

A G E N D A

THE FIFTH MEETING OF THE ONE HUNDRED AND TWENTY-FIFTH COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS

COUNCIL CHAMBERS 6:00 P.M. CLOSED SESSION
CITY HALL 7:00 P.M. REGULAR SESSION FEBRUARY 7TH, 2005

ROUTINE PROCEEDINGS AND GENERAL ORDERS OF THE DAY

OPENING PRAYER

DISCLOSURES OF INTEREST

MINUTES

DEPUTATIONS

COMMITTEE OF THE WHOLE

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

BY-LAWS

PUBLIC NOTICE

NOTICES OF MOTION

ADJOURNMENT

CLOSING PRAYER

THE LORD'S PRAYER

Alderman H. Chapman

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on January 17th, 2005.

DEPUTATIONS

By-Law 89-2004 - Request to Extend Effective Date - St. Thomas Bingo Country

Mr. Jordan Gnat, President, Boardwalk Gaming and Entertainment Inc., will be in attendance to request an extension of the effective date of By-Law 89-2004, being a by-law to establish smoke free public places and workplaces in the City of St. Thomas, for St. Thomas Bingo Country.

Material attached.

COMMITTEE OF THE WHOLE

Council will resolve itself into Committee of the Whole to deal with the following business.

PLANNING AND DEVELOPMENT COMMITTEE – Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Municipality of Central Elgin – Zoning By-Law Amendment– 215 Main Street, Former Village of Port Stanley

Notice of the passing of a zoning by-law has been received from the Municipality of Central Elgin to permit the expansion of the Kettle Creek Inn at 215 Main Street, Former Village of Port Stanley.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE – Chairman M. Turvey

UNFINISHED BUSINESS**NEW BUSINESS**

Highway 3 Improvements - St. Thomas to Aylmer - Notice of Study Completion/Design and Construction Report

Report ES10-05 of the Director, Environmental Services. Pages 5 to 13

Dedicated Gas Tax Funding for Transit - Expenditure Plan

Report ES06-05 of the Supervisor, Roads & Transportation. Pages 14 to 16

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE – Chairman B. Aarts

UNFINISHED BUSINESS

Renaming of Park Pavilions – Welsh Family Request

Report TR-06-05 of the Manager of Culture and Recreation. Pages 17 to 22

NEW BUSINESS

Lions Park Pavilion Capital Project

Report TR-05-05 of the Director of Finance and City Treasurer. Pages 23 to 27

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE – Chairman C. Barwick

UNFINISHED BUSINESS

Canada - Ontario Municipal Rural Infrastructure Fund

Report TR-04-05 of the Director of Finance and City Treasurer. Pages 28 & 29

NEW BUSINESS

Temporary Borrowing from Reserve Funds to Finance Capital Projects

Report TR-03-05 of the Director of Finance and City Treasurer. Page 30

Water Meter Replacement Program - Request for Proposal - Tender Award

Report ES07-05 of the Manager of Operations and Compliance. Page 31

Transit Subsidy Request

Report ES09-05 of the Supervisor, Roads & Transportation. Pages 32 to 34

Third Avenue Extension - Cost Sharing Arrangement for the Future Construction of the North Portion of Third Avenue Extension

Report ES08-05 of the Director of Environmental Services. Pages 35 & 36

Elgin County Pioneer Museum – Grant Request

A letter has been received from Mary Clutterbuck, Chair, Elgin County Pioneer Museum, requesting a grant of \$3,500.00. Page 37

BUSINESS CONCLUDED

REPORTS PENDING

PARKING – HIGH STREET, SOUTH OF CHESTNUT STREET – M. Sture

AMENDMENT TO BY-LAW 44-2000(REGULATION OF WATER SUPPLY IN THE CITY OF ST. THOMAS) - MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ST. THOMAS AND ST. THOMAS ENERGY INC. (PROVISION OF WATER METER READING/BILLING AND COLLECTION SERVICES) - J. Dewancker

ESDA SERVICING MASTER PLAN AND CLASS ENVIRONMENTAL ASSESSMENT - J. Dewancker

ENVIRONMENTALLY SENSITIVE LAND USE – P. Keenan

SAFETY ISSUES AND INTERSECTION CONCERNS – M. Sture

POWER CENTRE TRAFFIC CONTROL – M. Sture

CIVIL MARRIAGES SOLEMNIZATION – W. Graves

POOL EXPENSES – W. Day

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES – J. Dewancker

HIRING POLICIES – G. Dart

PROCLAMATIONS – W. Graves

COUNCIL

Council will reconvene into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee – Chairman H. Chapman

Environmental Services Committee – Chairman M. Turvey

Finance and Administration Committee – Chairman C. Barwick

A resolution stating that the recommendations, directions and actions of Council in Committee of the Whole as recorded in the minutes of this date be confirmed, ratified and adopted will be presented.

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATIONS

Tag Day - Multiple Sclerosis Society of Canada

A letter has been received from Linda McNair-Smith, Client Services Coordinator, Multiple Sclerosis Society of Canada Elgin County Chapter requesting a tag day for the distribution of carnations from May 5th to 8th, 2005.

Vanier Medal for Good Citizenship - 2005

An invitation to nominate an individual for the 2005 Vanier Medal for outstanding contribution to public administration has been received from Jocelyn Souliere, President Institute of Public Administration of Canada.

The deadline for nominations is March 31st, 2005.

Easter Seal Society – Easter Seals Month

A letter has been received from Jennie Christian, District Manager, Elgin County, Easter Seal Society of Ontario requesting that Council proclaim the month of March as “Easter Seals Month” in the City of St. Thomas.

Tag Day - Daisy of Hope Campaign

A letter has been received from Chris Smith, St. Thomas-Elgin Second Stage Housing and Peggie McArthur, Violence Against Women, Services Elgin County requesting a tag day for the distribution of daisy pins on May 27th and 28th, 2005.

UNFINISHED BUSINESS**NEW BUSINESS**Municipal Heritage Committee - Replacement Appointment

Members to consider a replacement appointment for the remainder of the term of Council.

Deputy Mayor Position

Report TF-01-05 of the Chairman of the Mayor’s Task Force. Pages 38 & 39

BY-LAWS**First, Second and Third Reading**

1. A by-law to confirm the proceedings of the Council meeting held on the 7th day of February, 2005.
2. A by-law to authorize an agreement with The St. Thomas Lions Club. (\$60,000 loan - Pavilion Construction at Lions Park)

PUBLIC NOTICE**NOTICES OF MOTION****CLOSED SESSION**

A resolution to close the meeting will be presented to deal with a personal matter about an identifiable individual.

OPEN SESSION**ADJOURNMENT****CLOSING PRAYER**



Corporation of the

City of St. Thomas

Report No.

ES10-05

File No.

07-057

Directed to:

Chairman Marie Turvey and Members of the Environmental Services Committee of Council

Date

January 30, 2005

Department:

Environmental Services

Attachment

Prepared By:

John Dewancker, Director

- Notice of Study Completion
- Correspondence of October 29, August 13, 2004 and April 15, 1994, between MTO and City

Subject:

**Highway 3 Improvements – St. Thomas to Aylmer
Notice of Study Completion/Design and Construction Report**

Recommendation:

- That the Notice of Study Completion and the Design and Construction Report by MTO for proposed improvements to Highway 3 between St. Thomas and Aylmer be received as information.

Origin:

- On January 20, 2005, the City of St. Thomas received a Notice of Study Completion and a Design and Construction Report in respect to proposed Highway 3 improvements between St. Thomas and Aylmer. A copy of this Notice by the Ministry of Transportation is attached herewith for the information of Council. Also, a copy of the Design and Construction report is being made available to the Public at the Clerks' and Environmental Services Departments during the review period of January 21 to February 21, 2005.

Analysis:

The study project for proposed improvements to Highway 3 was initiated during 2004 and involves significant highway upgrade works between St. Thomas and Aylmer. The project also includes reconstruction works along Centennial Avenue with intersection improvements between the Highway 3 by-pass and Talbot Street.

