COUNCIL OF THE CITY OF WINNIPEG
Wednesday October 27, 2004

The Council met at 9:32 a.m.

The Clerk advised the Speaker that a quorum was present.

The Speaker called the meeting to order.

The opening prayer was read by Councillor De Smedt.

ROLL CALL

Clerk: Mr. Speaker Councillor O'Shaughnessy, His Worship Mayor Katz, Councillors Eadie, Angus, Benham, Clement, De Smedt, Gerbasi, Lubosch, Magnifico, Pagtakhan, Smith, Steeves, Thomas, Wyatt.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

Mr. Speaker: I'd like to welcome Duncan McMonagle and his class of journalism students from Red River College. Welcome. And we have a motion for leave of absence for Councillor Lazarenko from today's meeting moved by Councillor Pagtakhan, seconded by myself.

All in favour? Contrary? Carried.

Motion
Moved by Councillor Pagtakhan
Seconded by Councillor O'Shaughnessy

THAT Councillor Lazarenko be granted a leave of absence from today's meeting due to being away on City business.

MINUTES

Councillor Thomas moves the Minutes of the meeting held on September 29, 2004, be taken as read and confirmed.

All in favour? Contrary? Carried.

DELEGATIONS

Mr. Speaker: We have two delegations this morning. First, Glenda Whitman on behalf of Concerned Residents of Winnipeg in support of Item 1 of EPC dated October 6, 2004 regarding Environmental Priority and Implementation Plan. Ms. Whitman.

Glenda Whitman, not present. Second delegation Craig Henderson on behalf of Big Top Fireworks in opposition to Item 1 of the report of Protection and Community Services dated October 14, 2004 regarding the new fire prevention by-law. Mr. Henderson. Welcome. You have up to ten minutes. Go right ahead.

Mr. Craig Henderson: I'm Craig Henderson of Big Top Fireworks. I am here today to ask for an amendment to the new fire protection by-law. I would like to see the permit for the use of low hazard family fireworks by the public eliminated.

Instead of the permit process, I believe that the public would be provided with safety information, more efficiently and effectively if the by-law made it mandatory that the vendor of the fireworks had to hand out safety information with every sale of fireworks.

I fail to see how safe use of fireworks is going to be increased by imposing on the public the unnecessary process of going to their local fire hall every time they want to enjoy a fireworks display.

The fact considering some of the fireworks safety information, the fire paramedic services were proposing which contains a number of dangerous directions on the operation of a family fireworks display. The level of fireworks safety may be made worse by the intervention of the by-law. As well there is a provision on the permit for additional written in conditions. There is nothing that makes fire paramedic personal naturally knowledgeable about fireworks. Is the fire paramedic service going to provide training on family fireworks display operation to their personal issuing these permits.

These are both possibilities that could increase the danger to the public with family fireworks. I fail to see how this process can improve the level of safety of family fireworks in Winnipeg considering that the fire paramedics service

themselves cannot identify even one single fire or injury as a result of fireworks.

So with no fires or injury, what is the motivation for, rather the need for these permits. The writing of this by-law as it pertains to fireworks was motivated by the administration of the Fire Paramedic Service from the anti-fireworks political rhetoric originating in the United States where there are much more dangerous and heavily loaded fireworks sold to the public.

This has nothing to do with the fireworks that are legally available to the public in Canada. The design and quality of which are closely controlled by the explosive regulatory division of the Government of Canada. The fire paramedic service wrote this anti-fireworks by-law with no consultation with industry. When I pointed out the lack of consultation at the Community Services and Protection Committee meeting, they pretended to go through the motions of consultation but this resulted in no meaningful changes to the by-law.

Chief Wes Shoemaker made the statement at the Executive Policy Committee meeting that every major city in Canada requires permits for the shooting of family fireworks. This is not accurate information, I have checked. There are many and varied by-laws for getting fireworks which no doubt are specific to the situations of those specific cities.

The permit for family fireworks displays are politically unpopular as well. The 76 percent of respondents to a poll on A Channel saying that they would not bother to get a permit.

So with an excellent safety record for family fireworks in Winnipeg and no desire on the part of the public for permits, who are you going to listen to, the public or your administrators. Apparently it has been decided that permits are not necessary for backyard fires in approved receptacles and safety information will be handed out by the vendors of approved equipment. Why not extend the same courtesy to buyers of family fireworks. How the fireworks vendors hand out safety information. I as a vendor of fireworks have a very strong desire to maintain safety in my industry.

The citizens of Winnipeg, please don't saddle the citizens of Winnipeg with more time wasting process and unnecessary red tape every time they want to enjoy a family fireworks display. Thank you.

Mr. Speaker: Would you remain for questions?

Mr. Craig Henderson: Certainly.

Mr. Speaker: Councillor Steeves.

Councillor Steeves: Thank you to the delegation Mr. Speaker. What type of fireworks are we talking about here that you're purporting should be bought without a permit.

Mr. Craig Henderson: The type of fireworks are only those fireworks that are allowed by the Federal Government of Canada for sale to citizens of Canada that are over the age of 18 years. They are classified as low hazard fireworks, more commonly known as family fireworks.

They comprise items that are not held in the hand when used with the exception of sparklers and all of the items have safety information written on them by law and the design and pyro techno load of each firework is specifically looked at, tested and authorized by the Government of Canada with an eye towards the highest possible level of safety and they realize fully that the general public will be using these fireworks.

Councillor Steeves: Mr. Speaker, I have to ask again, I'm interested in an actual explanation of what type of firework we're talking about here. I have no idea.

Mr. Craig Henderson: The types of fireworks that are allowed by law are fireworks typically that are set on the ground a distance away from the audience, then lit and then the person lighting them gets away, the fireworks functions, some of them simply spray

sparks and some of them shoot up flaming balls or other items up into the air.

Mr. Speaker: Final supplemental Councillor Steeves.

Councillor Steeves: Please, yes, you're aware what we're asking is that at no cost people who want to set off these fireworks, attend a fire station, go through some information with a fire professional, at no cost return to the store and simply purchase the fireworks. All that in exchange for the ability to set of fireworks in our city.

Mr. Speaker: Councillor Steeves, no preamble please, limit it to a question.

Councillor Steeves: I guess my question is you feel that's an unreasonable thing for the city to ask people to do.

Mr. Craig Henderson: Well, first of all, that's not entirely accurate. The procedure is that the fireworks vendor will first hand out information telling the public they have to go and get the permit and then they have to go down and get the permit.

Is that reasonable, how much do you impose on the time of freedoms of people. They have been other issues recently before the Council such as the wearing of helmets on ice rinks where apparently the opinion has been that we don't want to oppose on those freedoms. This is a matter of opinion and I think the public holds the opinion; they don't want to have to go and get another permit for an activity that they're already conducting.

Mr. Speaker: Councillor Magnifico.

Councillor Magnifico: Mr. Speaker if I may, this bus that we see on the way into the city, is these the type of fireworks that were talking about.

Mr. Craig Henderson: Yes, that particular bus operates outside the city of Winnipeg. It's not my company and yes they do sell that sort of fireworks, the family fireworks.

Councillor Magnifico: So that's the exact type of fireworks we're talking about, that were.

Mr. Craig Henderson: That's correct and they're also sold legally probably from in excess of a hundred locations right now in the city of Winnipeg and have been for some years with no negative result.

Councillor Magnifico: So technically speaking if this went through, that guy couldn't sell his fireworks out of that bus anymore, is that correct.

Mr. Craig Henderson: Well no that's not correct because he's outside of the city of Winnipeg. This would have no control over anybody outside the city of Winnipeg.

Councillor Magnifico: Thank you.

Mr. Speaker: Thank you very much Mr. Henderson.

Mr. Craig Henderson: Thank you.

Mr. Speaker: Moving onto the report of the Executive Policy Committee dated October 6, 2004, your Worship.

REPORT OF THE EXECUTIVE POLICY COMMITTEE DATED OCTOBER 6, 2004

Mayor Katz: Thank you Mr. Speaker. I would like to introduce the Report of EPC for October 6, 2004 and move adoption of consent Agenda Items 1 and 2.

Councillor Gerbasi: Number 1 please.

Mr. Speaker: Number 1 has been stood down. Item 2 as consent. All in favour of the clause? Contrary? Carried.

Item No. 1 – Environmental Priority and Implementation Plan File E-7

Mr. Speaker: Mr. Mayor did you wish to introduce the clause.

Mayor Katz: Councillor Steeves would like to introduce the clause please.

Mr. Speaker: Councillor Steeves on behalf of the Mayor.

Councillor Steeves: I'd be happy to introduce the clause. I don't know if it will be based, I know a couple of my colleagues wish to speak Mr. Speaker. I just want to be clear that I hope I'll have a chance to answer any questions that might come as a result of the delegation. That's what I thought. Good.

Thank you very much Mr. Mayor. This is an exciting day for me personally and I think an exciting day for Council. It has been a long time coming, the formation of the Civic Environmental Committee; Mr. Speaker is now over two years old, formed here at the City of Winnipeg by the former Mayor.

The original mandate of the committee was to provide policy advice to Council among other things on all things sustainable and environmental. One of the specific requirements has set out in the original mandate of the committee was to provide eventually to Council a over reaching and all encompassing environmental strategy that would act as a platform and a base on which all sustainable policy in the city of Winnipeg could be built upon.

Winnipeg is a little behind in that such a document doesn't exist for our policy framework and this step that were going to take today or this step that I hope were going to take today is going to bring Winnipeg, I think with this document into the reaches of the more progressive cities in the country of Canada. And that's why I'm very very proud to be a part of it.

The successes of this committee have been many and they range from things, participation in a lot of community programs with the eco net, with the commuter challenge, the RIS system which now requires that our administration consider the environmental impact of any report coming forward. All of these types of things have played a role in solidifying the role of the committee within the city of Winnipeg but this strategy will now give like minded administration within the administration of our city the credibility and the base on which to launch the environmental programs that already exist within the civic administration.

In essence, this will collarless all those programs that have existed and do exist within our civic administration.

I want to thank a couple of people for their work on the environmental strategy and I'll talk a little about its context in a moment. But this began of course with our former Environmental Coordinator Andrew Cowan who was the original drafter of the strategy with our then policy assistants Neil Cunningham who then moved onto the province as did Andrew eventually, was replaced by Molly Johnson and of course James Allum and Kristine Koster who've been working very very hard to deliver the strategy to where it is today. All of these administrators and administrative support working with the larger administration in the city of Winnipeg have done a great job to ensure that this document has gone through the various manifestations. The various draftings and redrafting to become the document it is today.

