this case, and that a grant in the amount of $61,756.00 be approved for the purpose requested.

Your Committee also recommends that the necessary funds be included in the 1991 Budget.

Your Committee further recommends that the Proper Officers of the City do all things necessary to implement the intent of the above recommendations.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

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

Purchase of Salvation Army Harbourlight Property located at the North-East Corner of King Street and Pacific Avenue.
File FI-2(22)

1698 - 10. LAID OVER BY EXECUTIVE POLICY COMMITTEE

(Note: See Page 2348 - 2349 for official set of minutes with respect to the above Clause 10)

Report of the Committee on Finance and Administration, dated October 16th, 1990

Policy on the Sale/Lease of City Lands to Non-Profit Organizations. File FI-2.3

1699 - 11. A policy is required to deal with the increasing demand by non-profit organizations for the acquisition or lease of City lands and buildings and to bring a uniform approach to same.

The City of Winnipeg is frequently approached by organizations such as service clubs, religious groups, ethnic groups and other charitable or non-profit organizations regarding availability of City- owned lands and buildings, on a sale or lease basis, for various development projects.

Organizations such as the Lions Club, the Knights of Columbus, the Kiwanis Club, the Kinsmen Club, etc. are representative of service type organizations. Cultural and ethnic groups have recently included the Chinatown Development Corporation, the Italian Community Development Corp., the Inter Mennonite Housing Corporation, the Islam Society of Manitoba, etc.

Religious based organizations such as the Grant Memorial Baptist Church, the Mennonite Brethren Church, the Catholic Church, Youth for Christ, etc. are representative of some of the religious organizations the City has recently dealt with. In addition, a variety of organizations such as The Boy Scouts, S.P.I.K.E., Historical Societies, the ReFit Centre, Rossbrook House, the Y.M.C.A., etc. are users of City lands and are typical of the wide variety of other non-profit entities associated with projects requesting City lands or buildings.

The Land Surveys and Real Estate Department has historically dealt with these types of organizations on a case by case basis. Where possible, sales or leases have been structured on the basis of market value or on an economic rental basis. In other instances, political decisions have been made which have resulted in certain concessions or special arrangements being made. The Land Surveys and Real Estate Department is now frequently approached by non-profit users, particularly in the senior citizen housing development category, requesting City lands.

Given the demographics of the population, it is reasonable to assume that over the long term this sector of development will continue to require building sites. As well the multi-cultural fabric of the City continues to require land and buildings for cultural and special interest needs.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

At its meeting held on March 23rd, 1989, the Board of Commissioners considered a report and representation made by the Land Surveys and Real Estate Department and referred the matter back for preparation of a report with specific recommendations on the sale of land to non-profit organizations.

In developing an overall approach for the sale or lease of City owned sites for non-profit use, the following recommendations should be implemented:

1. That where the project is of a public benefit and it is proposed that the lands be leased or sold at less than market values, that eligibility criteria be established and fulfilled.

2. That all subsidies or grants under Recommendation No. 1 above be clearly identified for consideration by the Committee on Finance and Administration as a special grant application.

3. That where lands are made available at less than market value, that they revert back to the City at the conclusion of the economic life of the project.

Having regard to eligibility criteria, it is felt that the City should adopt as a prerequisite to any concessions which may be considered for non-profit user groups, the following guidelines:

Eligibility Criteria

1. The organization must provide a facility operated in its entirety by a non-profit organization for non-profit uses.

2. The organization must provide for activities which are compatible with the City's needs and not typically provided or administered by other levels of government for example education, or health care projects.

3. The organization must provide facilities for which there is a current and projected need in that location.

4. The organization must provide reasonable access to all Winnipeg residents without discrimination.

5. The organization must provide access without the charging of initiation fees, membership fees or other costs which are incompatible with like facilities or organizations.

6. The organization must provide evidence of available funding and commitment to complete the project and assurance that no ongoing operating subsidies from the City will be required over the life of the development.

Alternatives Considered:

In arriving at a policy recommendation for non-profit sales or leases the following alternatives were considered.

1. Sale and/or lease City lands based on full market value or an economic lease return.

2. Sale and/or lease of City lands based on a standard discounted market value or economic lease rate (A range of discounting between 25% to 33% of value was considered).

3. Lease of City lands for a nominal amount for a period of years (say $1.00 for 25-35 years to satisfy capital requirements and mortgage commitments) with rental charged at full market value for the remaining term of lease, (typically 75 years in total).

4. Sale or lease at full market value with any concessions made by way of separate grant application to the City.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

In reviewing these alternatives the first issue considered was whether non-profit organizations are entitled to any concessions merely on the basis of their non-profit status, or whether they need to demonstrate an off-setting benefit to the City as a result of their supply of certain services. If for example an association undertakes a recreational project which benefits the public and reduces the City's requirements to produce similar facilities then a concession can easily be rationalized. If, however, an association wants to create personal care housing, facilities normally provided under Provincial or Federal jurisdiction then the question of concessions from the City's standpoint may need to be re- addressed.