The study process has followed the requirements of the Class Environmental Assessment for Provincial Transportation Facilities, and Public Agency input was obtained by MTO during the planning stage of this project.

Although the project limits are essentially located outside the City of St. Thomas boundary, the City of St. Thomas has an interest in this project and has provided a number of comments to MTO during the study process. Also, City representatives have attended two Public Information Centre meetings to give and receive input in respect to the proposed highway upgrade.

The following City areas of concern were communicated to MTO:

- Servicing needs of City's East Side area
- Sidewalk needs along Centennial Avenue
- Resurfacing of Talbot Street (Manor Road to Centennial Avenue)
- Bicycling needs along Highway 3

A copy of the City correspondence of August 13, 2004, and reply letter of October 29, 2004, from MTO is attached herewith for the information of the members.

In respect to any underground servicing needs of the East Side Development Area, the Ministry noted that the MTO does not permit municipal services within their right-of-way unless a MTO highway is the only feasible location. Municipal servicing easements would be required outside the highway corridor right-of-way to service existing and future development along Highway 3.

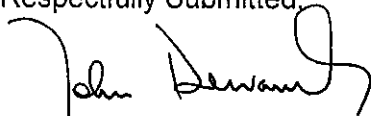
Further, the Ministry has agreed to provide for a paved shoulder on the west side of Centennial Avenue between the CASO corridor and Talbot Street, this to facilitate any future pedestrian traffic in this area. The resurfacing of Talbot Street between Manor Road and Centennial Avenue will also be completed by MTO as part of the Highway 3 improvements works. In this regard, and depending on the timing of these works, it must be noted that these resurfacing works will likely be undertaken prior to any underground servicing improvements (particularly sanitary) in this area.

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Finally the highway improvements will not accommodate bicycling as there are parallel routes available, and Highway 3 is considered a high volume, high speed arterial road with safety risks for bicyclists.

The above is being submitted as an update for the information of Council. Staff will be pleased to answer any questions by the Members at the Council meeting of February 7, 2005.

Respectfully Submitted,



John Dewancker, P.Eng
Director, Environmental Services

Reviewed By:

 Treasury Env Services Planning City Clerk HR Other

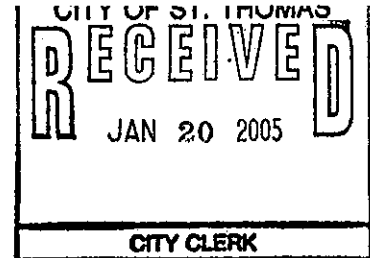
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Stantec

Transmittal

Stantec Consulting Ltd.
361 Southgate Drive
Guelph, ON N1G 3M5
Tel: (519) 836-6050 Fax: (519) 836-2493



To:	Review Office	<input checked="" type="checkbox"/>	For Your Information
Date:	January 20, 2005	<input type="checkbox"/>	For Your Approval
File:	Highway 3 Improvements St. Thomas to Aylmer	<input type="checkbox"/>	For Your Review
		<input type="checkbox"/>	As Requested
Sender:	Daniel Eusebi		

**Reference: Highway 3 Improvements – St. Thomas to Aylmer GWP 153-91-00
Design and Construction Report (DCR)**

Enclosed are two copies of the Design and Construction Report (DCR) for the above noted project and a copy of the "Notice of Study Completion".

The public review period (January 21 – February 21, 2005) will be advertised in the London Free Press, St. Thomas Times-Journal, and the Aylmer Express.

The notice indicates that the report is available at your office during the public review period.

Please make this document available to the public during regular office hours.

If you have any questions, please telephone me at (519) 836-6050 or Gord Murray (519) 585-7447. Thank you.

STANTEC CONSULTING LTD.

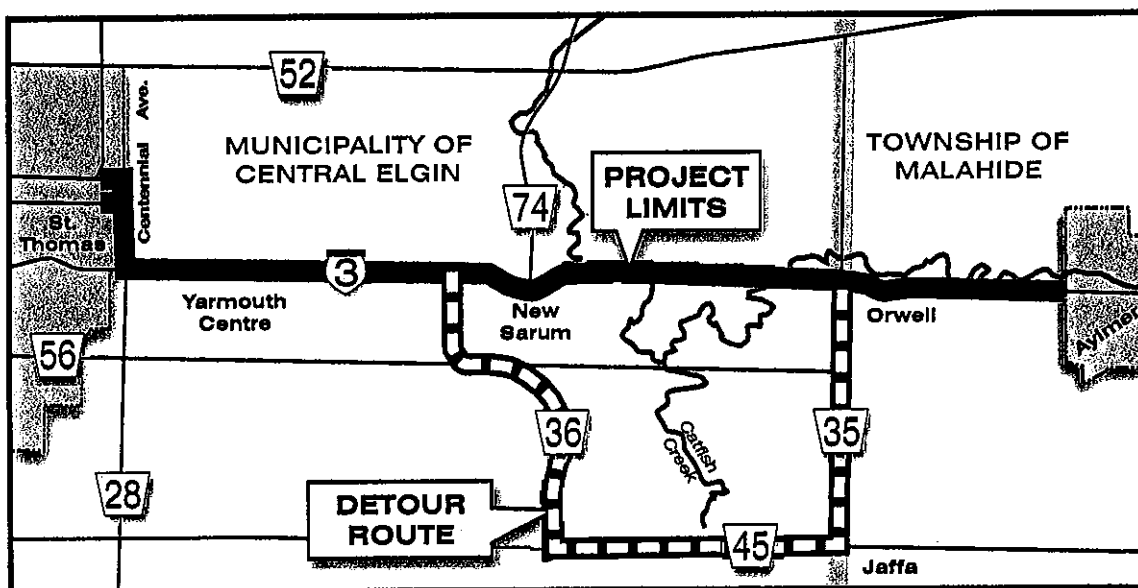
A handwritten signature in cursive script, reading 'Daniel Eusebi'.

Daniel Eusebi
Senior Environmental Planner

NOTICE OF STUDY COMPLETION

HIGHWAY 3 IMPROVEMENTS ST. THOMAS TO AYLMER G.W.P. 153-91-00

Stantec Consulting Ltd. has been retained by the Ministry of Transportation (MTO) to undertake the detailed design for improvements to Highway 3, between St. Thomas and Aylmer. The road improvements also include Centennial Avenue North of Highway 3 and Talbot Street west of Centennial Avenue. The project location is shown on the map below.



The Ministry has identified and evaluated a number of proposed Improvements required to address future traffic operation requirements. Subject to the final outcome of the study, the proposed improvements include:

- Reconstructing/pulverizing the pavement;
- Improving vertical grades;
- Improving intersections;
- Replacing the channelization from Highway 3 to New Sarum Line with a right turn taper and re-aligning the intersection to 90 degrees;
- Upgrading traffic signals and illumination at the Centennial Avenue intersection;
- Upgrading Highway signing;
- Improving drainage, including ditches, culverts and storm sewers;
- Rehabilitating the Catfish Creek Bridge (East), located 800m west of Orwell and the Nineteen Creek structure, located West of New Sarum; and
- Making roadside safety improvements.

Highway 3 will be closed between Quaker Road and Springwater Road for approximately 6 weeks to facilitate construction. A local roads detour will be provided south of Highway 3 along County Roads 36, 45 and 35. Local road access will be provided to all properties and businesses

fronting on Highway 3 during the closure period. Single lane operations at other culverts and bridges will be used to reduce the duration of the closure.

THE PROCESS

The project is being carried out in accordance with the requirements for a Group B project under the Class Environmental Assessment (EA) for Provincial Transportation Facilities. A Transportation Environmental Study Report (TESR), which documented the preliminary design was provided for public review from July 19 to September 1, 2004. This project includes fulfilling the commitments made in the TESR and dealing with outstanding issues in detail design. The study has been documented in a Design and Construction Report. Interested persons are encouraged to review the report and provide comments to MTO and Stantec by February 21, 2005. Although comments are welcome, there is no opportunity for formal challenge of the DCR. Following February 21, the Ministry may proceed with construction.