And it hasn't been easy because we've, at the time when appropriate we went through an extensive process of public consultation which included full blown policy meetings with the public mind you on land use planning, pesticides, seminar at the City of Winnipeg with younger people, younger representation in our city. All of that policy advice was collarless into the strategy and enumerable meetings with the Chamber of Commerce, the Coalition to Save the Elms, the Manitoba Eco Network, Save our Seine and enumerable list of people who took time out of their schedules to review the strategy, to review what we were doing, to provide their input.

The result of course was a strategy that is enjoyed or not enjoyed I suppose it's share of controversy throughout the course of our attempting to adopt it. It has been at the informal EPC planning meetings several times throughout the

course of it's, I guess its genesis. It started out at Executive Policy Committee last February, on the 18th of February 2004, this past February where the document was sent back to administration for an implementation plan which of course is coming forward as part of this motion as well. It was then reappeared at the June 23, 2004 meeting where the situation was such that it couldn't proceed because the new Mayor had just been elected but not yet sworn in. It was put back to July 14, 2004 and then onto September 8, 2004 and then finally on October 6, 2004 this document was passed by the Executive Policy Committee and moved onto Council with unanimous blessing on what it contained.

The strategy itself Mr. Speaker contains policy advice and ranging from the general to the very very detailed on important matters such as decision making and management, climate change and air quality, urban energy, sustainable land use and development, sustainable transportation, solid waste and materials management, sustainable water and waste water management and pesticides in the urban environment.

Now this strategy has been brought forward a number of times over the course of last couple of years and I guess called onto the carpet for the position that it takes or does not take on a variety of issues that have become important to citizens in the city of Winnipeg and we talk about issues such as user pay garbage for example, we know that this strategy talks to the idea of the paid principle and how those types of principles, in whatever manifestation that I ultimately take, whether its in a revenue neutral sense, whether it's in a offset by taxation sense, but it does promote those types of ideas along with the idea that we should be very very careful when were talking about things like Waverley West, although we do have a very very serious situation that were dealing with in terms of a lot shortage.

There are some alternatives that need to be explored in conjunction with new lot development in the city of Winnipeg. There are smart ways to go about land use and development and this document will help guide us through that process. It also talks about the very touchy area of course of pesticide management in the city of Winnipeg and some alternatives that we might consider, some ideas that we might explore, advances the idea that although it doesn't call for the outright banning of pesticides, it does suggest that we should be focusing on non-environmentally harmful alternatives to move forward with some of those priorities.

Next up with respect to the strategy after its adopted today or after I hope its adopted today, we have already setup three sub committees that are working on action plans and implementation plans for three different areas of the strategy, specifically land use because we know that the Waverley West issue is going to be coming on stream and we want to be prepared to provide whatever advice we can provide on a very very important issue.

The issue of green buildings that is very important is often a win win situation for the city of Winnipeg and of course the never ending debate of pesticides, malathion use in our city and how we might somehow offer some helpful policy advice through some best practices and some things that are done differently across Canada.

I also want to thank the committee members who have done a yeoman's work on this strategy. As you may or may not be aware, Mr. Speaker, the Civic Environmental Committee is comprised of three Councillors. Myself, Councillor Lubosch and Councillor Smith who have been of great assistance to me as chair over the course of the committee's tenure. But it's also comprised of eight professional volunteers from the Environmental Sustainability Community within the city of Winnipeg. I know that Ken Klassen, Tony Zinkiewicz and Shannon Stunden-Bower have joined us today as three representatives of the committee.

These are folks that have not only a passion for things sustainable in the city

of Winnipeg but also a professional expertise. They have volunteered to give to the city of Winnipeg and offered policy advice and their blood, sweat and tears is contained within the context of this document. I'd like to publicly thank all of those folks who have done it. They have all stuck with this strategy from its inception. And it has been a difficult difficult ride because it's been called into question on several fronts on several different occasions and it's been quite controversial. I know it hasn't been easy for them, it certainly hasn't been easy for me but I'm not complaining but, because I think the work is worth it but as politicians that's what we do, they're volunteers and they've done great work in helping me setup the public consultations and all of that effort.

Throughout the course, just so people are aware, the administration was asked to setup up an internal advisory committee, through all departments where all departments were asked to provide their input from whether its Property and Development, the Public Works Department, Fleet, Property, all of these departments were asked to provide their input at the appropriate time and their input is represented within the context of the strategy.

So, with that Mr. Speaker, it is my pleasure to advance this strategy and hope that it is accepted and adopted in principle by council today and I think this would be a very very proud day for this council and this will help move us forward as a city as we embark on some of the very very difficult issues that we have to address the city and that were going to be called upon to address as a city. They're not easy, but this document should help.

I also wanted to note that the motion is also, the recommendation is also are calling for some movement to be made with respect to the environmental coordinator's position and that consideration be given to the civic administration, setting up the environmental coordinators position within the administrative side. We've always thought that this was very very important and the reason we thought that it was important was because we needed that direct and constant nexus between the committee and the policy documents and the administration who of course is so married to the decisions that we're called upon to make.

So I would also ask that these provisions be supported with an equal amount of fervour and equal amount of participation.

Mr. Speaker,

Mr. Speaker: Thank you Councillor Steeves. You will get a chance to close.

Councillor Steeves: Pardon me.

Mr. Speaker: You will get a chance to close.

Councillor Steeves: Okay, sure, well thank you very much Mr. Speaker, I look forward to addressing any of the concerns of Council.

Mr. Speaker: Thank you. Councillor Angus followed by Councillor Gerbasi.

Councillor Angus: Mr. Chairman, thanks to Councillor Steeves for the report. I noticed that it's watered down considerably from the first time that it came to the Executive Policy Committee table and now it seems to be guidelines and suggestions for improvements and options that can be put in, it's not longer as descriptive.

I guess one of the questions I have is will any of the changes such as the non-use of insecticides by the private people like contact, weed remover, things of that, do they come back to city council for approval, things like pay for garbage that was in there that tries to promote an environmentally sound situation, do those things come back to council for debate, discussion and implementation. So you can answer that at the end.

The second thing Mr. Speaker that I noticed and I'm very much appreciative of it and that is the hiring or the transferring of money to the CAO for an environmental coordinator to work out of her office. Mr. Speaker it's very important

that the transit have somebody that is an environmental specialist at transit. That public works has somebody that is an environmental specialist at public works and that we have the same for water and waste particularly. Those three departments which are run by my friend in public works are extremely important that they have specialists in those areas so that they can council and advise the administration and somebody out of the CAO's office has to coordinate that. So I'm pleased to see that Executive Policy Committee is starting to move that way.

My question is, that particular movement is not part of this particular package that will be coming as a separate motion which I would believe would include the budgetary figures that are being transferred from the Secretariat Committee, the Mayor's Secretariat Committee and EPC Secretariat Committee to the CAO's office and how that is going to be coordinated. I imagine there will be sort of terms of reference that they're be trying to hire somebody with particular credentials in order to accommodate these types of things. I'm more interested in their coordinating role. Is this another beaurecratic step that's going to have to go through before it gets back to this level. Can you perhaps at the end Mr. Speaker, if Councillor Steeves can address some of these issues I'd be appreciative. Thank you very much.

Mr. Speaker: Thank you Councillor Angus. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker. I'd like to speak to this policy for a few minutes. I'm very pleased to see this policy document brought forward today and I support its intent fully. I would also like to acknowledge the work of the volunteers on the Civic Environmental Committee who work so hard for so long to bring this forward. They gave of their valuable time to provide Council with their advice on environmental policy and I thank them for it.

I also concur with moving someone from the CAO's department who's going to be focused on environmental issues, so I'm fully supportive of the recommendations.

I do find the celebration of this today somewhat dimmed by this council's actions of late though. What really is the point of passing policy document if these documents just sit on a shelf and with the actions that the policy's dictates never happen.

The recent decision of council to shelf bus rapid transit for example which is recommended in the document, to give back federal money that we had in hand is utterly contrary to the policies in this document. And now it has come to light that funding for another significant environmental project is in jeopardy.

Winnipeg was a successful winner of a contest called the Urban Transportation Showcase Program that Councillor Steeves championed for many years. Our city was eligible for funding from other levels of government and now this is starting to look more and more like a long shot.

The fifteen million dollar list of 26 innovative initiatives relating to reducing green house gas emissions that was submitted is now being reconsidered. There is a scaled down version and perhaps half of the amount that may go forward but it isn't even clear if EPC has the will to push for that. Even if they do submit a new proposal, the federal government may turn us down as the geographical center to be showcased; the Pembina corridor is not part of it any more due to the BRT cancellation.

The absence of a showcase will make greenhouse gas measurement much more difficult. So we could loose all of this funding that was to be split three ways for bike paths, transit improvements, environmentally friendly efficiencies to transportation. It is ironic that we are passing a policy that speaks to a commitment to the environment. The actions of this council in recent weeks show that the environment is not a priority.

When I was first elected six years ago, environmental issues were not on this council's radar screen. Transit and other environmental projects were simply not a

priority, does this sound familiar. It took years of leadership and vision to try to move these issues forward. I sincerely hope that this policy is more than just lip service, more than just words on paper, but there is little evidence of that today I'm sad to say.

This council is out of sink with the rest of the country. The federal and provincial governments are all talking about funding initiatives to comply with the Kyoto Accord and deal with green house gas emissions. Is Winnipeg in some kind of time warp.

While the rest of the country wakes up to these problems, this council seems to be turning the clock back. It is so foolish to bury our head in the sand as all of this available funding is given back or given to other projects in other cities. What on earth are we doing or what are we doing to the earth.

With all due respect, those who wrote this policy, with all due respect to their work and it's a very good document, a policy document is not worth two cents if there is no action in moving forward with the most important parts of it.

I was recently at the International Downtown Association conference in Vancouver. I did not meet a single person from any city in Canada and I talked to a lot of people who weren't struggling to find funding for their cities transit systems and who weren't totally stunned that any city would give such funding back when it was in our hands. I met a planner from the city of Edmonton who said that they were three or four years behind Winnipeg but were planning to build bus rapid transit just like they heard from our city that we were doing and I had the embarrassing task of telling him that two days before we recently shelved that decision. How do you put a positive spin on that.

Mr. Speaker, actions speak louder than words. We have a Secretary of Urban Environmental Issues, well it's a nice name but what does it mean and what will that person do. We have an environmental policy which I support but what does it mean if our actions do not support the words and I will support this policy today but please Mr. Mayor and Councillors give the people some hope that the words will stand for more than just ink on paper. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Benham.

Councillor Benham: Thank you very much Mr. Speaker and I certainly second all the words just spoken by my colleague Councillor Gerbasi. I will vote for this environmental strategy because I don't think we have any choice, I think it contains many good things and does reflect the interests of the community and the community volunteers. But I have to join my colleagues in pointing out the tremendous gap between this document as supported by Executive Policy Committee even in its watered down form and the reality of the bloody deed that was committed on this council floor last month.