As discussed within the alternatives section perhaps the most reasonable solution is to deal with the real estate aspects on a standard market value or economic lease basis and allow non-profit organizations to apply for any capital contribution, subsidy, etc. through a grant application process. This mechanism would then eliminate an ad hoc process for awarding concessions to organizations through property transactions and would bring these organizations requests for any concessions into competition with all other arts, recreation, cultural groups, etc. who rely upon and compete for funding through a grants process. A thorough assessment of the benefits to be derived, the satisfaction of eligibility criteria and the appropriateness of any grants could be best measured with this process and it would eliminate the Administration's involvement in participating and at times promoting projects with subsidy arrangements.

Attached for the information of Council is a survey of other western Canadian Cities with regard to their policies concerning non-profit organizations. (Schedule 1)

Your Committee on Finance and Administration recommends that the following policy be approved for the sale/lease of City lands to non-profit organizations, namely:-

1. That the following eligibility criteria be established and fulfilled where the project is of a public benefit and where it is proposed that the lands be leased or sold at less than market values:

   Eligibility Criteria

   i) The organization must provide a facility operated in its entirety by a non-profit organization for non- profit uses.

   ii) The organization must provide for activities which are compatible with the City's needs.

   Iii) The organization must provide facilities for which there is a current and projected need in that location.

   iv) The organization must provide reasonable access to all Winnipeg residents without discrimination.

   v) The organization must provide access without the charging of initiation fees, membership fees or other costs which are incompatible with like facilities or organizations.

   vi) The organization must provide evidence of available funding and commitment to complete the project and assurance that no ongoing operating subsidies from the City will be required over the life of the development.

2. That all subsidies or grants and corresponding revenues under Recommendation No. 1 above be clearly identified and reported back to Council on a yearly basis through the Committee on Finance and Administration.

3. That where lands are made available at less than market value, that they revert back to the City at the conclusion of the economic life of the project.

4. That any properties sold or leased at less than market value be approved by Council.

Your Executive Policy Committee recommends that recommendation 4.above be amended by deleting the word "Council" where it appears in the second line thereof and substituting the words "Committee on Finance and Administration" therefor, so that the recommendation will read as follows:-

"4. That any properties sold or leased at less than market value be approved by the Committee on Finance and Administration."

Report of the Committee on Finance and Administration, dated October 16th, 1990.

Moved by Councillor Gilroy,
Adoption of the clause.

In amendment,

Moved by Councillor Brown,
That the recommendation of the Executive Policy Committee be adopted.

The motion for the adoption of the amendment proposed by the Executive Policy Committee was put.

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

Yea: Councillors Clement, Diamant, Douglas, Fraser, Gilroy, Lorenc, McKee, Mendelson, Murray, Prystanski, Reese, Selinger, Thomas, Timmers, Young, Yuen, Mayor Norrie and Councillor Eadie. 18

Nay: Councillors Wade, Boychuk, Demare, Golden and Timm- Rudolph. 5

and the amendment proposed by the Executive Policy Committee was declared carried.

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

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

Amendment to License By-law No. 4007/85 - Deletion of One Year Residency Requirement. File EL-1

1700 - 12. Your Committee on Finance and Administration has considered a recommendation from the Committee on Planning and Community Services that License By-law No. 4007/85 be amended to delete the one-year residency requirement for persons obtaining a masseuse license.

Section 4(4)(a) and (b) of License By-law No. 4007/85 reads as follows:

"4. (a) Except as hereinafter provided, no license to carry on the trade of a card reader, dating and escort service, escort, massage parlour proprietor or massagist, palmist, psychic reader or sand reader shall be issued unless the applicant has been a resident of the City for at least one year immediately prior to the date of making such application.

(b) Where an applicant to carry on one of the trades referred to in clause (a) has not been a resident of the City for one year prior to the date of making such application, he may apply to the Committee on Environment and the Committee may direct that the residency requirement be waived and that the license be issued to the applicant."

Your Committee has considered a report from the Board of Commissioners indicating the reason why the one-year residency requirement was placed in the said By-law, namely the above-noted trades tend to be transient, especially massagists.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

The City Solicitor has suggested that the provisions in License By-law No. 4007/85, being Section 4(4)(a) and (b), should be removed, and the Board of Commissioners concurs in the recommendation.

Your Committee on Finance and Administration concurs in the above recommendation and recommends that the City Solicitor be instructed to prepare the necessary amending By-law for submission to Council.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Amendment to License By-law No. 4007/85 - Hypnotist and Hypnotherapist. File EL-1

1701 - 13. Your Committee on Finance and Administration has considered the matter of the operation and activities of clinical hypnotherapists.

