EXECUTIVE POLICY COMMITTEE

MOTIONS

Minute No. 335
Moved by Councillor Wyatt,
Seconded by Councillor Smith,

WHEREAS the Midway Walkway through the CNR Transcona Yards has been used by the community of Transcona for over 90 years as an access point between North Transcona and South Transcona;

AND WHEREAS the Midway has been crucial for the community of South Transcona to access services such as shopping, schools, work, transit, church, community clubs, the swimming pool, the library, and parks;

AND WHEREAS the Midway is a 'lifeline' for the community of South Transcona as the CN Transcona Yards spans over 2 miles and has no other north/south access points to cross;

AND WHEREAS the right to walk the CN Midway is protected under The Prescription Act, which became part of Manitoba Statutes when the Province joined confederation in 1870, and is referred to as 'easement by prescription' and that these rights can only be taken away by a court of law;

AND WHEREAS the City of Winnipeg is responsible for the planning, maintenance and design of walkways and transportation access for neighbourhoods, and that the unilateral decision by the CNR to close the CN Midway runs contrary to the provisions of The Prescription Act;

THEREFORE BE IT RESOLVED that Council ask the administration to immediately contact the CNR and request that they reopen the Midway for public access, and failing a positive outcome of this request, the administration initiate legal proceedings against the CNR to preserve and defend the rights of all Winnipeg citizens to use the CN Midway as guaranteed under The Prescription Act.

Automatic Referral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Executive Policy Committee - Motions (continued)

Minute No. 336
Moved by Councillor Wyatt,
Seconded by Councillor Lazarenko,

WHEREAS school taxes of various school divisions have risen on average above the rate of inflation;

AND WHEREAS any progress made by the City of Winnipeg on property tax freezes of property tax cuts has created 'tax room' to allow school boards to raise property taxes and eat into any potential tax savings for property owners;

AND WHEREAS Manitoba is one of the last Canadian jurisdictions that relies so heavily on property taxes to fund education;

AND WHEREAS it is Provincial Government jurisdiction to fund education and develop education policy;

THEREFORE BE IT RESOLVED that the City of Winnipeg immediately negotiate with the Province for a legislative change to remove all school property taxes from the property tax bill.

Automatic Referral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Minute No. 337
Moved by Councillor De Smedt,
Seconded by Councillor Wyatt,

WHEREAS Section 47(1)(b) of The City of Winnipeg Charter directs that a member of council forfeits the member's seat upon being nominated to be elected as a member of the Legislative Assembly;

AND WHEREAS Section 47(2) of The Charter directs that a member of the Legislative Assembly who is nominated to be elected as a member of council forfeits the member's seat in the Assembly;

AND WHEREAS Section 23(2) of The Charter directs that a member of the Senate or House of Commons is disqualified from being nominated for, elected or remaining as a member of Council;

Executive Policy Committee - Motions (continued)

AND WHEREAS The Charter is silent on members of council being nominated to be elected as a member of the House of Commons;

THEREFORE BE IT RESOLVED that the City of Winnipeg request that the Province of Manitoba immediately amend The Charter by adding the words "House of Commons" to Section 47(1)(b), thereby directing that a member of council forfeits the member's seat upon being nominated to be elected as a member of the House of Commons.

The Speaker ruled automatic referral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor De Smedt,

That the rule be suspended to allow consideration of the motion at this time.

The motion to suspend the rule was put.

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

Yea: Councillors De Smedt, Lubosch, Pagtakhan, Smith, Steek, Wyatt and Lazarenko. 7

Nay: His Worship Mayor Murray, Councillors Eadie, Clement, Gerbasi, Steeves, Thomas and Vandal. 7

and the motion was declared lost.

Minute No. 338

Moved by Councillor Wyatt,
Seconded by Councillor Lazarenko,

WHEREAS citizens are raising concerns with regard to the City's tax policies and proceedings and;

WHEREAS based on recent court decisions, there clearly exists the need for greater citizen participation and taxpayer protection in our municipal tax system and;

Executive Policy Committee - Motions (continued)

WHEREAS a Taxpayers Bill of Rights could include and address issues such as retroactive tax demand decisions, the rights of taxpayers in relation to procedures of our Assessment Department, and referendum on new forms of taxation, but not limited to these items and;

THEREFORE BE IT RESOLVED that Council appoint a special committee, consisting of one member of each community committee, to consider and formulate a Taxpayers Bill of Rights that would provide for taxpayer protection, preservation of rights and opportunities for citizen participation and government transparency, and make recommendations regarding the changing of existing legislation and that the committee would report back to Council

Automatic Referral to the Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law