This report says and it's quite right, automobiles centered infrastructure comes at the expense of transit services making subsidizes to automobile drivers higher than those provide to transit users. Glory, hallelujah Mr. Speaker, this is a real truth that is spoken in this report and Mr. Speaker we made it even more so last month.

Last month by rejecting federal and provincial money for bus rapid transit we ensured that our subsidy to users of cars increases and our subsidy to users of transit decreases. The fact is we are making the car far more preferable to the use of public transit. We are doing that with public money, those are our actions, these are simply words, good words but only words.

We hear, we see in this support for urban transportation showcase program as Councillor Gerbasi just raised, we are wondering what will happen to that program, which was championed on the floor of this council by Councillor Steeves who has brought this environmental strategy forward. I would certainly like to know what is happening to that program and I see as well a favourable reference to direction to the future, the excellent, the

excellent task force report chaired by our colleague, Councillor De Smedt which Councillor Eadie, Councillor Lubosch and Councillor Gerbasi served on which recommended bus rapid transit. So once again, we supported direction to the future, now we have another document that says we support direction to the future, but in fact, we rejected the only major recommendation of direction to the future.

Mr. Speaker turning to the next page, active transportation we see that we want to examine ways to make existing streets more accessible for active transportation such as cycling and walking. Again Mr. Speaker the gap between our words and our deeds, the fact is that the bus rapid transit system would have had bicycle paths, active living paths, walking paths right beside them. All those corridors would have existed in all parts of the city. It would have made it possible for bicyclists to become genuinely commuters without risking their lives on our streets. Again Mr. Speaker, we've rejected the opportunity put some substance into these words.

I vote for this report Mr. Speaker, but with the greatest of regret that this council in fact has gutted the most meaningful part of it. Thank you.

Mr. Speaker: Thank you Councillor Benham. Councillor Steeves.

Councillor Steeves: Thank you very much Mr. Speaker and thank you very much to my colleagues for their comments, all fair and I'll try to address them in kind.

First to my colleague Councillor Angus, who has raised a couple of good points. This was essentially the balance that we tried to fight throughout the course of this strategy. How direct, how specific do we get with this over reaching policy document. It might be a touch flattering to prepare a document like this with a document like Plan Winnipeg, but there are some similarities in terms of the policy reach.

The document like Plan Winnipeg provides over reaching, over reaching general policy advice that has to be interpreted through more direct reports that have to come from some committee or from council itself.

In reference to some specifics raised by Councillor Angus and quite right, when he talks about things like user pay garbage for example, the original report as originally submitted for consideration did call for a very direct amount to be administered, a very direct amount would be put onto the citizens of the city of Winnipeg by virtue of it's directness, a user pay tag system, it even talked about amounts for tags, etc., etc., etc. Upon review it became quite clear that this policy document doesn't have that jurisdiction, it wouldn't have that jurisdiction. So it reads right now, it states quote on page 25, the explorances sustainable finance options for waste collection such as the quote, polluter pay principle for financing waste collection through a separate utility which is essentially what the user pay system calls for, but it doesn't go so far as to suggest that by adopting this document, that were actually saying to the citizens of Winnipeg you're now going to have to pay a per garbage, a per tag garbage fee.

That obviously wouldn't be our intent and that obviously wouldn't be something that should be done as virtue of this document. Those types of directive of important decisions are decisions that have to be made by this council, I think in isolation. Without that isolation and consideration I think we run the risk of not giving it due process. The same applies to pesticides where it states that we were going to talk about the phasing out of chemical herbicides and fungicides as environmental alternatives become available or as environmental friendly alternatives become available and we'll talk about eliminating the cosmetic use of chemical pesticides as friendly alternatives become available.

Those are big decisions, specific decisions that can only be made after the sober reflection of Council and after folks have a chance to think about the impact

on the community because and certainly they would have fairly extreme political ramifications. Were not purporting those decisions be made today. Were only suggesting that we look at those types of things, we look at that direction.

I have my, with respect to the administrative report coordinators position, the idea of course is that this position move to administration where I think it is probably fair to say that were not there yet in terms of the details, were not there yet in terms of our CAO coming forward with an active plan as to where the funding will come from on the administration side. I know those discussions have begun but I think absent this step taken by council today. Administration probably wouldn't feel that it had the necessary authority to truly embark on those discussions. At that time obviously when the report comes back, all the budget implications would be spelled out very very clearly. Everyone would have a clear understanding who the people might be, where they would come from, who the department representatives would be, what the costs would be and those types of things.

I'll conclude Mr. Speaker with comments with respect to recent goings on with council, because I think those comments are fair comments. I think probably the way things have gone with our decisions on bus rapid transit, there's been some discouragement in the sustainable community and we all made our decision for different reasons, we don't have time to revisit that today.

What I've learned that in the context of these very very difficult decisions, is there are going to be wins and there's going to be losses, there's going to be big losses and perhaps some perceive it as so. We still have 8 million dollars left in the kitty as it were for bus rapid transit and they may be some additional funding coming forward depending on what the federal government does. I've learned in sustainable issues Mr. Speaker to never give up the goals, never give up the fight. In all things sustainable, the challenges are great. It takes a lot of doing to convince people often that these prerogatives are worth doing. We have to stick with it and if we do stick with it I believe we will be successful in the bigger projects and in the smaller projects. The wind smart proposal was a confidential document.

Mr. Speaker: Your time is up, there is no extension Councillor Steeves.

Councillor Steeves: Fair enough.

Mr. Speaker: The question on the clause. All in favour? Contrary? Carried unanimously.

Mr. Mayor the report of October 13, 2004.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED OCTOBER 13, 2004**

Mayor Katz: Mr. Speaker, I'd like to introduce the Report of EPC for October 13, 2004 and move adoption of consent Agenda Items 1 and 2.

Mr. Speaker: All in favour? Contrary? Carried.

Report of October 20, 2004.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED OCTOBER 20, 2004**

Mayor Katz: Mr. Speaker, I'd like to introduce the Report of EPC for October 20, 2004 and move adoption of consent Agenda Items 1 through 3.

Mr. Speaker: 1 through 3 only. All in favour? Councillor Angus.

Councillor Angus: I would like to comment on number three Mr. Speaker.

Mr. Speaker: They're both stood down. You can't make a comment without standing it down. It's stood down. Consent Agenda Items 1 and 2.

All in Favour? Contrary? Carried.

Item 3 Mr. Clerk.

Item 3 - Amendment to The City Organization By-law No. 7100/97 – Composition of Standing Committee on Fiscal Issues, Standing Policy Committee on Downtown Development File GL-5.6

Mr. Speaker: Mr. Mayor did you wish to introduce the clause.

Mayor Katz: This is basically approving representation, I don't understand why there would be a concern but I'd be happy to try and address it Councillor Angus.

Mr. Speaker: We're about to find out. Councillor Angus.

Councillor Angus: Mr. Speaker I recognize that the Mayor is relatively new in the job and learning fast and doing a good job of learning fast as a matter of fact. This particular package was originally brought in to try and streamline downtown development. We had the seminar if you remember and we, because so much of it was the chair's of the various Standing Committees, that we wanted the Chair of Planning, we wanted the Chair of Public Works on that committee, we wanted the Mayor representing all of the city and with the influence that he has to try and get things done to really promote the downtown first policy. He is stepping down and that's obviously his prerogative and I have all the faith in the world that Councillor De Smedt in terms of doing a good job on this committee.

I know that Council has a policy that says one member of the downtown, representing the downtown will be on the committee. We felt when we did it, this is just historical background, I'm not going to get in the way of this, this is what the Mayor wants, but the Mayor with his influence representing the whole of the city and maintaining the downtown first policy, now were going to have three chairs from outside of the downtown area, all responsible people who care about the downtown and will do a good job but were not, the intent was to have the influence and the power, the Mayor's office trying to make things happen more quickly, more easily and more effectively in the downtown area.

So there's some history on the development of this particular committee that council sort of have approved, the change is obviously acceptable and will work and like I say I have all the faith in the world, but the chair of Planning is going to be overwhelmed being the chair of Planning and to take on another function of this nature is perhaps a retrogressive step so it can be reviewed in the future and looked at, and change, it's not cast in stone and I'm suggesting that we eliminate or vote against this particular change at this time but I just think that the power of the Mayor's office in terms of trying to maintain the downtown first policy and help get things done downtown is an important cause.

Mr. Speaker: Thank you Councillor Angus. No further speakers, Mr. Mayor do you wish to sum up.

Mayor Katz: Yes, I do. Thank you for those comments and I'm happy to tell you as you know, number one when I spoke to Councillor De Smedt, he had no problem with taking on this chair and I have no doubt in my mind he will do a more than adequate job.

Number two as you are obviously aware and (in audible) since you've been here much longer, although I am no longer the chair of that committee, I am still on that committee and I can ensure you that there is nobody who has a greater interest in downtown and my voice will still be very loud and clear. Thank you for your comments.

Mr. Speaker: Mr. Mayor, question, All in favour? Contrary? Carried. Item 4.

Item 4 - Strategic Economic Development Grant for the Prairie Production Centre - 1350 Pacific Avenue File G-8

Mayor Katz: Mr. Speaker at this point in time I would like to excuse myself. I'm excusing myself because I am waiting for an independent opinion, I haven't received it as yet, as a result of that, I wish to be excluded.

Mr. Speaker: A potential conflict of interest. That is the only reason you can leave the room.

Mayor Katz: In that case I will abide by your commentary. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Let the records show that the Mayor has left the chamber prior to dealing with clause 4, due to a possibility of conflict of interest. Councillor Eadie.

Councillor Eadie: I'll move clause 4 Mr. Speaker.

Mr. Speaker: Clause 4. All in favour? Contrary? Carried.

We have now before us the report of this morning of Executive Policy Committee, Mayor Katz moves that the rules be suspended that we may deal with the report of Executive Policy Committee of October 27, 2004. All in favour? Contrary? Carried. Mr. Mayor.

**REPORT OF THE EXECUTIVE POLICY COMMITTEE
DATED OCTOBER 27, 2004**

**Item 1 - Public Art Policy
File FG-1**

Mayor Katz: Mr. Speaker first of all, Council my apologizes, I know that the last thing any Councillor wants to do is see something walked on, this is certainly beyond our control as the result of the two items which I think you will probably appreciate once we've informed you of it.

What I'd like to do, Item 1 is the Public Art Policy, if you had an opportunity to look at the document before you, we right now do have a policy whereby we do provide 100,000 dollars a year for public art. I've had concerns in the past about some of the costs when it comes to the administration of these programs. So you can see that the annual grant, recommending be approved, subject to the annual budget approval process as well as there be a 15 percent cap on administration costs.