Your Committee has been advised that to operate as a hypnotherapist, one must only pay a fee of $150.00 to the License Department as well as a home business tax of $60.00.

There is no requirement for character reference or proof of qualification in order to receive a license.

Your Committee has also been advised that there is no control of hypnotherapists in the City of Winnipeg under the Licensing By-law No. 4007/85, nor is the trade of hypnotist defined. A need exists to exert control over this trade, and the lack of control could have serious implications for unsuspecting citizens.

Your Committee has considered a report from the Intern Medical Health Officer, differentiating the two classes of occupations as follows, namely:-

1. A hypnotist uses hypnosis to entertain providing no benefit other than amusement.

   A hypnotherapist applies hypnosis as part of a therapeutic relationship for the benefit of the patient.

2. A hypnotist is an individual who can perform the act of inducing hypnosis.

   A hypnotherapist is an individual skilled in hypnosis who applies this technique in a therapeutic relationship for the benefit of his/her patient.

3. According to the College of Physicians and Surgeons of Manitoba a number of physicians use hypnotherapy in the treatment of a variety of illnesses, as do clinical psychologists. This particular technique is only one therapeutic modality and is rarely the only treatment used by these individuals. The College does not recommend anyone other than these duly licensed practitioners to engage in hypnotherapy.

   Therefore, no licenses, other than those issued by these disciplines' respective regulatory organizations should be issued. Lay hypnotherapists should not be encouraged.

4. The Province does not license hypnotherapists. If a person set up a sign with his or her name followed by the designation "hypnotherapist" he or she is not obliged to obtain a business license. If, however, the person operates in a partnership or under a name other than his or her own e.g. "Starlight Hypnotherapy", they must register as a business. There are no requirements regarding proof of skills or character references.

Your Committee has been advised that the licensing of lay hypnotherapists has little influence on how hypnosis is practised and may, in fact, give these individuals an aura of legitimacy by granting them a license.

Report of the Committee on Finance and Administration, dated October 16th,1990.

As there is no central medical or psychological listing of persons engaging in hypnotherapy as part of their professional activities, the number of licensed lay hypnotherapists in downtown Winnipeg can only be determined by checking with the license bureau.

Your Committee on Finance and Administration submits for favourable consideration draft by-law amending Clause (c) of subsection 4(5) and Section 11 of By-law No. 4007/85 by adding the word "hypnotist" to the list of trades and a new subsection defining "hypnotist" which includes "hypnotherapist" respectively.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Amendment to License By-law No. 4007/85 - Pawn, Precious Metals and Second Hand Dealers. File EL-1

1702 - 14. The Winnipeg Police Department's Pawn and Precious Metals Detail operates out of Division No. 24. They currently are a two-man unit comprised of a Sergeant II and a PCC working second relief on a nine-hour work day. The duties of the detail are as follows:

- Police the pawnshops, precious metals dealers and second hand dealers.
- Collect Winnipeg Police Dealer Reports on a daily basis.
- Inspect first hand suspicious property taken in by the respective dealers.
- Ensure that the respective dealers comply with their responsibilities in regard to submitting the reports.
- Compare property listed on the dealer reports with reports of property stolen in the City of Winnipeg.
- Compare lists of stolen property submitted from rural RCMP detachments with property reported by the respective dealer.
- Seize property when it is found to be stolen.
- Return property to the respective owner or insurance company covering the claim.
- Show gallery photos to the respective dealer to identify suspects involved.
- Assist members of the Winnipeg Police Department in identifying seized property and assisting in locating owners.
- Over forty pawn, precious metals and second hand dealers are currently active in the City of Winnipeg. They report in excess of 1,000 transactions per week to the pawn precious metals detail. This detail has been responsible for recovering over $150,000.00 in stolen property over the past eight months as a result of the suspect identifications and subsequent arrests.

The following amendments are necessary to update the License By-law as it relates to the Winnipeg Police Department in their enforcement of the Pawn, Precious Metals and Second Hand Dealers sections, namely:-

1. Lengthen the amount of time dealers are required to hold property for inspection by police from 72 hours for pawns and 7 days for purchases to 15 days for both.

Report of the Committee on Finance and Administration, dated October 16th, 1990.

This would provide an adequate length of time for proper inspection of property and to compare that property with property reported stolen by complainants. There are over forty active pawn, precious metals and second hand dealers in the City at the present time and the fifteen-day period would provide adequate time for inspection and property identification.

A random sampling was taken from police departments across the country, namely:-

TORONTO METROPOLITAN POLICE DEPARTMENT

Buys or Trades: Property is held for 15 days for police inspection.

Pawns: There are no restrictions for police inspection with the exception that pawned property cannot be disposed of for one year. The owner of the property may redeem the loan at any time during that year.

EDMONTON CITY POLICE DEPARTMENT

Buys or Trades: Property is ordered to be held for 30 days. The by-law allows for inspection of records but does not provide a clause for inspection of property.