PUBLIC REVIEW PERIOD

The Design and Construction Report is available for a public review period of 30 calendar days, from January 21 to February 21, 2005, at the following locations.

Ministry of Transportation
659 Exeter Road
London, Ontario
N6E 1L3

The Township of Malahide
87 John Street
Aylmer, Ontario
N5H 2C3

The Municipality of Central Elgin
450 Sunset Drive, 1st Floor
St. Thomas, Ontario
N5R 5V1

The City of St. Thomas
545 Talbot Street
St. Thomas, Ontario
N5P 3V7

Ministry of the Environment
Southwestern Regional Office
733 Exeter Road
London, Ontario
N6E 1L3

The County of Elgin
450 Sunset Drive
St. Thomas, Ontario
N5R 5V1

The Town of Aylmer
46 Talbot Street West
Aylmer, Ontario
N5H 1J7

COMMENTS

If you wish to comment on this project or have any questions regarding the study, contact:

Mr. Gordon Murray,
P.Eng.
Senior Project Manager
Stantec Consulting Ltd.
49 Frederick Street
Kitchener, ON
N2H 6M7
Ph (519) 585-7447
Fax: (519) 579-6733
gmurray@stantec.com

Mr. Bill Moore, P.Eng.
Project Engineer
Planning & Design Section
Ministry of Transportation
659 Exeter Road
London, ON
N6E 1L3
Toll Free: 1-800-265-6072
Ph (519) 873-4653
Fax: (519) 873-4600
bill.moore@mto.gov.on.ca

Mr. Dan Eusebi
Senior Environmental Planner
Stantec Consulting Ltd.
361 Southgate Drive
Guelph, ON
N1G 3M5
Ph (519) 836-6050
Fax: (519) 836-2493
deusebi@stantec.com

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MTD P&D

519 873 4600 P.02

Ministry of Transportation

Engineering Office
Planning and Design Section
Southwestern Region

659 Exeter Road
London, Ontario N6E 1L3
Telephone: (519) 873-4653
Facsimile: (519) 873-4600

Ministère des Transports

Bureau du génie
Section de planification et de conception
Région du Sud-Ouest

659, chemin Exeter
London (Ontario) N6E 1L3
Téléphone: (519) 873-4550
Télécopieur: (519) 873-4600



07-057

October 29, 2004

Mr. John Dewancker
Director, Environmental Services and City Engineer

The Corporation of the City of St. Thomas
P.O. Box 520, City Hall Annex
St. Thomas, Ontario
N5P 3V7

Dear Mr. Dewancker:

RE: Highway 3, St. Thomas to Aylmer, W.P. 153-91-00

Thank you for your letter and comments in respect to the proposed highway reconstruction project. The following is a response to your comments:

East Side Development Area (ESDA) – Servicing Master Plan, Class Environmental Assessment.

In previous discussions between the MTO and the City of St. Thomas regarding the Preliminary Design of the Highway 3 project, the design for a pumping station at the northeast quadrant of Centennial Ave and Talbot Street was discussed. However, our Corridor Control Section has searched for ministry comments pertaining to the EA for the sewer route along Highway 3, but can find no documents, nor a Notice from the City that this was being conducted.

You have noted your preferred servicing scheme is to install a sanitary sewer within the Highway 3 right-of-way along Centennial Avenue and between Centennial Avenue and the St. Thomas Airport, and that the MTO incorporate an underground servicing corridor into our highway design to accommodate this.

Several complications arise from this potential servicing plan. As noted, it appears the ministry was not afforded the opportunity to review and comment on any alternatives for this servicing. The ministry does not permit municipal services within the right-of-way unless the municipality can satisfy MTO that the highway is the only feasible location; and we do not permit sanitary sewers within our right-of-way.

Alternatively, the City should establish a municipal services easement, sufficient to meet their present and future needs, outside of the highway right-of-way.

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Sidewalk along Centennial Avenue

In the past, discussions have been raised about a sidewalk along Centennial Avenue for the usage of a Trans Canada Trail, southerly from the abandoned CASO Line. Although we understand your desire to connect the Trail to Talbot Street, unfortunately, the ministry cannot accommodate a sidewalk along ministry right-of-way. Similar to the design for the improvements to Formet Drive for the new plant, there is insufficient space on the west side of Centennial Avenue for a sidewalk, even with the usage of alternative drainage.

Resurfacing of Talbot Street between Manor Road and Centennial Avenue

The ministry recognizes the works described in the 1994 commitment, to proceed at ministry cost with the milling and resurfacing of Talbot Street between Manor Road and Centennial Avenue. The ministry will also be widening the existing pavement structure to accommodate turn lanes in the vicinity of the intersection, westerly along Talbot Street to where the turn lane tapers run out. To the west of this tie-in point towards Manor Road, a mill one / pave one strategy will be used, as agreed to previously.

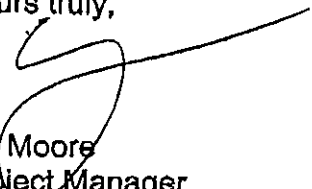
Email regarding Bicycle Routes along Highway 3

Further to your email regarding bicycle routes, the Preliminary Design did not look at provisions for a bicycle route along Highway 3, while we understand your concern to promote tourism in the area. The cycling association *Velo Ontario Cycling Alliance* recognizes parallel routes in the area, without utilizing Highway 3.

Highway 3 is a high-volume, high-speed arterial road with a high percentage of heavy commercial vehicles. The ministry prefers that the use of provincial highways for bicycle routes be minimized because of safety risks, and does not promote the use of highways as bicycle routes. Parallel routes along municipal roads have lower traffic volumes and would be better suited for cycling.

I hope your concerns have been addressed in this letter. For further discussion regarding the ESDA and the Trail sidewalk, please contact Ian Smyth of our Corridor Control Section, at 873-4598. For further information about the resurfacing along Talbot Street and the bicycle route, please contact me at 873-4653.

Yours truly,


Bill Moore
Project Manager
WP153-91-00 Highway 3, St. Thomas to Aylmer

Cc: Lloyd Perrin, Municipality of Central Elgin

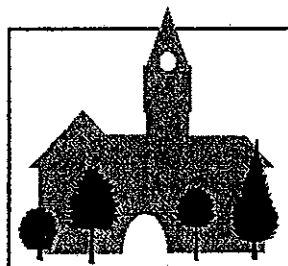
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JD

JOHN DEWANCKER P.Eng
Director, Environmental Services &
City Engineer

IVAR ANDERSEN P. Eng.,
Manager of Operations & Compliance

PETER HEGLER MASc. P.Eng.,
Manager of Engineering

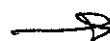


THE CORPORATION OF THE CITY OF
ST. THOMAS

All correspondence
to be addressed to:
P.O Box 520, City Hall Annex
St. Thomas ON N5P 3V7

Telephone: (519) 631-1680
Fax (519) 631-2130

August 13, 2004



File No: 07-057

Ministry of Transportation, SW Region
Planning and Design Section
659 Exeter Road
London ON N6E 1L3

Attention: Mr. Bill Moore, P.Eng., Project Engineer

Dear Mr. Moore

RE: Highway 3, St. Thomas to Aylmer
Transportation Environmental Study Report/Preliminary Design Report
W.P. 153-91-00
Notice of Study Completion

We thank you for your circulation to the City of St. Thomas the Notice of Study completion in respect to the above noted project to the City of St. Thomas. This notice was considered by City of St. Thomas Council at its meeting of July 19, 2004.

In respect to the proposed highway reconstruction project, there are a number of final comments which the City of St. Thomas wish to provide to the Study project team:

- East Side Development Area (ESDA) - Servicing Master Plan Class Environmental Assessment.