The reason it's here today is because we want to give direction and clarify so that those people who are working on these projects know exactly where we stand and that is why it is here this morning so they can get going and do what they have to do. And I am hoping you do have the opportunity to quickly read through it but it's something that you all should be aware of.

Mr. Speaker: Thank you Mr. Mayor. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker, I did sit in on the EPC meeting this morning, quickly and was struck by that lack of enthusiasm about public art as they did pass a public art policy which I do appreciate and I fully support.

But there was a decided lack of enthusiasm or words of excitement about what this means to our city and sort of a sense of leadership that we are going to be bringing, a belief in this sort of approach to our city, I mean the monies are already there from 2003, we're spending it in 2004 and everyone, all the questions related to just being sure that if this comes up in, when this comes up in the 2005 budget process, every option will be over to Council for this program if this is what we want to do.

Nobody said that they were going to cancel it and I'm not saying that, but there was, the only concerns seem to be, you know that there would be a way out of this policy in 2005 if that's what Council so desires. And I guess I'm disappointed at the sort of lack of enthusiasm and I'm hoping that can be addressed by members of EPC and the Mayor who can maybe show some enthusiasm for supporting arts in this community.

There's a lot of questions out there. We have new leadership. We don't have really any clear statements or commitment to the previous direction of Council which has been for the last number of years to increase arts funding. For the first time in ten years there was a freeze on arts funding and then in the last few years with the support of the chair of

Fiscal Issues, Councillor Clement and every other member of EPC and Council.

All of us were unanimously cheerleaders for the arts community a couple of years ago and for the last few years in all of our budgets. And I guess I just noticed this shift in the tone of the meeting where we used to hear speeches of leadership and rave about the arts community.

So I guess I'm just, I'm speaking on behalf of a lot of my constituents who are very concerned about where the city's going, the direction of future arts funding and I'm obviously, I'm going to support this today. I'm happy we're bringing this, releasing the money that we've passed in 2003 to spend on public art but I guess I just want to hear from the Mayor some enthusiasm about continuing this into the future and some commitment and make some sense of stability and hope in the future for the arts community in Winnipeg. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor Gerbasi. Mr. Speaker, did you wish to sum up Mr. Mayor.

Mayor Katz: Yes. It appears that Councillor Gerbasi interpreted this lack of enthusiasm and I guess that's your interpretation. I don't know where you would get that from, maybe we're supposed to bring in a dance team and cheerleaders maybe that would show enthusiasm, I'm not sure what you would define as enthusiasm.

But as you know, this was an emergency EPC meeting called just prior to Council. There were two very important items on the agenda. We did not have a lot of time, and I think the key thing was to get it done and move forward. So if that was your interpretation, I would not concur with it and I can tell you that I believe every member of EPC supports this because they believe in it. They don't support anything just for the sake of supporting it. They do it because they believe it; they believe it will make the city a better place to live.

By the same token, that doesn't mean we have to show, we do not show some financial and fiscal responsibility which is why I can tell you when you were at private meetings, you were told that I was deeply deeply upset that out of 500,000 dollars allocated for this program, almost one third of it was spent on administrative costs and did not go to arts and as a result of that that's been incorporated. So the point is, we are enthusiastic maybe every individual in the chambers has a different way of showing this. Thank you.

Mr. Speaker: Question on the clause. All in favour? Contrary? Carried.

Clause 2, Mr. Clerk.

Item 2 - 2006 Grey Cup Bid Proposal
File GC-8.11

Mayor Katz: Councillors as most of you are aware of by now, it appears that the Winnipeg Blue Bombers have received the approval from the Canadian Football League to host the 2006 Grey Cup. As part of their bid, they require both the province and the city to guarantee 1million 555,000 dollars. And let me just clarify something, it's a guarantee, this is not a cash outlay, there is absolutely no doubt in my mind nor in anybody else's that in order to accomplish this of approximately 3 million, 100,000 dollars, if they sell between 10 and 15,000 tickets the guarantee would not have to be called upon.

As many of you will know, last year the Grey Cup showed a profit for the whole city of approximately 2 million dollars and hopefully the Bombers can accomplish somewhere near that goal which would be wonderful. We all know the impact the Grey Cup has on every city. We also know that bottom line to the city of Winnipeg it's not exactly an income generator. It certainly does generate income for the other levels of government, but there's no question the economic impact on our city is phenomenal and I can tell you that EPC this morning did approve this motion and I am hoping that Council will approve it considering the Winnipeg Blue Bombers do have a tentative press conference scheduled for later on today. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Those in favour of the clause? Opposed? Carried.

EXECUTIVE POLICY COMMITTEE MOTIONS

Motion No. 1
Moved by Councillor Angus
Seconded by Councillor Eadie

WHEREAS Council at its meeting of June 23, 2004, adopted the recommendation of the Executive Policy Committee pertaining to Council representation on the Victoria General Hospital Board;

AND WHEREAS the Council direction was that the St. Norbert Ward Councillor or a person nominated by the St. Norbert Ward Councillor and the Victoria General Hospital Board sit as the City of Winnipeg's representative;

AND WHEREAS in keeping with a motion passed by the Riel Community Committee on May 18, 2004, Councillor Angus submitted the names and resumes of two individuals for the Victoria General Hospital Nominating Committee to consider;

AND WHEREAS after comparing their academic and professional backgrounds against those of the current complement of Trustees, the Nominating Committee interviewed and recommended Dr. Arlene Diane Young, whose recommended appointment to the Board was unanimously accepted on September 27, 2004, subsequent to City Council's approval;

THEREFORE BE IT RESOLVED that Council ratify the appointment of Dr. Arlene Diane Young as the City Council appointment to the Victoria General Hospital Board of Directors for a term expiring June 2006;

AND BE IT ALSO RESOLVED that all future City of Winnipeg appointments to the Victoria General Hospital Board be delegated to the Riel Community Committee.

Motions. Motion 1 moved by Councillor Angus seconded by Councillor Eadie, a citizen appointment with Victoria General Hospital Board. All in favour? Contrary? Carried.

Councillor Gerbasi: Mr. Speaker, the motion to,

Mr. Speaker: I haven't introduced it yet.

Councillor Gerbasi: I'm sorry.

Mr. Speaker: Motion 2 moved by Councillor Gerbasi and Councillor Benham, I would move automatic referral. Councillor Gerbasi would you wish to speak briefly on it.

Motion No. 2
Moved by Councillor Gerbasi
Seconded by Councillor Benham

WHEREAS at its meeting of September 29, 2004, Council adopted item 5 of the Report of the Executive Policy Committee dated September 22, 2004 regarding Rapid Transit;

AND WHEREAS Recommendation 4 of said item called for the establishment of a Rapid Transit Task Force consisting of members of Council to be appointed by the Mayor, with the task force to report to the Executive Policy Committee by no later than June 2005 on various rapid transit options for Winnipeg;

AND WHEREAS there is a need for public participation and input into this process;

AND WHEREAS the future direction of the transit system is at stake based on the report of the Task Force;

THEREFORE BE IT RESOLVED that:

1. City-wide public hearings be undertaken by the Rapid Transit Task Force to hear concerns of the public, with at least one hearing to take place in each electoral ward.

2. Membership of the committee be broadened to include groups representing University and College

Students, Downtown Business Organizations, Seniors Groups, Winnipeg Transit Employees, Low Income Persons and Persons with Disabilities.

3. A proposed budget for the Rapid Transit Task Force be approved by Council prior to any expenditure of the Task Force's budget.

Councillor Gerbasi: Thank you, yes I wish to ask the permission of Council to waive the rules to debate this today considering the decisions going to be made before we even have another EPC meeting. In terms of reference being decided for this committee or at least that's according to what I've heard in the media.

Mr. Speaker: Okay, thank you. You are allowed to give your reasoning. The motion by Councillor Gerbasi is that the rules be suspended and that motion number 2 be dealt with immediately. All those in favour? Opposed? Move it defeated. Would you like that recorded, I didn't hear very many votes.

Councillor Gerbasi: If we could record it please.

Mr. Speaker: Yes, you may. All in favour of suspending the rules to deal with motion 2 now, please rise.

A RECORDED VOTE was taken the result being as follows:

Yeas

Councillor Benham, Gerbasi, Smith, Thomas.

Nays

His Worship Mayor Katz, Councillors Eadie, Angus, Clement, De Smedt, Lubosch, Magnifico, Pagtakhan, Steeves, Wyatt, Mr. Speaker Councillor O'Shaughnessy.

City Clerk: The vote Mr. Speaker, Yeas 4, Nays 11.

The vote is lost. The motion is automicaticaly referred to Executive Policy Committee. We should be on by-laws if I can get there. EPC by-laws Mr. Mayor.

EXECUTIVE POLICY COMMITTEE CONSIDERATION OF BY-LAWS

Mayor Katz: I'll move that by-law numbered 161/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 161/2004.

Mayor Katz: I'd like to move that by-law numbered 161/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 161/2004.

Mayor Katz: I would move that the rule be suspended, and that by-law numbered 161/2004 be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions Period. Councillor Gerbasi, Councillor Steeves.

EXECUTIVE POLICY COMMITTEE QUESTION PERIOD

Councillor Gerbasi: Thank you Mr. Speaker. The motion that passed on September 29, 2004 that refereed the reallocation of monies from the tri-level funding agreement from rapid transit to community centres, it was amended at the last council meeting to remove the specific words Canadian Strategic Infrastructure Program as the source for the federal money and the words were replaced with this more general wording of Federal Infrastructure Programs. Given that the Mayor agrees with this proposal does not qualify under the Canadian Strategic Infrastructure Program, what federal program is being used as a

conduit for the 17 million dollars in federal money that the Mayor's promised for community centres.
Mr. Speaker: Thank you Councillor, Mr. Mayor.

Mayor Katz: Councillor Gerbasi I'm not, I don't agree that it doesn't qualify number one. Number two, I can tell you that I have met, actually I've spoken to the Minister Alcock, he has assured me that the funds are there and they will be forthcoming and I can tell you that I have every intention of believing him and trusting him since he is the President of the Treasury Board.

Mr. Speaker: Thank you Mr. Mayor. Supplemental Councillor Gerbasi.

Councillor Gerbasi: Yes, if the, why then was there a motion moved at the Council meeting to change the wording from that program if the money is in fact coming from that program Mr. Mayor.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: As I made the comment that same day is that there was really no need to do that and to be very frank with you; I wish it had been left the exact same way. It had been done and we will accept that and I can assure you that the money will be forthcoming as has been represented to us.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Gerbasi.