Pawns: Property is ordered held for 90 days before sale and can be redeemed by the owner at any time during that period. Transaction records are forwarded to police who could seize property found to be stolen during that 90-day period.

VANCOUVER POLICE DEPARTMENT

Buys or Trades General: Property is ordered held for 15 days for inspection prior to sale.

Buys or Trades Jewelry Pawns: Property is ordered held for 30 days for inspection. On suspicion that property taken in a pawn transaction is stolen, the property may be ordered held for a reasonable length of time. It should be noted that property must be held for one year and 7 days and can be redeemed by the owner at any time during that year. A pawnbroker in Vancouver cannot be a second hand dealer.

WINNIPEG POLICE DEPARTMENT

Buys or Trades: Property is ordered held for 7 days. During that period property can be inspected and seized.

Pawns: Pawns are ordered held for 72 hours and property is inspected and seized during that period. Pawn loans are usually over a 30-day period but can be redeemed before the end of that period.

2. That dealers obtain identification from customers for both pawn and purchase transactions. This would enhance the ability of the Winnipeg Police Department in its identification of suspects involved in pawning or selling stolen property. Most dealers would not be opposed to this change as long as all dealers complied with it.

Presently, Winnipeg Pawn, Precious Metals and Second Hand dealers are not required to ask for identification for customers. As a result, some customers provide false identities for various reasons when involved in pawning or selling property to these dealers, i.e. embarrassment of dealing with a pawnshop, knowingly disposing of stolen property without fear of arrest and disposing of property suspected of being stolen. Some dealers do not care whether a client properly identifies himself. For the most part, dealers do not want to spend time in court away from their businesses. Some dealers fear retribution from arrested suspects.

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On conferring with police counterparts from across the country, the general consensus is that they are all considering amending their by-laws to include this clause.

3. Change the present reporting system where dealers record transactions in three books to a streamlined system of one book.

Currently, Winnipeg dealers are required to report transactions to the police on a daily basis. The dealers submit a "green card" to police on a daily basis. They are also required to record these same transactions on the following forms prescribed by the License By-law. These forms are as follows:

Pawn Dealers Report: FN3:85 04
Second Hand Dealers Report: FN206:84 03
Precious Metals Dealer Report: FN 4A

Of late, these forms are inadequate for the needs of the Winnipeg Police Department. The present pawn form does not provide adequate space to describe articles pawned. It also does not provide a column for the date the article was pawned. Lastly, the age column should be changed to date of birth.

The Second Hand Dealers Report is virtually the same as the Precious Metals Dealers Report. These two forms could be combined. Second hand dealers, precious metals dealers and pawn dealers are generally one and the same. A pawn dealer would deal in all of these areas. To streamline the operations and reporting procedures, the dealers are using the Second Hand Dealers Report to record all of their transactions. The dealers would use a coding to differentiate between pawns and purchases. If the dealers were to conform to the existing by- law all three books would have to be used.

It is proposed that the three forms presently prescribed by the License By-law be combined to one form. The new form would be called Pawnbroker, Precious Metals, Second Hand Dealers Report. This form would basically be of the same design as City of Winnipeg Form FN206:84 03 with a few amendments. These amendments would include expanding the form to 14 inches in length to allow for more information to be included. This expansion would allow for the age column to be changed to date of birth and also provide space for a weight and identification produced column. These changes would assist in the identification and apprehension of suspects in the large number of property crimes occurring in the City of Winnipeg.

4. Add a notation to the By-law indicating that interest rates charged by dealers conform to the interest rates as defined by the Criminal Code of Canada - inclusion of the definition of "criminal interest rate" (Cost of such changes would be minimal as they would be paper changes as opposed to hardware changes.).

Currently the City of Winnipeg Pawn Dealers are governed by Section 305.1 of the Criminal Code of Canada in relation to interest rates. This section of the code states that Criminal Interest rates are, "an effective annual rate of interest calculated in accordance with the generally accepted actuarial practices and principals that exceeds 60 per cent on the credit advanced under the agreement or arrangement". The code goes on to define interest as, "The aggregate of all charges and expenses, whether in the form of fee, fine, penalty, commission or other similar charge or expense or in any other form, paid, or payable for the advancing of credit under an agreement or arrangement by or on behalf of the person to whom any such charges and expenses are or are to be paid or payable, but does not include any repayment or credit advanced or any insurance charge, official fee, overdraft charge, required deposit balance or, in the case of a mortgage transaction, any amount to be paid on account of property taxes".