In anticipation of the future urbanization of areas on the east side of the municipal boundary, during 2003, the city of St. Thomas and the Municipality of Central Elgin jointly completed a servicing Master Plan for the ESDA. The study area of this servicing report is located on both sides of Centennial Avenue and also straddles both sides of Talbot Street/Highway 3 between Manor Road and the St. Thomas Municipal Airport lands. This servicing Master Plan provides the preferred servicing scheme for the installation of municipal sanitary sewage services within this area. In this regard, we would respectfully request that the final engineering design of the road reconstruction of Centennial Avenue (Highway 3) and Highway 3 between Centennial Avenue and the St. Thomas Municipal Airport incorporate a planned underground servicing corridor for the future installation of the underground services such as trunk sanitary sewers and a future sewage forcemain between the Airport and the City Limits.

Sidewalk along Centennial Avenue

The approved alignment of the Trans Canada Trail in the vicinity of Centennial Avenue coincides with the abandoned CN/CP CASO railway corridor, which crosses Centennial Avenue approximately 200m north of Talbot Street (Hwy #3). In this regard, City Staff recently received a request from the local Trans Canada Trail Committee for the installation of a sidewalk on the west side of Centennial Avenue between the CASO corridor and Talbot street, such to provide a pedestrian link between the Trans Canada Trail and the Centennial Avenue/Talbot Street intersection. As the roadway corridor of Centennial Avenue, north of Talbot Street, is fully owned by MTO, we herewith refer this request to you for your consideration and follow-up:

Resurfacing of Talbot Street between Manor Road and Centennial Avenue

Pursuant to a previous commitment by MTO to proceed at Ministry cost with the milling and resurfacing of Talbot Street between Manor Road and Centennial Avenue, we would respectfully request that this work be included in the future construction tender for the highway 3 improvement works that are being planned under the subject Environmental Study report. Such MTO commitment dates back to the time when the ownership of this portion of Talbot Street, previously a 7000 class MTO highway, was transferred from the MTO to the City of St. Thomas. The letter of April 15, 1994, from Mr. Hambleton, Assistant District Engineer, refers in this regard and a copy of this letter is attached herewith for your file.

Should be the time the Ministry is ready to proceed with this work, the installation of underground sanitary services along this portion of Talbot remain pending, the City of St. Thomas would appreciate your consideration to provide the City with a cash-in-lieu payment for this work and which would be held in a reserve account until the necessary underground services have been installed along this road section.

We thank you for your consideration and assistance in regards to the above noted matters. Please contact the undersigned at 631-1680 ext 165., if you have any questions.

Yours very truly



John Dewancker, P.Eng.,
Director, Environmental Services

cc: Alderman Marie Turvey, Chair of the Environmental Services Committee of City Council

Enc: Copy of letter of April 15, 1994, from MTO to City.

From: Dewancker, John
Sent: Monday, August 30, 2004 12:37 PM
To: Bill Moore (E-mail)
Cc: Tourism
Subject: Highway 3 - St Thomas to Aylmer - Class Environmental Assessment and Preliminary Design Study - Project WP 153-91-00

Dear Mr Moore, Further to my letter of August 13, 2004, with City of St Thomas comments in respect to the above noted project, there is one additional comment/question regarding the preliminary design of the Highway 3 improvements: Does the preliminary design of the Highway improvements address bicycling along the highway and/or incorporate a facility for bicycling? In this regard it must also be noted that a portion of the St Thomas Elgin County Cycling Route provides for biking or hiking along Highway 3 between Centennial Avenue and Quaker Road. This trail route promotes tourism visits of various places of interest south and east side of the City. I thank you for your attention to this matter as part of the completion of this project. Please contact me at this e-mail address (jdewancker@city.st-thomas.on.ca) or 631 1680 (ext 165) if you have any questions, Yours very truly, John Dewancker, Director, Environmental Services & City Engineer.



Ontario

Ministry
of
Transportation

ministère
des
Transports

-13-

01-063-03



659 Exeter Road (Hwy. #135)
Box 5338, London, Ontario
N6A 5H2 (519) 681-1441

April 15, 1994

PUBLIC WORKS & ENGINEERING

JD		
BB		
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CC		
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JE		
MF		
JM		
JR		
RS		

Corporation of the City of St. Thomas
P.O. Box 520 - City Hall Annex
St. Thomas, Ontario
N5P 3V7

Attention: Mr. J.G. Dewancker, P. Eng
Director of Public Works and Engineering

Dear Mr. Dewancker:

**RE: Highway 7180, (Old Highway 3)
Manor Road to Centennial Road**

This will respond to your letter of February 11, 1994 to Mr. H. Welker concerning the possibility of municipal assumption of the above section of provincial highway. I apologize for the delay in responding to your letter.

The Ministry is aware of the importance of this link as a local facility; however, as you know, it no longer serves any significant function within the provincial highway network. In consequence, we are very positive about its potential transfer to the appropriate municipal road authority.

At this time, the road surface requires some attention in order to ensure its long-term satisfactory performance for the current and expected future traffic demands in this area. A recent review by our Regional Geotechnical staff has generated recommendations to meet this requirement, including milling a 40 millimetre depth from the existing pavement surface, and resurfacing the entire section with a 40 millimetre lift of either HL-3 or HL-4 as appropriate to meet the conditions which prevail at the westerly end.

We are in a position to proceed with this work during the 1994 construction season, at ministry cost, with transfer of jurisdiction to the City of St. Thomas immediately upon the satisfactory completion of the work. If this approach is acceptable to the city, I would ask that a resolution of Council to this effect be passed as soon as possible and forwarded to the District Engineer, Mr. H. Welker. At that time, we will arrange for the work to be carried out, and initiate the transfer process, including the necessary Order-in-Council.

/2

Made from recovered materials / Fait de matériaux récupérés

I look forward to receiving your response to this proposal in the near future, hopefully, by early May, in order to provide us with sufficient lead time.

Yours sincerely

J. P. Hambleton, P. Eng.
Assistant District Engineer, Maintenance
District #2, London/Stratford

cc. K. Slegers
Thp Yarmouth
A. Main



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Corporation of the
City of St. Thomas

Report No.

ES06-05

File No.

Directed to: Alderman Terry Shackelton and Members of the
Transportation and Protective Services Committee

Date
February 7, 2004

Department: Environmental Services Department

Attachment

Prepared By: Mark Sture, Supervisor, Roads & Transportation

Subject: Dedicated Gas Tax Funding for Transit – Expenditure Plan

RECOMMENDATIONS

It is recommended that;

1. Report ES06-05 which outlines a strategic plan for expending Ontario Gas Tax Funding be endorsed.
2. A consultant be retained to assist with the development of a Ridership Growth Strategy and an Asset Management Plan for St. Thomas Transit Services.
3. The existing transit fleet be supplemented by acquiring two new buses.

It is noted that implementation of the above recommendations would be funded entirely by a combination of the existing Ministry of Transportation vehicle grant structure and the newly allocated Dedicated Gas Tax Funds.

Report:

Origin

In November 2004, the City of St-Thomas received the first instalment of the 2004/2005 Dedicated Gas Tax Funding for Transit. In 2004/2005 the City is to receive \$212,890. In the November Council Meeting staff stated that they would bring forward a report with the proposed expenditure plan. This report provides an overview of impending issues relative to the transit service. Details of specific projects will be brought to Council at the appropriate times.

Analysis

The Province has committed to providing a portion of the Provincial gasoline tax to municipalities for spending on transit initiatives. St. Thomas is to receive \$212,890 in the first year of the program. These funds will be received in quarterly payments (\$53,222.50) beginning as soon as the MTO receives confirmation of Council's acceptance of the conditions of funding. Subsequent payments will be received in January, April and July 2005.

It is important to note that the Dedicated Gas Tax Funding for Transit is not to replace the City's own expenditure on transit both in terms of Operating and Capital spending. The funding is to accelerate, or expand the City transit service.