Councillor Gerbasi: Why then now Mr. Speaker, did Councillor Benham receive a voice mail message which he read out to all of Council stating that the city of Winnipeg had to reapply for that funding.

Mr. Speaker: I don't think that the Mayor can answer that question as to why Councillor Benham got a phone message.

Councillor Gerbasi: No, I'm asking why, if in fact that phone message was, which we read out, was from, we heard a phone message from, we heard from the Minister.

Mr. Speaker: I think that is beyond the spoke of the Mayor's capability, its hearsay, did you wish to ask another question.
Councillor Gerbasi: Okay, then just to clarify, so what your saying is were definitely going to receive the exact same 17 million from the Canada Strategic Infrastructure Program, that's what your saying, just to clarify.

Mr. Speaker: Mr. Mayor.

Mayor Katz: I've been assured by Minister Alcock that the money will be coming. We are not loosing any money.

Mr. Speaker: Thank you Mr. Mayor. Councillor Steeves.

Councillor Steeves: Thank you Mr. Speaker, through you to the Mayor. Mr. Mayor regarding the Grey Cup bid proposal motion that just went ahead, there were some changes made from the original report that went to EPC this morning, I don't think you covered it in your original comments on the motion. Perhaps you could offer some clarification as to why clause 2 on the motion on the EPC recommendation was changed to remove the requirement of the delineation of the City of Winnipeg's money behind the provinces money.

Mr. Speaker: Mr. Mayor.

Mayor Katz: The original objective was that the City of Winnipeg as opposed to standing pari passu which would basically equal with the province on the guarantee. The province would be first and we would be second, in other words, if in the unlikelihood the money was called upon, the provinces money would be called upon first, our money would be called upon second. The change in that is that our letter of support for the guarantee is going to the Canadian Football League. There is no need for the Canadian Football League to know our business with the Winnipeg Blue Bombers or the provincial government so that is a separate entity right now, we still are protected in the same matter and the CAO will be dealing directly with the

Winnipeg Football Club assuring that our guarantee is safe.

Mr. Speaker: Councillor Smith.

Councillor Smith: Yes, Mr. Mayor, we have the environmental committee and you've appointed Councillor Lubosch as Secretary of Urban and Environmental Strategies. Now, Councillor Lubosch has been a member of the Environment Committee for the past year and has never attended a meeting and I'm wondering what the role will be. What do you expect him to do in this position and how will it work with the environmental committee.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Councillor Smith if you had the opportunity to pursue my action plan you will see there were many environmental initiatives in there. I expect Councillor Lubosch to examine those and to basically if they make sense to put them forward and bring them into affect. You will also be aware of the fact that it was Councillor Lubosch who came up with the idea of the environmental committee and I don't know his record as far as attendance, but I think Councillor Lubosch is a very able Councillor, has made a positive contribution and if some reason he did not attend some meetings, I am sure he had reasons for why he was not there.

Mr. Speaker: Thank you Mr. Mayor. Supplemental. Councillor Benham followed by Councillor Angus.

Councillor Benham: Thank you Mr. Speaker through you to the Mayor. Mr. Speaker, city council heard last December, Federal government had approved Winnipeg's application to be an urban transportation showcase as we've discussed in earlier debate. The project at the time was worth 14 million dollars with two thirds of the money coming from the federal and provincial governments. It was going to showcase the development of bus rapid transit and other transportation alternatives down the Pembina corridor. Through you to the Mayor Mr. Speaker, what is the current status of Winnipeg's Urban Transportation showcase project.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Your number of 14.4 is correct. You should know that, since you wrote the press release on it. I'm assuming you would certainly remember it. The status is quite simple, my very first meeting at Executive Policy Committee, I was briefed that neither the city nor the province had the monies available for this. I was kind of surprised to hear this because why would we compete. I now understand why, because council or EPC really wasn't involved in this per se, it was done through the Mayor's office and it went that process and if council and EPC had some involvement, we might have been able to rectify situation as far as monies being available. Today as we sit, this is being, the plans being modified, we are now looking at downsizing it, approximately 11 million dollars is the model were looking at. We are waiting to, for confirmation and I did speak to the province recently to see if they are prepared and can find the monies that will be available through their contribution and we are intending to submit a new proposal which hopefully will be accepted.

Mr. Speaker: Thank you Mr. Mayor. Supplemental Councillor Benham.

Councillor Benham: On a supplemental, what argument is the city making for urban transportation showcase money when there is no longer an urban transportation alternative to showcase.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: As you know part of this submission covered many categories and we are still looking and we still have funds available to make contributions to our transit and I have no doubt in my mind that the federal government would support our proposal, changed slightly as you can do the arithmetic, 14.4 to 11 million dollars is not a significant change and on top of that, I think you have to be cognizant of the fact that you can't spend money until you have the money. There

was never any money allocated for it, we are still looking for this money and unfortunately this is also budget time, so we intend to proceed with this. We hopefully can find the money as can the province and I think you will see something positive happen if we can make all that take place.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. In the new proposal that the Mayor referred to for 11 million dollars, will the city be paying a greater percentage of the costs that the previous one third, one third, one third.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Absolutely not.

Mr. Speaker: Thank you Mr. Mayor. Councillor Angus.

Councillor Angus: Thanks Mr. Chairman, Mr. Speaker. Mr. Mayor can you advise when we might see terms of reference for the ad hoc committees that have been established, like the Red Tape Committee, can you answer that.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I think right now the time parameters would probably be within three weeks or less. You should be able to see the parameters of exactly how we intend to proceed. I can tell you right now that administration and my office are working together to make sure that we have a plan which I would be happy to make sure that all Councillors can see. Right now Councillor Magnifico has been working as well as Councillor Wyatt since they are the chairs of both respective committees. Thank You.

Mr. Speaker: Mr. Mayor. Supplemental.

Councillor Angus: Supplemental and have we established budget guidelines, usually about this time, the Fiscal Issues Committee and or Executive Policy Committee will direct the administration to bring in a budget,

Mr. Speaker: No preamble.

Councillor Angus: So have will given any direction in terms of establishment of the budget.

Mr. Speaker: Mr. Mayor.

Mayor Katz: For both of those committees as you know, council did approve a budget.

Councillor Angus: No, I'm talking about a general budget for the city, not, our budget.

Mayor Katz: In process at this stage.

Mr. Speaker: Mr. Mayor. Final supplemental Councillor Angus.

Councillor Angus: Yes, Mr. Mayor do you think that it might be a good idea to have a Council seminar to discuss the budget parameters and the terms of reference to explain them to council in some sort of a council seminar.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: In the words of my mother, which gave me my chicken soup, it couldn't hurt.

Mr. Speaker: Thank you Mr. Mayor. Any others. No, second round Councillor Gerbasi followed by Councillor Benham.

Councillor Gerbasi: Thank you Mr. Speaker. I'm given that there's not yet been in response to the PUFS study now that we've received it, there really hasn't yet been the full public consultation process that were planning regarding citizen's views on the PUFS study and given that it's not even clear whether Councillors or citizens are prepared to move ahead with significant closures of community centres and creation of mega centres as recommended by PUFS, what is the projected time frame to firm up the federal and provincial funding that Council

is committed to spending on community facilities.

Mr. Speaker: Thank you Councillor Gerbasi. Mr. Mayor.

Mayor Katz: As you know Councillor Gerbasi we've now had two Councillor seminars on the PUFS. At this point in time, administration is preparing, doing some homework on it. They intend to come out with a new plate, because there are some changes and some matters in that PUFS study. We're either not accurate or a change because of two years passing. We hope to have this plan probably in effect, another seminar probably within four weeks. I have also met with the GCWCC, they also have done their own recommendations which I believe every Councillor now has a copy of and we've also had dialogue with both the province and the fed's about sitting down and addressing what projects these monies are going to be going to.

Mr. Speaker: Mr. Mayor. Supplemental Councillor Gerbasi.

Councillor Gerbasi: Does the Mayor, Mr. Mayor through you to the speaker, from the speaker, do you intend to ensure that 67 percent of the funding for the full implementation of the PUFS study recommendation will be in place prior to proceeding with community centre improvements.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I would not proceed with spending money until the money is there. So the answer to your question was obviously we have to have reassurances and documentation from both the province and the fed's that this money is in place before we discuss something.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Gerbasi.

Councillor Gerbasi: I guess I'm just, my question really was with the rapid transit proposal, there was part of the motion was, that we have to have 67 percent of the full cost of the program which was about 400 million dollars or so for the whole city wide program on transit, so I guess I'm just wondering, is the same standard being held to community centre and recreational improvements that we need to have two thirds of any future recreation planning for say 10 years or 20 years or how ever long it would take to build those kind of projects. Does that have to be in place for community centres or is that just for transit projects.

Mr. Speaker: Thank you Councillor Gerbasi. Mr. Mayor.

Mayor Katz: I can't comment on the transit project but I can certainly comment on the community centres. If the money is there and the project is approved by all three levels of government, we will proceed. Thank you.

Mr. Speaker: Thank you Mr. Mayor. Councillor Benham.

Councillor Benham: Mr. Speaker, a spokesperson for the Prime Minister has said that unless the province and the city give more money to the Canadian Museum for Human Rights, federal funding will not exceed 30 million dollars, that's 70 million dollars less than was originally promised. The federal government now considers this project a private museum, not a national museum. Given that this major legacy of the late Izzy Asper is now in serious jeopardy Mr. Speaker, what has the Mayor done to insure that the city doesn't loose 70 million dollars of federal funding or indeed the entire 270 million dollar project.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: Councillor Benham if I were, if you were to go out tonight and feel lucky and buy a ticket for Lotto 649 and the jackpot was approximately 10 million dollars and you didn't win it, you cannot say tomorrow that you lost 10 million dollars. That's number one, you can't loose something that doesn't exist at this stage of the game. I can tell you that I have had direct conversation with Gail Asper who is leading this right now and she has specifically said that in her

meetings with Paul Martin, she believes that they will be successful. She believes that the commitment made by the City of Winnipeg is more than the city should be making. She believes the federal government should be making a larger commitment. She's not even convinced that the City of Winnipeg should be doing what were doing, but we want to support this project and I will agree with you on one thing, this is a very important project and we are lobbying once again Minister Alcock to make this reality, but the bottom line is if they require 200 million dollars and their successful in getting that from levels of government, they know the commitment from the City and they've accepted it and are thankful for it. They know the commitment from the province and they're grateful for that. One thing they don't know and they're still working on is the commitment from the federal government and I will leave it up to the Asper family to do what they can and they know that the Mayor and all Councillors are available to help them in any way we can.

Mr. Speaker: Thank you Mr. Mayor. Supplemental Councillor Benham.