This definition provides for a maximum interest rate of 60 percent per annum. However, most pawn dealers lend monies on a monthly basis. These loans must be paid at the end of the thirty-day term or an interest payment must be paid to extend the loan over a further thirty days. Dealers usually charge in the area of 25 per cent per loan. For example, if the customer wishes to borrow $100.00 he would have to repay $125.00 before the end of the thirty-day period to retrieve his property. A payment of $25.00 would extend the loan over a further thirty days and subsequent payments of $25.00 could extend the loan over an indefinite period. Over the course of a year, a $100.00 loan would cost the consumer 304 per cent.

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The dealers feel that these charges are not interest rates. They explain that they are acting within the confines of the above definition and that the extra charges can be attributed to storage and handling fees. It is proposed that the above definition of criminal interest rates and a definition of "interest" be included in the by-law. This would protect the consumer as well as make the pawn dealer aware of his responsibilities. Furthermore it would provide police with a platform to proceed with charges when complaints are made and breaches of the Criminal Code are found. If the dealer is found to be acting outside the confines of the above restrictions, there would be no problem providing intent with the above inclusion.

The formula for calculating rate of interest was provided by the W.P.D. Fraud Unit which in turn received it from an actuary. (Schedule "A")

Another alternative would be to increase the present pawn detail from one Sergeant II and one PCC at a cost of $91,312.00 in 1989 to a complement of one Sergeant II and three PCC's at a cost of $182,624.00. This cost to the Department is $91,312.00. This increase in manpower would compensate for any inabilities to inspect and seize property.

Presently, Winnipeg Pawn Dealers are only required to hold property for 72 hours on pawns and 7 days for property bought or traded. This is the least amount of time property is required to be held as indicated by the survey. Lengthening the period of time to 15 days for both transactions would provide adequate time to properly inspect and if necessary, seize suspicious property. On a number of occasions police have approached a dealer to seize property and have discovered that it had either been sold or returned to the person pawning the item. Lengthening the holding period to 15 days would eliminate this problem.

Secondly, the foreseeable problem with respect to customers producing identification for each transaction is that persons pawning or selling stolen property may resort to the use of stolen identification. However, it is the experience of the Police Department that most of the suspects are unaware that dealers are required to report transactions to the police. The next scenario is that persons dealing in stolen property would resort to disposing of stolen property at alternative locations such as hotels, fences or perking lots. These modes of disposal already exist. By decreasing the amount of stolen property going through the pawn shops, police attention can be directed to the other areas. The mandatory production of identification would force the dealer to act within the confines of the by-law or carry on illegal transactions under the table. A dealer who resorts to this type of activity would be prosecuted to the full extent of the law. Most dealers approached feel that this requirement would not be an imposition as long as all dealers are required to do the same.

Thirdly, changing the present reporting system would produce positive results. By expanding the form to include date of birth, weight and identification produced columns, the police would be provided with a complete picture of the suspect. This book is a permanent record whereas the green card submitted to police on a daily basis, is purged yearly. The production of one book as opposed to three would provide a substantial saving to the City of Winnipeg.

Lastly, the inclusion of a definition of interest rates, although not a change in the by-law, would be a significant addition. The pawn dealers felt that if the maximum amount of interest they could charge was 5% per month it would not be worthwhile to operate as a pawn dealer. If in fact this was the case, such businesses would receive less financial reward.

Your Committee on Finance and Administration also considered a report from the City Solicitor, dated July 5th, 1990, advising of a concern of the Pawn Detail, City of Winnipeg Police Department, regarding the licensing of pawnbrokers.

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Subsection 11(54) of the License By-law defines a pawnbroker as follows:

"a person who lends money upon interest on the security of articles of personal property pawned or pledged."

A number of pawn shops in Winnipeg have recently changed the form of their transactions such that they claim to fall outside of this definition. Certain pawn shops claim that they no longer are lending money upon the security of articles pledged, but are making an outright purchase of personal property with an option extended to the vendor to repurchase the property back within a specified period.

It is proposed to expand the definition of a pawnbroker and operating regulations in order to cover the arrangement described. It was also proposed that certain minor modifications be made to Schedules "D" and "E" of the by-law which are the forms that pawnbrokers are required to retain and to provide to the Chief of Police.

Your Committee on Finance and Administration submits for favourable consideration draft by-law to amend License By-law No. 4007/85 incorporating the amendments referred to above.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Amendment to License By-law No. 4007/85 - Food Handlers. File EL-1

1703 - 15. Your Committee on Finance and Administration has been advised that trades involving the preparation or handling of food (i.e. bakery, restaurant, caterer etc.) are presently dealt with separately in License By-law No. 4007/85. Each trade is specifically defined and, in most cases, is subject to particular operating requirements contained in Part III of the by-law. Most of the definitions of the trades and operational requirements predate amalgamation.

Under The Food Service Establishment By-law No. 2920/81, the Health Department inspects and issues permits for all businesses serving or handling food within the former City of Winnipeg. For the most part that by-law does not distinguish between the different types of operations as defined in the License By-law but standards of overall application relating to such things as food protection, food storage, food transportation and sanitation are provided. Similar permit requirements and operational standards are enforced by the Province of Manitoba in the suburbs under the regulations enacted under The Public Health Act.