In order to receive the funding, the City entered into an agreement with the MTO indicating our acceptance of the conditions for spending of the funds. The conditions are shown in the report from the MTO, titled *Dedicated Gas Tax Funds for Public Transportation Program – 2004 Guidelines and Requirements* and were appended to the earlier report ES122-04. A summary of the conditions are:

- The monies must be placed into a dedicated interest bearing reserve account and be drawn on as necessary;
- The Gas Tax Funding cannot exceed 75% of the municipalities own account spending on public transportation;
- In 2004/5 the municipality must use the dedicated gas tax funds exclusively for public transportation;
- In 2005/6 municipalities must give priority to increased capital expenditures and then increased operating expenditures that support increased ridership;
- Starting in 2006, dedicated gas tax funds will be required to be spent on:
 - Increased capital expenditures or increased operating expenditures that promote increased ridership
 - Incremental expenditures on public transportation (above base line public transportation expenditure level which will equal the average "municipal own account spending on transit" for the years 2001 to 2003)
- Preparation and submission of a Ridership Growth Plan and an Asset Management Plan.

Dedicated gas tax monies not spent in one year may remain in the reserve account and be allowed to accumulate until such time as an appropriate project is identified.

Upon receipt of the dedicated gas tax monies, if the City fails to comply with the conditions (in the MTO's opinion) the monies will be considered a debt due to the Crown under the *Financial Administration Act*.

Since the announcement of the Gas Tax monies staff and Council have received numerous requests from different segments of the community for expenditure of the funds, including requests for new service, (longer hours, new routes), new buses for the conventional and the para-transit system, and upgrades to the transit terminal facility. In order to balance these requests with available funds and to prioritise the demands, staff looked at the requests and the options to address the demands.

A small amount of the funds (approximately \$3,500) have been spent on providing Free Transit Service to residents at last New Year's Eve.

Expenditure Plan

1. *Required Studies.* One of the requirements of the Gas Tax monies is the preparation of a Ridership Growth Strategy and an Asset Management Plan. Both of these documents (it can be filed as one report) are required to be filed with the Province by March 2006. The Supervisor of Roads and Transportation is currently sitting on a Committee with the Province, Municipalities and other Transit providers to determine the structure and content of these documents. Funding for this can be taken from the Gas Tax monies with an estimated cost of up to \$15,000.
2. *Capital Assets.* Before consideration of additional service, it must be a priority to obtain rolling stock. New routes cannot be provided without the buses to provide them. As Council may have noticed over the past year, they have been many occasions when our own buses were not being operated. This has been due to reliability issues with our current fleet. In addition, as noted earlier in a separate report, ridership increased by 9% in 2004 over that in 2003. Therefore, it is recommended that the City acquire two new vehicles before new routes or modifications are implemented.

The Gas Tax Funding can be incorporated with the vehicle replacement funding programs currently in place with the MTO. This means that the City has approximately \$300,000 available for the acquisition of new rolling stock in 2005. Staff are investigating evolving bus designs and are considering the acquisition of a 30' bus and/or a 25' bus. It is expected that tender documents can be prepared for an April issue.

The current bus fleet is comprised of:

Unit	Year	Model	Size	Type
8601	1986	Orion II	22'	Low Floor
9001	1990	Orion II	22'	Low Floor
9701	1997	Champion Solo	30'	Low Floor
9702	1997	Champion Solo	30'	Low Floor
9801	1998	Ford Cutaway	25'	Cutaway
0301	2003	Ford Cutaway	25'	Cutaway with wheelchair lift
0302	2003	Ford Cutaway	25'	Cutaway with wheelchair lift
0401	2004	Ford Cutaway	25'	Cutaway with wheelchair lift (January 2005)
9703	1997	Ford Cutaway	23'	Cutaway with wheelchair lift (para-transit)
9703	1997	Ford Cutaway	23'	Cutaway with wheelchair lift (para-transit)

3. *Service Changes.* As noted, over the past couple of years there have been requests from the public for service changes, and in particular a route that directly connects the west end of the City with Elgin Mall. Staff reviewed this in 2003 and developed some preliminary routings. The cost to provide this service is estimated to be \$250,000 or one-quarter of what is currently being spent on conventional transit. Adding a new route is a viable option for spending of the Gas Tax monies, however, it must be noted that after a couple of years the cost of the service may have to be covered entirely by city tax revenue and transit fares.

Other service changes include the provision of evening and Sunday service. Each hour of bus service costs approximately \$200. Therefore, by providing an additional three hours of service a night (ending at 9:45 pm as opposed to 6:45) would cost \$600 per night or \$187,200 per year. Sunday service would cost an additional \$2,200 a day or \$114,400 per year for an 11-hour service day (similar to a current Saturday). These costs do not include the additional cost of para-transit service (\$30/service hour) that is required to mirror the conventional service in terms of hours of operation. It is expected that any service change recommendations will be brought to Council for approval at a later date this fall, after the Ridership Growth Strategy has been developed.

4. *Transit Terminal Building.* In 2003, Staff undertook an assessment on the roof of the transit terminal building after reports of serious leaks. An emergency repair has been completed and there are funds identified in the 2005 Capital Budget to install some roof drains and reseal the roof as necessary. Paul Harris Consulting conducted an assessment and preliminary design and cost estimates for repairing the building. The report includes five options and a

-16-

recommended option to remove the second floor of the building and rebuild the roof over the ground floor and potentially restore the building to its original façade. Recommendations with respect to the Transit Terminal Building will be brought to Council for approval later this fall after the Asset Management Plan has been completed.

Summary

The development of a Ridership Growth Strategy and an Asset Management Plan is a requirement of the Province in order to be eligible for future Gas Tax Funding. Therefore, the first priority is the preparation of Transit strategy and Asset Management Plan and it is recommended that these be completed in 2005.

The acquisition of additional rolling stock is required to provide for route modifications and a potential new route. Therefore in terms of priorities for the Gas Tax monies, the acquisition of two buses is the second priority. This can be achieved with the funds being provided to the City in 2004/2005.

The third priority is the provision of route modifications and the addition of a potential new route connecting the west end of the city with Elgin Mall. As noted earlier some work has been done on this, however, the completion of the Ridership Growth Strategy will recommend where the route modifications and/or new route should occur. The second round of Gas Tax monies will start to come into the City in October 2005; this would be an appropriate time to commence any new services.

The fourth priority is the repair of the transit terminal. Final design and detailed cost estimates would have to be completed, including bringing the building up to the current building code. It is expected that, with the addition of future Gas Tax Funding, the building renovations can be designed in 2006 with construction to take place in 2007.

Caveats

The City needs to maintain its own commitment to transit. The two para-transit buses will require replacement in 2006 as they are reaching the end of their productive life. In addition, the 1986 and 1990 buses will also need replacing in the near future (planned replacement was 2005 for both vehicles).

FINANCIAL CONSIDERATIONS

Funding for these projects is coming from the Province in the form of Dedicated Gas Tax Funding for Transit, and where appropriate, the provincial vehicle replacement and expansion funding programs.

Following is a listing of the projects recommended for 2005 along with the sources of funding;

	Estimated Cost	Vehicle Grant	Gas Tax Funding
2 New Buses	\$280,000	\$93,400	\$186,600
Ridership Growth Strategy & Asset Management Plan	\$10,000		\$10,000
New Year's Eve Service	\$7,000*		\$7,000
Total	\$297,000	\$93,400	\$203,600

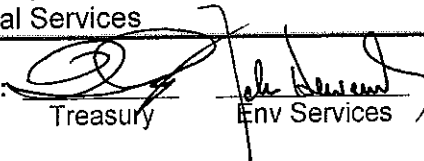
As noted earlier, the Gas Tax Funding available for 2004/2005 is \$212,890. If the recommendations for 2005 are implemented, the balance available for future transit projects is \$9,290. Additional Gas Tax Funding of \$319,335 is expected to be available from the Province, October 2005 to October 2006 and a further \$425,780 from October 2006 to October 2007. Further recommendations for expending these funds will be forthcoming in the fall of this year.

* Of this amount, \$3,500 has already been spent for the additional service provided on 2004 New Year's Eve as previously approved by Council. The remaining \$3,500 has been allocated to provide service on 2005 New Year's Eve should Council decide to provide this service again.