Councillor Benham: On a supplementary Mr. Speaker, the federal money was a commitment from the Prime Minister of the day not a jackpot in a lottery, which assurances does the Mayor have that the federal money that was pledged to this project, a 100 million dollars will be contributed and not allow them to get off the hook on a notion that it's like winning a lottery.

Mr. Speaker: Thank you Councillor Benham. Mr. Mayor.

Mayor Katz: Unfortunately, unlike you I haven't seen the documentation that says whether a 100 million or 200 million is committed. So I can't make any comments on that, but obviously you're in a position to do so and I respect you for that.

Mr. Speaker: Thank you Mr. Mayor. Final supplemental Councillor Benham.

Councillor Benham: Mr. Speaker, why hasn't the Mayor called a meeting with the premier, the Asper's and the president of the Treasury Board to ensure that this major human rights landmark is not lost to Winnipeg.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I'm not convinced we require a meeting considering we are dialoguing on a regular basis; all three levels are talking along with the Asper family. So I would say to you that we will believe that the federal government will come through on our commitment because I don't think any level of government wants to make a commitment and renege on it. Unfortunately no one has seen that commitment, but I can tell you this much, many of us, I think including yourself were at the unveiling of the Mohammed Gandhi statue when Minister Alcock said this will be built and I'm sure you can concur by shaking your head that you heard it as well. So you know what, once again it is up to him to work on his colleagues in Ottawa and convince them that this is what should be done. Cause you and I both know, the issue is not where, the issue is not Winnipeg, the issue is where it should be built and there are other people who don't think it should go in Winnipeg, they'd like it to go somewhere east, the realities are, Winnipeg is the center of Canada, it should be built here and everybody will do what they can and you know what, I don't mind your encouragement to discuss this and lobby as much as we can but I can assure you it's being done without.

Mr. Speaker: Thank you Mr. Mayor. Councillor Gerbasi has asked for a third round of questioning. Councillor Gerbasi.

Councillor Gerbasi: Thank you. A council seminar was held on Monday this week to discuss the current supply and demand situation in terms of land available for development and you know there's been a love in going on over at the Caboto Centre regarding the, with the builders, there's a crisis that's come out that we need this land. And my question is, this is a piece of the Waverley West puzzle that council needs to look at, is the supply and demand of land. But given

that the administrative cost benefit analysis of the infrastructure costs, transportation implications and other important studies that the administration is doing regarding the Waverley West deal cannot be released until there's a hearing date set for Waverley West, can you please advise when the public hearing will be held on Waverley West.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I think over the last two or three weeks we've all been inundated with the Waverley West project. Just recently were all made aware of the report from Property and Planning as far as the housing situation. Some people can look at statistics and treat them one way others can look another way. I can tell you that I believe there is a demand, personal opinion; I also believe that any development that takes place has to be sustainable. I can also tell you that I believe that if possible and I'm not saying it is, but if possible we could do something before Christmas that would be terrific, if not it would have to be in the New Year because we all know nothing happens between December the 15th and the New Year. And that's the path that I'm on right now. Thank you.

Mr. Speaker: Mr. Mayor. Supplemental Councillor Gerbasi.

Councillor Gerbasi: Thank you. I asked this earlier, many months ago when I was on EPC I asked about this and I'm hoping that the new EPC will agree to do the same. Will you Mr. Mayor assure the public that the administrative reports will be made available to the public at least 10 days to 2 weeks before the public hearings so there will be time for citizens who want to appear in delegation and other Councillors who are on EPC to read what the administration is recommending and all the hard research, detailed research and analysis they've done on the Waverley West. Thank you.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I will not make any commitment to a two-week situation, it might be three weeks, it might be four weeks. I think you already know from my track record that any of these documents that once there available, my plan is to make them available to all Councillors and as you know they do go on the website which means they are available to all Councillors and members of the public. I would like input from everybody and as soon as we have it and it's ready to be released it will not sit locked up somewhere, it will be released. That's the mandate I came in with, that's the mandate I expect to continue to make sure the information is distributed to all parties, council and the public.

Mr. Speaker: Councillor Benham.

Councillor Benham: Mr. Speaker, a new question. The administration has told us that it has not included federal money for sewer renewal in this year's budget or the 2005 budget. They've said the federal bureaucrats are hesitant to hand over the money because they figured the Mayor will revisit the deal, just as he did with bus rapid transit, what has the Mayor done if anything to protect the federal money for Winnipeg sewers that now been jeopardized.

Mr. Speaker: Thank you Councillor. Mr. Mayor.

Mayor Katz: I've done absolutely nothing because I think you're living in a dream world, that's not reality. We have no intention whatsoever of making any changes. Everything is going exactly the way it should be and neither the Mayor nor any member of EPC or any member of council has given any direction to the contrary.

Mr. Speaker: Supplemental Councillor Benham.

Councillor Benham: Thank you Mr. Speaker. Does that mean that in fact the money, the federal money for sewer renewal will flow in this fiscal year or in 2005 contrary to what was reported.

Mr. Speaker: Thank you Councillor Benham. Mr. Mayor.

Mayor Katz: I think what it means that when an agreement was signed many months ago, that the parties that were there never even discussed when the money will flow and I'm sure that will be dealt with right now. If it had been done right the first time, you and I would not be having this conversation. Thank you.

Mr. Speaker: That's it. Councillor Benham, if you would indulge me for a moment, if you would let me know the names of the bureaucrats who told you they were afraid to release money to the City of Winnipeg. I personally would really like to know that.

Councillor Gerbasi: It was reported in the Free Press Mr. Speaker.

Mr. Speaker: There you go, just let me know who's talking to you please, if you would be so kind.

Standing Policy Committee on Protection and Community Services report of October 14, 2004, Councillor Steeves.

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES DATED OCTOBER 14, 2004

Councillor Steeves: Thank you very much Mr. Speaker. I'll introduce the report and move the options of the Consent Items 1 through 6, I don't know if anyone wishes number 1 to be stood down or not.

Councillor Angus: Number 5 please.

Mr. Speaker: All in favour of consent items 2, 3, 4 and 6? Contrary? Opposed? Carried.

Mr. Speaker: Item 1. Mr. Clerk.

Item 1 - New Fire Prevention By-law File GF-5

Councillor Steeves: Thank you very much Mr. Speaker, I'm not sure what the inquiries are, but I'll give a brief introduction to the report which of course is the Fire Protection, the Fire Protection By-law, the Fire Prevention By-law pardon me.

First in response to the delegation, as the delegation raised some points that may or may not be concerning the people, I don't know how other folks on Council feel but I frankly, I find it kind of surprising honestly that a person can set off fireworks in the city of Winnipeg without a permit but I guess that's the way it was. I think we're going to change that and I think that's perfectly prudent. I asked the delegation for a definition of what encompasses the quote unquote family fireworks category, I'm not exactly sure what that is, but we had a reasonable explanation I suppose from the delegation.

In closing on the delegation portion, Mr. Speaker I would like to state that there was an implication made that there wasn't consultation with the relative concerned parties who might be interested in this report. We had Chief Wes Shoemaker attend the last EPC meeting who heard the delegation present. I'm not going into what he said, he said argument, but the information on consultations was quite different as given by the Chief of Fire Paramedic Services I can tell you that.

And certainly we know objectively that any citizen of the city of Winnipeg had the unbridled right to attend at any of the five Community Committee meetings to make there position know by virtue, by way of public consultation. I think the opportunity for public consultation existed and I think if people wanted to avail themselves of that opportunity they had ever right to do so.

The fire prevention by-law does a number of different things, but I'll refer to the report specifically in that the key issues under the proposed by-law are essentially eight and I'll just review them quickly. It does represent an extensive review overhaul and consolidation of the various by-laws that exist currently, it sets out rules and requires permits for most types of outdoor fires, it allows for the use of certain types of barbeques on decks and balconies of multi-family buildings, it includes new requirements for testing

maintenance and record keeping and tenant owner education for smoke alarms and residential rental properties, it includes requirements to improve the inspection and testing of fire protection and life safety systems, it requires permits for most open air fires, the sale and use of fireworks, the reason for the delegation, the installation and removal of flammable and combustible liquid storage tanks, requires occupant loads to be established in existing assembly occupancies, stipulates a variety of new inspection fees which are anticipated to decrease the number of re-inspections required and increase the level of compliance.

The discussion, the key aspects of the by-law underneath that are of course, the Manitoba Fire Code and the establishment of minimum standards for safety. The regulation of outdoor fires, portable barbeques, smoke alarms in rental units, fire protection life safety systems, fireworks, removal of flammable combustible liquid storage tanks, additional fees including cancellation fees, increased permit fees and the schedules attached at the end.

I won't go into detail Mr. Speaker on a lot of the things that come in the report underneath those subject heads, but I'll do my best to answer any questions that arise.

Mr. Speaker: Thank you. Councillor Angus.

Councillor Angus: Yes, Mr. Speaker, there is an awful lot of good things in this particular by-law and I'm appreciative of them and I'm supportive of them. They have amalgamated a whole bunch of by-laws, I sit on this committee, I heard the presentations and I'm keen on it.

I'm put in that awkward position Mr. Speaker of voting, I feel strongly about one portion of the by-law and I don't, I want to, in a conundrum. So the conundrum is that if I support 90 percent of the by-law about 10 percent or 99 percent or 1 percent should be changed, I'd rather vote against the whole by-law or stand up and explain why I'm opposed to that particular section and ask that perhaps a review be conducted within a year and I'm not going to make, cast that in stone.

But here's my specific problem. Right now they are going to be asking and I agree with this, that a person who is selling fireworks be licensed. Notwithstanding, just beyond the perimeter highway, outside the boundaries of the city of Winnipeg, they're still be there picking the stuff up, people will come in and illegally purchased it perhaps, I don't know. They then, I'm not sure what happens, do they then have to go to the fire hall and get a permit to shoot the fire cracker off in their backyard, or that roman candle that they've had in their backyard. Probably, yes but then, the fire department doesn't charge anything for that. I was advised they simply give the people a lecture on how to, the safe use of fire crackers.

But do they become a policing authority, do they say you didn't buy these inside the city of Winnipeg, where's your pamphlet and is there the potential of restricting the availability of giving a permit. I guess I'm a little concerned about the need for a specific permit anyway. I recognize that this Council is probably going to pass that but it seems to me, Councillors as an adult, as a responsible adult, I go to the store, the store says I'm licensed to sell fire crackers, I buy a couple of roman candles to impress the grand children. They give me a safety pamphlet, I take that and I read it.

But now, I'm going to have to take the pamphlet, get the fire crackers, go over to the fire hall and get a permit to run these things off in my backyard. It just seems like we're really moving in a very awkward fashion to try and control people at all levels of all things. I would have preferred to see us try first of all, letting people do that and if it proved to be a continuing problem then we could move on.