In many cases the distinctions made between the various trades involving food handling within the License By-law are arbitrary and can cause administrative difficulties in assigning the proper label to a particular operation. It is proposed that, with certain exceptions, the License By-law be amended to eliminate reference to specific trades involving food handling and that the trade of a food handler be introduced within the by-law to deal comprehensively with all food related operations for which permits are issued by the Health Department.

The effect of the proposed amendment would be as follows:

a) Inconsistencies between the definitions of trades that presently exist in the License By-law and The Food Service Establishment By-law would be eliminated;

b) Licensing would be extended beyond those trades now specifically defined in the License By-law to all operations presently inspected and approved by the Health Department. For example, businesses such as food

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processing plants, butcher shops, convenience stores which sell snacks and beverages and commissaries are presently inspected and approved by the Health Department but no license under By-law No. 4007/85 is required. In 1987, approximately 2000 licenses for food related establishments were issued city-wide. The Health Department estimates that if this proposal is acted upon, the number of establishments in the former City of Winnipeg subject to licensing would increase by approximately 25% (with very little increase in administrative costs). By broadening its licensing base, the City can equitably impose license fees upon all businesses in relation to which inspection services are performed;

c) Business licenses under By-law No. 4007/85 would not be required of retail food establishments selling prepackaged foods only as The City of Winnipeg Act precludes the City from licensing businesses involved in the straight sale of goods (as opposed to the handling, preparation or manufacture of food). This would be the one exception to the principle that all trades inspected and approved by the Health Department would require a business license;

d) Specific operating requirements presently contained in Part III of the License By-law would be eliminated. Such requirements have now been replaced by more comprehensive and detailed standards contained in The Food Service Establishment By-law and in practice the latter requirements only are enforced by the Health Department;

e) The following food related trades would be retained as specifically defined because of specific operating or licensing requirements:

Automatic Vending Slot Machines dispensing food products Banquet Hall Hawker selling food products transient Traders selling food products

For the information of Council the Supervisor, Winnipeg Region Inspection Services, Department of Environment, Workplace Safety and Health, Province of Manitoba has been apprised of the proposed amendments and has indicated concurrence.

Your Committee on Finance and Administration recommends that the City Solicitor be instructed to prepare the necessary by-law amending License By-law No. 4007/85 to effect the above intent.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Amendment to By-law No. 4767/87 - Regulation of Motor Raceways. File EL-1

1704 - 16. On December 23rd, 1987, By-law No. 4767/87 was enacted to insert a requirement within Part I of the By-law that no motor raceway licenses be issued until evidence was brought forward of a suitable retaining wall separating spectators from the racetrack. The final instructions provided to the Law Department for the wording of this provision were as follows:

(15A) Motor Raceway

"No license to operate a motor raceway shall be issued unless the applicant first obtains and files with the Chief License Inspector a certificate of a qualified engineer, or other evidence, satisfactory to the Commissioner of Works and Operations or his designate, demonstrating that a suitable retaining wall exists between the areas to be used for the accommodation of spectators and the racetrack".

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Unfortunately through an error, an earlier draft of the required by-law was provided to the City Clerk and enacted by Council as follows:

(15A) Motor Raceway

"No license to operate a motor raceway shall be issued unless the applicant first obtains and files with the Chief License Inspector a certificate of the Commissioner of Works and Operations or his designate that all areas to be used for the accommodation of spectators at the racetrack are separated from the racetrack by a suitable retaining wall".

Your Committee on Finance and Administration submits for favourable consideration draft by-law to amend Subsection 4(15A) of By-law No. 4767/87, in order to reflect the original instructions and to place the onus of providing evidence of a satisfactory retaining wall upon the license applicant.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

COMMITTEE ON FINANCE AND ADMINISTRATION

MOTIONS

Moved by Councillor Reese,
Seconded by Councillor Kaufmann,

1705 - WHEREAS in order to allow seniors to remain in their homes longer and to protect rural school divisions from losing their local schools;

BE IT RESOLVED that the City of Winnipeg and M.A.U.M. request the Province of Manitoba to remove education tax from all property and to have this tax collected through income tax, corporation tax, sales tax and other forms of taxation available to the Province.

Carried.

CONSIDERATION OF BY-LAWS

1706 - On motion of Councillor Gilroy, 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. 5536/90, a By-law of the City of Winnipeg to appoint the City Treasurer, C. Mark Zeilstra, Alan G. Howison and Marshall Smith as members for the Investment Committee for the Civic Employees' Pension Plan By-law. File No. GC-7.

By-law No. 5537/90, a By-law of the City of Winnipeg to authorize the expenditure of monies in 1991 before the adoption of the 1991 annual estimates. File No. GC-7.