Respectfully submitted



Mark Sture, Supervisor of Roads and Transportation
Environmental Services

Reviewed By:  _____
Treasury Env Services Planning City Clerk HR Other



Corporation of the
City of St. Thomas

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Report No.

TR-06-05

File No.

90-16

Directed to:

Alderman Bill Aarts and Members of the
Community and Social Services Committee

Date

January 31, 2005

Department:

Recreation Services

Attachments

Prepared By:

Dianne Morgan, Manager of Culture and Recreation

- Naming Policies from Various Municipalities
- Reports CS-25-03, CS-30-03

Subject:

Renaming of Park Pavilions – Welsh Family Request

Recommendation

That Council determine a policy that will govern the naming of new recreational areas/facilities, as well as the renaming of the existing pavilions at Pinafore and Waterworks Parks.

Report

In the summer of 2003, Reports CS-25-03 and CS-30-03 (attached for the Members' reference) were presented to City Council recommending the renaming of the 5 picnic pavilions/shelters located at Pinafore Park, and 2 shelters at Waterworks Park. As previously explained, the pavilions are currently unimaginatively named, based simply on their respective locations within each park, as shown below:

Pinafore Park

North Shelter

South Shelter

East Pavilion (with 2 sections, North and South)

West Pavilion (with 3 sections, East, Centre, and West)

Woodlot Shelter

Waterworks Park

North Shelter

South Shelter

The topic of renaming the pavilions was subsequently deferred indefinitely by the Council of the day.

On November 15, 2004, City Council discussed the possibility of renaming one of the Pinafore Park pavilions, based on a request made by Herb Welsh. Below is an extract from that meeting:

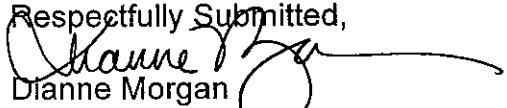
"The Members stated that it would be a great honour to have a City facility named after the Welsh Family, which made a great sacrifice, by having six sons serve in World War II. It was suggested that one of the pavilions in Pinafore Park be named after the family. The Members indicated that a report on this matter is to be brought forward."

Staff thought it would be helpful for Council to know the naming policies and procedures employed by other municipalities, thereby providing a framework to possibly create a policy of our own. This would then lead to the eventual renaming of all pavilions and shelters in Pinafore and Waterworks Parks, as determined through the establishment of an official municipal naming policy. A list of various approaches is attached for the Members' reference.

Instituting a naming policy would help pave the way to rename one of the Pinafore pavilions in response to the Welsh Family's request, if that is the will of the Members.

Staff looks forward to Council's direction, and would be pleased to answer any questions on this matter.

Respectfully Submitted,


Dianne Morgan
Manager of Culture and Recreation
Recreation Services

Reviewed By:

Treasurer

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

Report No.
CS25-03

File No.
90-16

Directed to: Mayor P. Ostojic and Members of
Committee of the Whole

Date
July 7, 2003

Department: Recreation Services

Prepared By: Dianne Morgan, Manager of Culture and Recreation

Attachment
none

Subject: Renaming of Park Pavilions

Recommendation

That Council authorize the renaming of the pavilions at Pinafore and Waterworks Parks, with suggestions to be submitted by Members for consideration at the meeting of August 11, 2003.

Report

There are 5 picnic pavilions or shelters located at Pinafore Park, and 2 at Waterworks Park. The pavilions are unimaginatively named, based simply on their respective locations within each park, as shown below:

Pinafore Park

North Shelter
South Shelter
East Pavilion (with 2 sections, North and South)
West Pavilion (with 3 sections, East, Centre, and West)
Woodlot Shelter

Waterworks Park

North Shelter
South Shelter

Staff would welcome Council's input as to how these facilities could be renamed with a more creative approach, such as:

1. St. Thomas Historical Theme
2. Railway Theme
3. Park-Specific Theme
4. Notable Citizens

In light of the recent passing of Alderman Parks and to recognize his active involvement in Pinafore Park special events, one thought might be to name the West Pavilion in his honour, e.g., Raymond Parks Pavilion.


As the budget allows, descriptive plaques or signage could be added to provide park visitors with the significance of the chosen name for each pavilion, thereby further enriching their park experience.

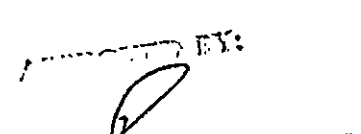
In addition to bringing more flair to the pavilion names, the deletion of directional references (e.g., North, South, East, West) would certainly eliminate the confusion that sometimes arises when renters book sections of the larger pavilions at Pinafore Park (e.g., West Pavilion, East Section).

Staff look forward to Council's thoughts on this idea, and would be pleased to answer any questions on this matter.

Respectfully Submitted,


Dianne Morgan
Manager of Culture and Recreation


June 27, 2003


Administrator

Reviewed By: Treasury Env Services Planning City Clerk HR Other



Corporation of the
City of St. Thomas

Report No.
CS30-03
File No.
90-16

Directed to: Mayor P. Ostojic and Members of
Committee of the Whole (Community and Social Services)

Date
August 11, 2003

Department: Recreation Services

Attachment
Park maps

Prepared By: Dianne Morgan, Manager of Culture and Recreation

Subject: Renaming of Park Pavillions - Decisions

Recommendation

THAT: Report CS30-03 be received;

AND THAT: the pavillions and shelters located in Pinafore and Waterworks Parks be renamed as follows:

Pinafore Park

North Shelter _____
South Shelter _____
East Pavillion _____
West Pavillion _____
Woodlot Shelter _____

Waterworks Park

North Shelter _____
South Shelter _____

Report

At the Council meeting of July 7, Members received Report CS-25-03 and passed the following resolution:

That Council authorize the renaming of the pavillions at Pinafore and Waterworks Parks, with suggestions to be submitted by Members for consideration at the meeting of August 11, 2003.

Attached is a map of each park showing the location of the pavillions for Members' reference. It would be preferable if new names for the facilities could be determined at this meeting, however, if this is not possible, perhaps options could be presented for each facility for Members to consider and finalize in some manner (by vote, etc.) at the next meeting in September.

Once the Members have made their decisions, Staff will follow up by arranging the repainting of the existing pavillion signs. Parks Manager Ross Tucker has confirmed that the related costs will be incorporated into the Parks Operating Budget for 2004. Where feasible, Staff will update maps, brochures, the City website, and any other pavillion-related documents. As mentioned in Report CS25-03, descriptive plaques or signage will be added as budgets allow, providing park visitors with information on the significance of the chosen name for each pavillion.

Staff are pleased to answer any questions Members may have on this matter.