Now I recognize that certain displays at community clubs things of that nature, they should have some permits because they and some regulations established around the issuing of those permits. But the whole area of the permit requests for

small consumption of fire crackers that you can buy at Super Value or you can buy at your local grocery store or hardware store or where ever your going to get them is a little ambiguous as far as I'm concerned and I've certainly noticed that I'd like to take a look at that in a year from now and see if it needs to be continued and how it's going to work Mr. Speaker.

Mr. Speaker: Thank you Councillor Angus. Councillor Magnifico.

Councillor Magnifico: Thank you Mr. Speaker. First of all I would like to commend Mr. Shoemaker for this by-law change because the original by-law included a recreation.

Mr. Speaker: You say commend, did you not.

Councillor Magnifico: Pardon me.

Mr. Speaker: You did say commend.

Councillor Magnifico: Commend, yes. The original by-law changes included home fire pits and I see they've excluded that here which is a wonderful thing because the public doesn't want to be handcuffed in much as the same way as Mr. Angus was saying.

I also concur with Mr. Angus regarding the unfair playing field that may create because of those busses that do situate just outside the city limits and sell these fireworks which we've purchased many times on the way in.

We, being the public. I wouldn't do it personally. So I have a problem with that aspect of it to, so I don't know what we can do about that but it is something for us to consider.

Mr. Speaker: Thank you Councillor. Councillor Gerbasi.

Councillor Gerbasi: Thank you Mr. Speaker, I just wanted to briefly speak in support of this by-law. It was something that, that the committee that I formally chaired worked on very hard and I'm very proud of it, I think it brings forward a number of improvements. It consolidates three old by-laws that were very much in need of being updated. It's really about safety and that's obviously a very important thing, there's benefits for apartment dwellers in terms of safety, fire prevention there, there's, and in terms of the fire pits although the permit part was taken out, there is still some clear guidelines so that people who end up inhaling smoke from inappropriate backyard fires and asthma and different problems, they can be addressed in a more, in a better fashion.

So I think it will work for all of our citizens, there's clear guidelines. The report was sent back to Community Committee so there's a lot of discussion, in that sense I think it was a good process and I thank Councillor Angus for having those extra steps because all Councillors had a chance to fully understand the document which I think is a good process.

So I'm proud of it. I think our fire chief in terms of the fire works, just one comment on that.

I don't know if everyone is aware about the International Association of Fire Fighters and the International Association of Fire Chiefs are, do have a campaign to completely ban fireworks, consumer fireworks in the states. We are, this is nothing, there is nothing extreme about this, it's really some safe guards, citizens can get the information they need, we know they will get that information if the fire hall, so I think its all about safety for all of us and I, it's a really good by-law and I'm very pleased to see it finally coming forward to Council. Thank you Mr. Speaker.

Mr. Speaker: Thank you Councillor. Councillor Steeves to sum up.

Councillor Steeves: Thank you Mr. Speaker. I'm embarrassed, I should have start off my comments by thanking Councillor Gerbasi and the former chair of the committee for her excellent work on this report. Quito's for a job well done. It's any excellent report and I neglected to do that and I apologize. Councillor Gerbasi, I'll deal with your concerns in reverse

order, Councillor Gerbasi's concerns. I'm glad she brought them up because I think this is the one that we deal with as Councillors most often, the idea of the open fire pits and just so people are abundantly clear, the way it used to work, was there was a kind of, a loosy goosy group of people phoning in and complaining about questionable fires that exist in various back yards and certainly no Councillor here is a stranger to that. We have all had to deal with that and we deal with that on a regular basis.

The change that this works, that this report makes rather is that while it doesn't require a permit to do so, if there is some concern or complaint from the neighbourhood, it puts in place a black and white set of guidelines with respect to the fires that may or may not exist. So when one of our fire professionals attend at the scene, they have some guidelines that they can clearly enforce to either rectify a situation that is incorrect or say to the concerned parties that this person has in fact complied and that everything is okay.

So that will lend some certainty to the process and of course if somebody wants to do something outside of that, I believe they're welcome to apply for a permit to do so.

Councillor Magnifico you are not to stop at any of those busses in the future, just so you know. I honestly, I never new that such busses existed, I guess I've been getting my family fire works Mr. Speaker at the non black marketplace I suppose, I pleased to report, obviously this is an item that hasn't come up in my discussions with administration, but my suspicion frankly is that these may be illegal operations, I'm going to take that and ask these be specifically investigated because the last thing we want to do seriously is to impose a regime where people who are selling the fireworks within the city of Winnipeg on a law abiding basis are going to have to be competing with these rogue busses that exist out there selling illegal fireworks, potentially illegal fire works, I'm not sure.

Councillor Angus points are good points I suppose in that there, it's tough to always sometimes delineate or find that line where we step in as a city, step in as administration and attempt to regulate an activity that's going on.

Again it's a matter of personal opinion to a certain extent I suppose, my personal inclination is that prime efface, fireworks are a bit dangerous and it might be an area where we might step in with some type of permitting process. We don't want to be overly onerous, we don't want to be unreasonable but as Councillor Angus quite rightly pointed out there is no cost, we're asking people to do is come in on a voluntary basis to do some of these things and to make sure that we understand that they understand that there are some concerns to be dealt with.

There may not have been touch wood, an abundance of injuries that existed as a result of this type of activity going on in our city. But Chief Shoemaker at his submissions at Executive Policy Committee was quite quite clear that he's considered the idea of resources and he's considered the idea of how many people might be coming into the stations on a regular basis and attempting to get permits and get the information. He feels that this is a service that we could easily provide out of our existing fire houses. He's not concerned about that and as he stated, he is more willing to do the work up front that have to deal with it in retrospect if there ever was something unfortunate that did happen.

And while there may not be an abundance of injuries, we do know that there is an abundance of complaints, there's always concerns of the neighbours that this activity is going on. So in that circumstance we have at least wanted to have I guess, the credibility of attending at one of these functions, and if no permit exists, it does give our fire professionals the authority to say, you haven't gone through the proper steps, we're going to stop this operation right now. It gives people that, it gives our fire professionals that stick for lack of a better term, I think that's important. And if folks do have a permit, but are still operating

and if persons have concerns about that, they can easily discharge their onus to the community, to their neighbours by showing the permit, they've taken that step.

I would close Mr. Speaker and ask the report be supported by Council.

Mr. Speaker: Thank you Councillor Steeves. Councillor Magnifico, if you see smoke coming out of one of these busses, please run. Let's close debate. All in favour of the clause? Contrary? Carried unanimously. Clause 5 Mr. Clerk.

**Item 5 - Sherbrook Sharks Swim Club - Waiver of Fees for Rental of Sherbrook Pool
File PR-2.10**

Mr. Speaker: Do you wish to introduce it Councillor.

Councillor Steeves: I don't, I'll just wait for a comments.

Mr. Speaker: Councillor Angus.

Councillor Angus: Thank you Mr. Speaker. I just wish to indicate that I'm going to vote against this particular clause. I have two swim clubs in my area that use our swimming pools; they would dearly love the funding to be waived for them so that they can swim for free in our pools. It's not a consistent policy and this particular one, it's a small amount of money, but the principle is that I do not support, did not support it at Committee and I did not support it at council. I don't want a recorded vote, but I just wanted to give an explanation. Thank you.

Mr. Speaker: Thank you Councillor Angus. Councillor Steeves did you wish to say anything on it.

Councillor Steeves: No, I'll leave this to Council's discretion.

Mr. Speaker: All in favour of the clause? Contrary? Carried.

No motions, by-laws.

**STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS**

Councillor Steeves: I'll move that by-law numbered 150/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 150/2004.

Councillor Steeves: I move that by-law numbered 150/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 150/2004.

Councillor Steeves: I'll move that the rule be suspended, and that by-law numbered 150/2004 be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

**STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS
ADDENDUM**

Councillor Steeves: I'll move that the rules be suspended and by-law numbered 164/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 164/2004.

Councillor Steeves: I move that by-law numbered 164/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law numbered 164/2004.

Councillor Steeves: I'll move that the rule be suspended, and that by-law numbered 164/2004 be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions. None.

Standing Policy Committee on Public Works Councillor Eadie, Item 5, report of September 14, 2004.

REPORT OF THE STANDING POLICY COMMITTEE ON PUBLIC WORKS DATED SEPTEMBER 14, 2004

Councillor Eadie: Thank you Mr. Speaker, I'll move the Public Works Committee meeting dated September 14, 2004, Item 5 as consent.

Mr. Speaker: All in favour? Contrary? Carried. October 12, 2004.

REPORT OF THE STANDING POLICY COMMITTEE ON PUBLIC WORKS DATED OCTOBER 12, 2004

Councillor Eadie: Thank you Mr. Speaker, I am pleased to introduce and move the Public Works Committee meeting dated October 12, 2004, Item 1, 2 and 4 as consent.

Councillor Eadie advises that Item 3 has been referred back to the Standing Policy Committee on Public Works.

Mr. Speaker: All in favour? Contrary? Carried.

Motions none. By-laws.

STANDING POLICY COMMITTEE ON PUBLIC WORKS CONSIDERATION OF BY-LAWS

Councillor Eadie: I'll move that By-law No. 160/2004 and 163/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 160/2004 and 163/2004.

Councillor Eadie: I'll move that By-law No. 160/2004 and 163/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 160/2004 and 163/2004.

Councillor Steeves: I'll move that the rule be suspended and that By-law No. 160/2004 and 163/2004, be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions, Councillor Magnifico.

STANDING POLICY COMMITTEE ON PUBLIC WORKS QUESTION PERIOD

Councillor Magnifico: Mr. Speaker, I'd like to ask the chairman of Public Works, I know he's inherited Mr. Steeve's previous kingdom, the one question I have, I've run into my ward and I'd like to know if there's a reason for it. The graders come down and do our back lanes at this time of the year in the spring and two weeks later or a week later it's right back to where it was before with the same huge holes and I stopped one of the drivers to talk to them, he says that's because we don't have money to put fill when we do them. Now, I'm sure that's not true because it doesn't make any sense, that you send machinery and manpower out there, do all this work so a week later it can be right back to what it was before. Could you please advise us to how that works.

Mr. Speaker: Councillor Eadie.