By-law No. 5538/90, a By-law of the City of Winnipeg to authorize the borrowing during the year 1991 of monies not exceeding in the aggregate the sum of ONE HUNDRED AND SIXTY- FOUR MILLION DOLLARS ($164,000,000.00) at any one time for capital and current purposes, and to authorize the issue and delivery of promissory notes in respect thereof. File No. FC-2.

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By-law No. 5539/90, a By-law of the City of Winnipeg to amend By-law No. 4007/85, being The City of Winnipeg License By-law. File No. EL-1.

By-law No. 5540/90, a By-law of the City of Winnipeg to amend By-law No. 4007/85, being The City of Winnipeg License By-law. File No. EL-1.

By-law No. 5541/90, a By-law of the City of Winnipeg to amend By-law No. 4007/85, being The City of Winnipeg License By-law. File No. EL-1.

On motion of Councillor Gilroy, the rule was suspended and By-law No. 5544/90, 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 the third reading, and was passed and ordered to be signed and sealed. File No. EL-1.

QUESTION PERIOD

1707 - Councillor O'Shaughnessy referred to recent reports concerning the short shipping of gravel for City contracts, and asked whether these reports have involved specific allegations of criminal activity. For this reason, he inquired if this has been referred to police to determine any substance or not to such a possibility. He asked the Chairman of the Committee on Works and Operations, Councillor Lorenc, to advise of any internal examination, and the Chairman of Committee on Protection, Parks and Culture, Councillor Douglas, to advise of any police involvement.

Councillor Lorenc replied that the Commissioner of Works and Operations has been asked for a full report, and that the report will be available at the meeting of the Committee on Works and Operations Tuesday next.

Councillor Douglas replied that the matter has not been referred to the Police Department pending an additional T.V. report which, it is understood, is coming. The Committee on Protection, Parks and Culture will meet on Monday next when it is presumed the matter will be taken under consideration.

Councillor Lazarenko advised of a motion presented to Council in March by himself, seconded by Councillor Selinger, regarding a five year freeze on renovations. He asked when a response is expected.

Mayor Norrie agreed to pursue the inquiry.

Councillor Murray advised of a motion he and Councillor Selinger presented several months ago asking the Executive Policy Committee and the Board of Commissioners to develop business ethics and standards and business practises policy for the City in light of such things as building permit discrepancies with the Imperial Group; the involvement of a City employee in a contract on a golf course and some financial dealings that were less than appropriate. He now referred to a third, being in the policing of contractors handling the public trust. He asked the status of the motion.

Mayor Norrie advised of meetings which have taken place on the question of alleged short weightings and the anticipated report. He agreed to pursue the question of the business ethics motion further.

Councillor Murray suggested the introduction of a public account system in the City, such as is the case in many municipalities, which makes available information about the companies involved with City contracts. He asked that the Executive Policy Committee consider and report on a public account system which would help avoid some of the mischief that can be associated with these kinds of dealings.

Mayor Norrie agreed to investigate the possibility.

Councillor Kaufmann referred to a report on building permit activity by community which was sent out comparing 1990 with 1989, which shows building permits down 18% over last year, representing some $80 million decrease, a decrease of approximately $1.6 to $2 million additional revenue to the City of Winnipeg. At the same time, the additional zone shows a 14% increase; or Springfield, an 82% increase in building permits in dollars. He referred to newspaper advertisements recently openly advertising that by moving to Oak Bluff, taxes would be one-half of that paid in the City. He asked the City's position in the possibility of extending the urban limit line, or if not, what is the position of Committee on Planning and Community Services on the possibility of losing residents altogether.

Councillor McKee replied that she is not surprised about the building permit information, presuming reference is to residential as opposed to commercial space. These figures are in line with earlier projections. She acknowledged the willingness to build on land not nearly as well serviced on the periphery, in exchange for lower taxes. In the past, the additional zone committee has allowed some control over this space. She suggested that the Mayor may wish to comment on the new arrangements that are being put in place by the Province. She expressed concern that the City may be losing some control. With respect to the urban limit line issue, Plan Winnipeg is clear in this regard and includes the rationale for that policy. As Plan Winnipeg is under review, all Councillors will have an opportunity for input. The urban limit line is a package of policies rationalizing the provision of services to reduce the cost of providing services. Last year's projections on the interim review of Plan Winnipeg shows a reduction in the inventory of lots needed. To satisfy demand within the City of Winnipeg, up to 300 new lots a year are needed. Some trade-off between extra tax revenue and the cost of extra services must be considered in any issue of the urban limit line.

Councillor Kaufmann asked if the City should look at those areas outside the urban limit line but inside the jurisdiction of the City of Winnipeg, to grant equal taxes to those residents on large lots so that the flow can be stemmed to such places as Oak Bluff. At present, twice as much is being charged to those lots inside the City that are not serviced as the R.M. of Springfield or places like Oak Bluff. Perhaps taxes should be reduced to the same level.