Respectfully Submitted,

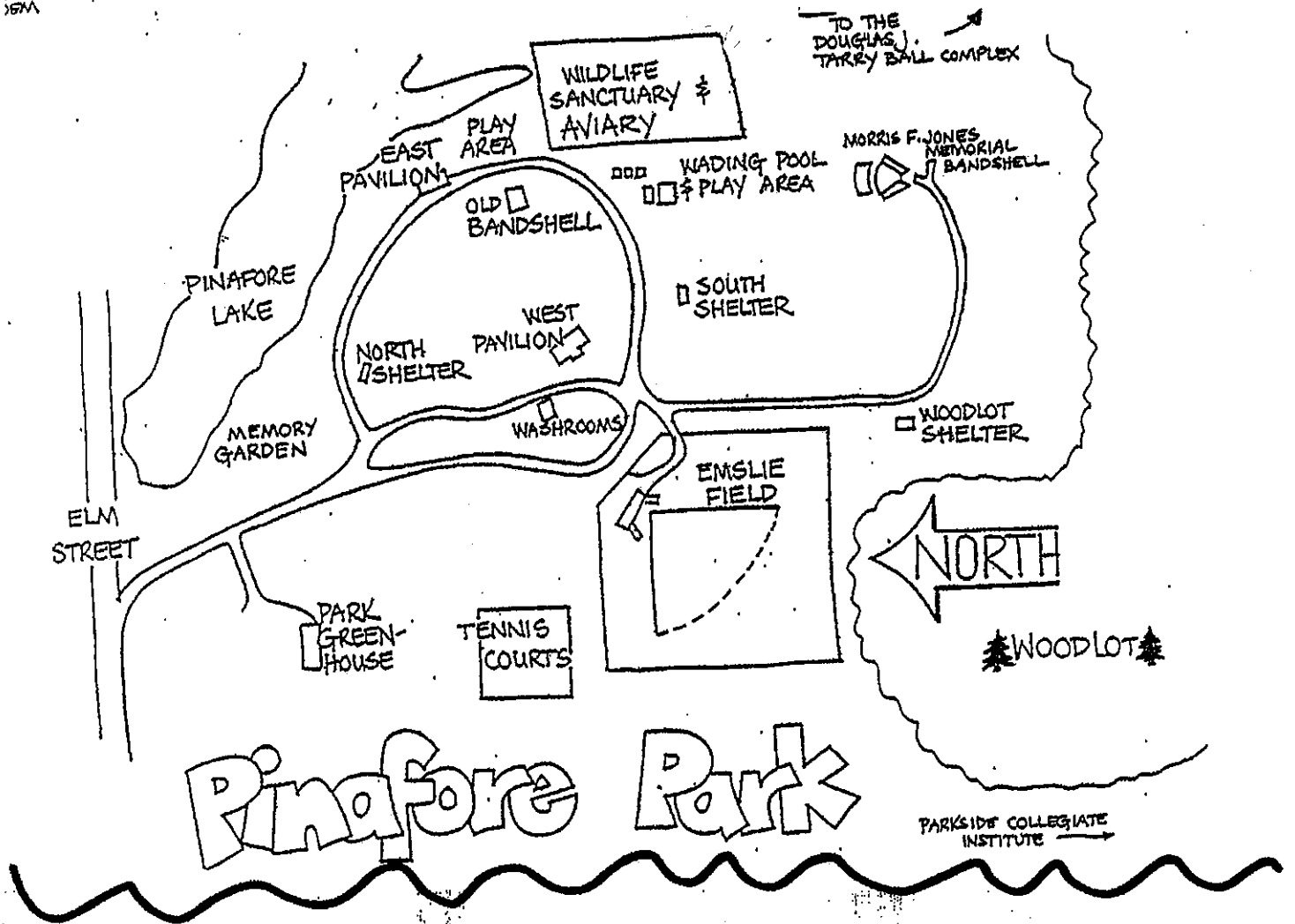
Dianne Morgan
Manager of Culture and Recreation
Recreation Services

APPROVED BY:

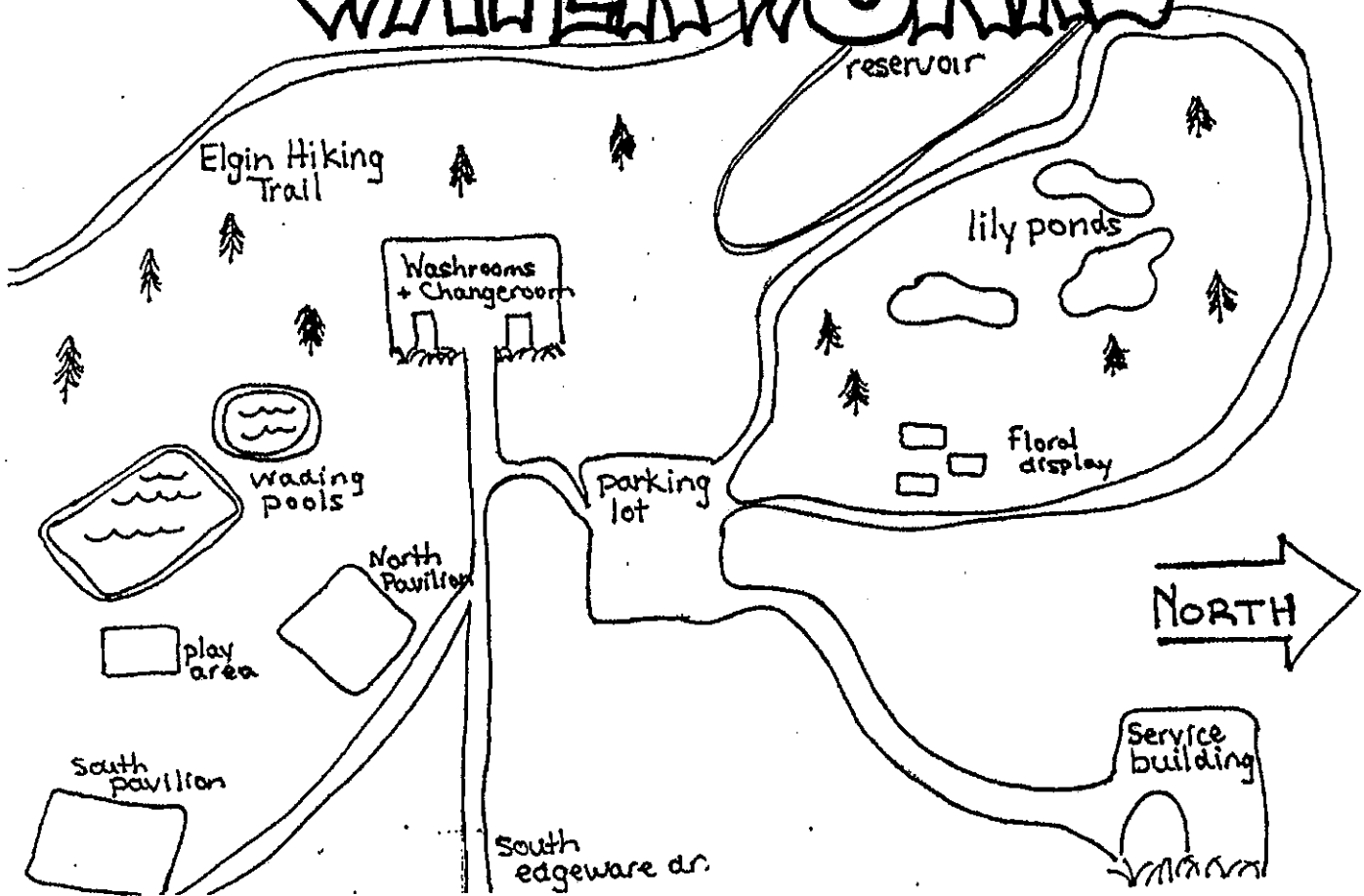
Administrator

Reviewed By: _____
Treasury Env Services Planning City Clerk HR Other

REVISED JUNE/03
1994



WATERWORKS



Park and Recreation Area Naming Policies of Various Municipalities

	Municipality	Policy in Place?		Brief Description of Policy or Procedure
		Yes	No	
1	City of Burlington	▲		<ul style="list-style-type: none"> - naming of all parks, recreation areas, and facilities is the function of the Community and Corporate Services Committee - names are generally based upon geographical, historical, or ecological significance - naming after individuals or companies that have made exceptional contributions for a specific purpose or project, may be considered
2	City of Barrie	▲		<ul style="list-style-type: none"> - naming of all parks, recreation areas, and facilities is the function of City Council, upon a recommendation of the Finance Committee - names are generally based upon geographical, historical, or ecological significance or street name the park is located on - naming after individuals or companies that have made exceptional contributions for a specific purpose or project, may be considered
3	Town of Richmond Hill		▲	<ul style="list-style-type: none"> - heritage person gives recommendation mainly after heritage owner or area they are in (historical) - Council approves names
4	City of Brantford	▲		<ul style="list-style-type: none"> - naming of parks is based upon: geographical location, environmental characteristics or attributes, a person who has made a significant contribution to the community, a group or community organization that has made a significant contribution to the development of the respective park/facility, local community and staff may have the opportunity for input into the naming of parks during the planning and developmental stages
5	City of Cambridge	▲		<ul style="list-style-type: none"> - the purpose of naming park areas & facilities/buildings is to provide identification of these amenities based on one or more of the following criteria: geographical predominance/importance, a person who has made a major contribution to the community, historical significance, major financial contribution toward the development of the park/facility - Commissioner of Community Services recommends to City Council one or more names for their consideration