Councillor Eadie: Yes, Mr. Speaker on unapproved back lanes, such as the gravel lanes that Councillor Magnifico refers to, they are graded at least a couple of times a year. They can only be graded when the conditions are dry and this year it has been particularly

problematic for all those lanes. They can't grade them when they're wet because they'll just simply dig them down to mud. There are a number of lanes and I have some as well where there is nothing left to grade anymore and from time to time, I know that public works staff do try to throw some fill in, but if you want or if residents on those lanes want a complete layer of gravel that requires a local improvement petition because they have to pay the costs of that and that's quite fair because those of us with paved back lanes have already paid to have those lanes paved and the maintenance costs are paid for by the city at large. So the only way that effectively some of those particular problems are going to be resolved is if the residents themselves decide to petition for a local improvement for the full layer of gravel or petition for a local improvement to have the lanes paved.

Mr. Speaker: Thank you Councillor. Supplemental Councillor Magnifico.

Councillor Magnifico: Okay, so I'm to understand then Mr. Speaker, that Mr. Eadie telling me that if someone has a non paved back lane with huge holes in it, the only way it will get any fill is if the resident pays a little bit more money to create these holes being filled, otherwise those holes will perpetuate, is that what I am to understand.

Mr. Speaker: Thank you. Councillor Eadie.

Councillor Eadie: Mr. Speaker our local improvement legislation is very clear. For the full layer of gravel and I can't remember what that is now in terms of inches, but that does require the residents who back onto that lane to endorse a local improvement petition. I know from time to time in other circumstances that certainly the one's I've been familiar with in my own area that staff do try to maybe dump some tailings or some fillings in to resolve some problems but it's only temporary. The only effective solution is either the full layer of gravel or pavement, both of which require a local improvement petition.

Mr. Speaker: Thank you Councillor. Fiscal Issues, the report of October 12, 2004 Councillor Clement.

REPORT OF THE STANDING COMMITTEE ON FISCAL ISSUES DATED OCTOBER 12, 2004

Councillor Clement: Thank you Mr. Speaker, I am pleased to move the Fiscal Issues Committee meeting dated October 12, 2004, Item 1 as consent.

Mr. Speaker: All in favour? Contrary? Carried. By-laws.

STANDING COMMITTEE ON FISCAL ISSUES CONSIDERATION OF BY-LAWS

Councillor Clement: I'll move that By-law No. 162/2004 be amended and read a first time.

Mr. Speaker: What's this about amended. You're just moving that the by-law be read a first time. It is a by-law that amends.

All in favour? Contrary? Carried.

Clerk: By-law No. 162/2004.

Councillor Clement: I'll move that By-law No. 162/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-law No. 162/2004.

Councillor Clement: I'll move that the rule be suspended and that By-law No. 162/2004, be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions. No. Standing Policy Committee of Property and Development, Report of October 5, 2004 Councillor De Smedt.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPEMENT DATED OCTOBER 5, 2004

Councillor De Smedt: Thank you very much Mr. Speaker, I'm very pleased to be here today where I am and I'd like to thank the Mayor for the challenges that he's offering me and I'm on two different committees to work on your behalf. I would just like to comment that it's going to affect my snooze time around city Council now, but other that. I am very pleased to present the Report of Property and Development for October 5, 2004. I have two observations, report number 11; we have received from the applicant a withdrawal yesterday so it's on record with the clerk, so I would like to ask that we file it.

Item 11 - Rezoning - 445 Egesz Street File DAZ 250/2004

Mr. Speaker: All in favour of withdrawal of number 11 for filing. All in favour? Contrary? Carrried.

Councillor De Smedt: And I would just like to make a comment on report 17.

Mr. Speaker: Well, you'll have to stand it down then.

Councillor De Smedt: Stand down 17.

Mr. Speaker: So you'll move by consent Items 1-10, 12 - 16 and 18.

Councillor De Smedt: Yes sir.

Mr. Speaker: All in favour? Contrary? Carried.

Item 17 - Adoption of the Planning, Development and Building Fees By-law (previously known as The Development Fees By-law No. 6965/97) File EP-1

Councillor De Smedt: Thank you Mr. Speaker. Just a brief comment to indicate that we have all been part of this process, I think during the past year and having some development fee adjustments in terms of all the latest fees that have been posted. I think we've agreed to these.

Let me just say to reinforce what's really happened here and it stems in part from our commitment to make our departments much more responsive and to have a fair and equitable process to the citizens for the fees that their paying towards the city and indeed that this is reinforced during obviously our new Mayor's campaign this summer. He indicated that we're open for business but we must be fair and equitable and we must also have an accountable process that we can ensure that our departments are in fact for the fees their charging are providing the services that we expect.

I just like to put on record, that it's going to be important that we together work with our administration to follow up, that we're getting some accountability and we're getting some improvement in services. As you might note from the report there is going to be a flow back to the department to implement strategies and practices that will make them more efficient. We need to have an accountability process for that and it would be my intention on your behalf through the Property and Development committee to ask the department for a quarterly report and we can discuss these issues to see if we're moving in the right direction. Cause there is going to be a substantial amount of money going back to the department for these increases in fees, 250,000 dollars, so I think there's that connectivity on your behalf that's going to be very important and we will report back to council on the performance of the department. That's it. Thank you Mr. Speaker. I'd like to move than Item 17.

Mr. Speaker: All in favour of the clause? Contrary? Carried.

Report of October 12, 2004.

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPEMENT DATED OCTOBER 12, 2004

Councillor De Smedt: Mr. Speaker October 12th report has come from

Executive Policy Committee with a very simple recommendation to Council that a small triangle of land called Triangle Way be declared surplus to the city needs and that is really what you are seeing today. There's some more comprehensive analyzes related to it on a potential development in that area but it's inappropriate I think that we discuss these issues at this particular time. I mean this is a matter that has to ultimately as you have read in the report, because it does proceed, has to go to a Community Committee for a public hearing.

So I think it would be inappropriate for us at this particular time to discuss those matters. I think the Councillor and the Community Committee have to hear the variety of arguments related to that at which time the matter can proceed.

But in terms of one small parcel of land, it has been sitting there adjacent to the current applicant who is the owner of the lands adjacent to it who would probably like to have his property squared off. It can't be much more than 2 or 300,000 square feet. I'm not sure if it's a problem to the Councillor of the area but in the view of the committee had reviewed this and asked that it be moved ahead in this particular fashion, it came to Executive Policy Committee last week, so it was my first time to hear this. I didn't see this as being an ominous kind of problem to that whole development process and to the ward Councillor. So that is what we have today, just declaring a very small portion of land, surplus to city needs, it's on park land, it's the old Bergen cut-off.

Item 1 - Sale/Exchange of Lands between 4525982 Manitoba Ltd. and the City of Winnipeg - Henderson Highway at Essar Avenue File FI-2.4(33)

Mr. Speaker: Do you wish to move the clause, Councillor Lubosch?

Councillor Lubosch: Thank you Mr. Speaker. I'm standing to refer clause 1A of Alternative 1 to the East Kildonan - Transcona Community Committee. The clause is procedure ably out of order. It's contrary to Council adopted policy governing the sale and disposition of city owned park lands. The policy very clearly stipulates that Community Committees must first be consulted by the Director of Planning, Property and Development when dealing with any matters pertaining to the disposition of city park land.

And to vote on this clause today, would be in fact a very serious breach and violation of Council policy and by-law.

Mr. Speaker: Councillor Lubosch, I'm sure you'll amend that that you're referring it back to Standing Committee, Council cannot refer to Community Committees.

Councillor Lubsoch: Yes it can.

Mr. Speaker: No it can't and it would refer to Standing Committee with a request that Standing Committee refer it to the Community Committee would be your motion or do you wish to challenge the ruling of the chair.

Councillor Lubosch: Mr. Speaker I would dare not challenge the ruling of the chair. I'm taking my cues from the City Clerk and I understand that to be.

Mr. Speaker: It would accomplish exactly the same thing. Councillor De Smedt did you wish to close.

Councillor De Smedt: Mr. Speaker, I understand Councillor Lubosch's point on this and I'm sorry that we didn't have a chance to consult on this. I could have helped navigate this through. This is not I don't think a deal breaker for anybody. If that is the will of the Council, of the Councillor of the area on this very small little piece of land, then I certainly think it would be appropriate that we allow it to come back to P&D with recommendation to send it back to Community Committee.

Mr. Speaker: All in favour of the motion to refer? Opposed? Carried. Clause is referred. Clause 1.B to 1.F is only here as information. Motions none. By-laws, Councillor De Smedt.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT CONSIDERATION OF BY-LAWS

Councillor De Smedt: I'll move that by-laws numbered 151/2004, 152/2004, 153/2004, 154/2004, 155/2004, 156/2004, 157/2004 and 158/2004, 159/2004 and 166/2004 be read a first time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 151/2004, 152/2004, 153/2004, 154/2004, 155/2004, 156/2004, 157/2004, 158/2004, 159/2004 and 166/2004.

Councillor De Smedt: I'll like to move that by-laws numbered 151/2004 to 159/2004 both inclusive and 166/2004 be read a second time.

Mr. Speaker: All in favour? Contrary? Carried.

Clerk: By-laws numbered 151/2004 to 159/2004 both inclusive and 166/2004.

Councillor De Smedt: I'll like to move that the rule be suspended, and that by-laws numbered 151/2004 to 159/2004 both inclusive and 166/2004 be read a third time, and that the same be passed and ordered to be signed and sealed.

Mr. Speaker: All in favour? Contrary? Carried.

Questions. None.

Standing Policy Committee on Downtown Development, report of October 14, 2004 Councillor De Smedt.

REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT DATED OCTOBER 14, 2004

Councillor De Smedt: I'm like to introduce the Report of October 14, 2004 and move adoption of consent Agenda Item 1.

Mr. Speaker: All in favour? Contrary? Carried.

Motions, By-laws none. Questions none.

Report of the Alternate Service Delivery Committee dated October 19, 2004 Councillor Angus.

REPORT OF THE ALTERNATE SERVICE DELIVERY COMMITTEE DATED OCTOBER 19, 2004

Councillor Angus: Thank you Mr. Speaker, it's my pleasure to move the Alternate Service Delivery Committee's report of October 19, 2004, and move adoption of the consent Agenda Item 1.

Mr. Speaker: All in favour? Contrary? Carried.

REPORT OF THE SECRETARIAT COMMITTEE DATED OCTOBER 19, 2004

Councillor O'Shaughnessy: Councillor Wyatt on my behalf moves the Schedule of Meetings for 2005.

Mr. Speaker: All in favour? Contrary? Carried.

Moved by Councillor Smith that Council be now adjourned.

ROLL CALL

Clerk: His Worship Mayor Katz, Councillors Eadie, Angus, Benham, Clement, De Smedt, Gerbasi, Lubosch, Magnifico, Pagtakhan, Smith, Steeves, Thomas, Wyatt and Mr. Speaker Councillor O'Shaughnessy.

COUNCIL ADJOURNED AT 11:22 a.m.