Councillor Gilroy questioned the intent of question period as being the place to raise philosophical debates, or to obtain information on events occurring in the City. In this instance, the Chairman of any Committee does not have the authority to speak to such issues, other than to deliver a personal opinion.

Councillor McKee replied that the question is one that is to some extent within the jurisdiction of assessment and the Province.

Councillor Reese asked why the clause for the rezoning on the south side of McGillivray Boulevard, between Kenaston Boulevard and Dovercourt Drive was referred back to Committee on Planning and Community Services when the Lindenridge Development has not been approved, and what are the implication on that development.

Councillor Brown replied that he had requested that the clause be referred back. He advised that he wanted an opportunity to address the recommendation at a meeting of the Committee on Planning and Community Services.

Councillor Reese referred to reports on construction companies, and the response of the Commissioner of Works and Operations, when evidence indicated a need for concern.

Councillor Lorenc replied that the question will be addressed in the report to Committee on Works and Operations next week.

Councillor McKee thanked members of her committee for their commitment during the past year. She also thanked members of Council for their patience and support to a new committee chair, including His Worship and the other chairs. She wished good luck to Councillor Selinger and the incoming chairs.

Councillor Timmers referred to allegations of problems in the City involving shortages in gravel deliveries which were brought to the attention of the Deputy Mayor. However, it is his understanding that the Deputy Mayor did not have ample opportunity to respond, and asked if the Deputy Mayor, who was then Chairman of the Committee on Works and Operations, could respond to the allegations contained in the broadcast.

Councillor Brown replied that he had ample opportunity to respond and has done so.

Councillor Golden referred to an article in the Winnipeg Sun last Friday on North Dakota business representatives being in Winnipeg soliciting businesses to move to North Dakota. He asked if someone was performing a similar function on behalf of the City of Winnipeg.

Mayor Norrie replied that the Winnipeg Business Development Corporation had been sent on similar trips regularly in

the past, and expected that Winnipeg 2000 will continue to do so as they assume the role.

Councillor Wade referred to reports on short-weights, and asked the responsible jurisdiction to obtain access to the report of the R.C.M.P.

Mayor Norrie replied that the R.C.M.P. are looking at the issue from their jurisdiction. If there are indications of criminal activity or fraud, then the City Police will become involved. Also, the Commissioner of Works and Operations has been requested to consider having the City Auditor look at the weigh bills to see what can be ascertained.

Councillor Thomas also referred to the reports, and her experience some years ago when visiting a work site where a road was being built where weigh scales were present on site allowing ability to obtain short-weights immediately. She asked if reports are accurate in that weigh scales are not on site and, if true, what will be done to implement that.

Councillor Lorenc referred to the impending report at Committee on Works and Operations on Tuesday. When granular materials are purchased for storage at the central yard, each truck is weighed. Materials are purchased from a number of suppliers, approximately 50% of which use computer print-out weigh scales, which identify the weight of the material purchased. As a consequence of a theory arising from the news report, there is a consideration of making it mandatory for suppliers to have the computer print-out capability on their weigh scales. Based on discussions with the Commissioner, it has been determined that the City does sporadic checks of trucks delivering granular material. To date, there has not been a problem that has been identified. Insofar as the matter of weigh scales, this is certainly something under the jurisdiction of the Provincial Department of Highways because of the volume. The City has weigh scales at the central yards, Brady landfill site, and one other location. Any concerns raised by either the District or site supervisor would be dealt with by sending the trucks for weighing.

Councillor Thomas asked if her understanding of the answer indicated that the City will consider using on-site weigh scales in future.

Councillor Lorenc replied that it is not likely the City will have weigh scales on each construction site because it is not practical and the question of lack of cost-benefit. This possibility was considered many years ago.

Councillor Fraser referred to the practice of inviting external boards and agencies that serve the City to meet with Executive Policy Committee, and asked if it would be in order to ask the Chairman of the Board of Revision to appear in order to update the Committee on hearings on appeals of assessment. He referred to inquiries he has received regarding the status of appeals.

Mayor Norrie replied that he appreciated the concerns of the public in this regard. However, the fact that the Board of Revision is a quasi-judicial body might present a problem due to appropriateness. If there are no problems in this area, he would not object as long as it did not compromise the board, the chairman, the appellants, or members of Council.

Councillor Timm-Rudolph asked if the Chairman of Committee on Works and Operations might provide assurances that the Committee is not just going to review the situation of short weights, but will look at ways of rectifying and addressing the potential conflict raised by the media, including procedures of Provincial weigh scales providing some authenticity as to weights.

Councillor Lorenc invited members of Council to attend deliberations of the Committee on Works and Operations when this matter will be addressed.

Moved by Councillor Wade,
That Council do now adjourn.

The Clerk called the roll.

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