	Municipality	Policy in Place?		Brief Description of Policy or Procedure
		Yes	No	
6	City of Kitchener		▲	<ul style="list-style-type: none"> - uses an informal process - parks are named similar to street frontage - district or sports field parks tend to be named by Council for individuals in the community - natural and open space areas tend to include the geographical feature name - group or individual may approach Council with a donation or ongoing monies for development - first consideration will be given to a name which identifies or describes the location/characteristics within the community - preferred options include: neighbourhood reference, street reference, noteworthy physical, environmental, or scenic quality, proximity to recognizable facility or area, - naming of a public place or facility after an individual or recognized organization is considered when extraordinary and exemplary service to community well-being or special achievement reaching beyond local significance - preference is given to names which reflect the location of the park or facility, recognize the historical significance of the area, reflect the unique characteristic of the site, are in keeping with a specific theme, honour posthumously the significant contribution of an individual to the community - all proposed names are considered at Community Services Committee and then forwarded to Council for final approval
7	City of Hamilton	▲		
8	City of Mississauga	▲		
9	Town of Halton Hills		▲	<ul style="list-style-type: none"> -uses an informal process - typically parks are named for the streets they are located on - naming a park after an individual or organization must be brought forward to Council for discussion and approval
10	Town of Oakville	▲		<ul style="list-style-type: none"> - the naming of new parks and recreational areas shall be the function of Town Council upon recommendation of the Parks and Recreation Department - designation of such names should be generally based upon geographical, historical, or ecological relationship indigenous to the area - where individuals have made an exceptional contribution for a specific purpose or project, such an individual's name may be considered



Corporation of the
City of St. Thomas

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Report No.

TR05-05

File No.

Date

January 31, 2005

Directed to:

Alderman Bill Aarts, Chairman
and Members of the Community and Social Services Committee

Department:

Treasury

Prepared By:

William J. Day

Attachments

Capital Project
Detail Sheet
Draft Agreement

Subject:

Lions Park Pavilion Capital Project

Recommendations:

It is recommended that:

1. Council authorize the execution of an Agreement with the Lions Club of St. Thomas for a 5-year interest-free loan of \$60,000 to facilitate the construction of a pavilion in Lions Park; it being noted that the total project cost is estimated at \$120,000.
2. Council authorize an amount of \$60,000 to be drawn from the Parkland Reserve Fund as the City contribution towards the project.

Background:

Council as part of the 2005 Capital Budget – Part 1, approved the Lions Club pavilion project. A copy of the project detail sheet is attached to this report.

The approved project is estimated to cost \$120,000. The Lions Club has agreed to fund \$60,000 of this amount, \$15,000 up-front and the balance over a period of 5-years. The City contribution to the project is to be funded from the Parkland Reserve Fund.

Administration has met with representatives of the Lions Club and will endeavor to initiate the project as soon as possible with a view to an opening in the late spring or early summer of this year. The City will manage the construction project and own the facility. The Lions Club will pay the City the initial \$15,000 installment on or before February 28, 2005 and will make annual payments of no less than \$9,000 per year commencing February 28, 2006. The Lions Club will have exclusive use of the storage room area of the facility. A copy of the Draft Agreement is attached for Council's information.

Respectfully submitted,

William J. Day
Director of Finance and City Treasurer

Reviewed

By:

Treasury

Env Services

Planning

City Clerk

HR

Other

CAPITAL PROJECT FOR 2005

Project Name:

Lion's Park Pavilion

Department:

Treasury/Property Division

Estimated Gross Cost:

\$120,000

Funding Sources:

Tax Funded	Previously Approved	Grants	Park Land Reserve	Water Reserve	San. Reserve	Stm. Reserve
		\$60,000	\$60,000			

PROJECT DESCRIPTION:

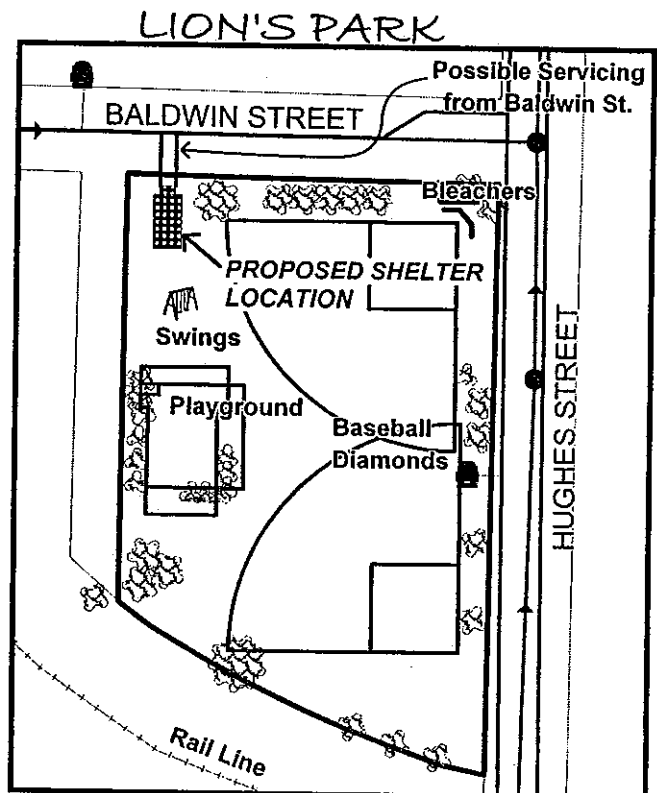
The St. Thomas Lion's Club has proposed that a washroom and storage building be constructed at Lion's Park in partnership with the City of St. Thomas. The following cost schedule was prepared by the Lion's Club and submitted to Council on November 15, 2004:

Facility:	\$60,000
Site Servicing:	\$28,000
Engineering:	\$ 3,000
Building Permit	\$ 500
Contingency 5%	\$ 5,000
	\$96,500

Upon review and subject to the preparation of a more detailed estimate, a total project budget of \$120,000 should be adopted for this project.

The augmented budget includes an increase in the engineering/architect/inspection allowance as well as a more appropriate project contingency.

DEPARTMENT RATING: A1 A2 A3 B1 B2 B3 C1 C2 C3



THIS AGREEMENT made (in duplicate) as of the date the last Party has signed below.

B E T W E E N:

THE ST. THOMAS LIONS CLUB

hereinafter called the Party

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF ST. THOMAS

hereinafter called the Party

OF THE SECOND PART

WHEREAS for the benefit of the community, The St. Thomas Lions Club, hereinafter referred to as "Lions", has proposed to facilitate the building of a "pavilion" for public use;

AND WHEREAS The Corporation of the City of St. Thomas, hereinafter referred to as "City" is willing to oversee the design and development of such a facility and permit same to be located on municipal land at the site of the existing Lions Park in the City of St. Thomas.

NOW THEREFORE the said parties have agreed as follows:

1. The City will be the owner of the facility.
2. The facility will be required to meet the advance approval of the City and be constructed in accordance with specifications, standards and design requirements satisfactory to the City.
3. Lions, in conjunction with the City will select the design to ensure that the facility will be in keeping with the concept envisioned for this project by the members of Lions. The Lions Club will have exclusive use of the storage room area of the facility.
4. In reliance on the payments covenanted by Lions in this Agreement, the City, acting as project manager, will undertake the construction of the pavilion for completion in the Spring of 2005, with full operation and public use commencing by July 1st, 2005.
5. The City will contribute up to Sixty Thousand Dollars (\$60,000.00) toward the project.
6. Lions covenants to contribute Sixty Thousand Dollars (\$60,000.00) toward the project, payable in full by February 28, 2010, in the following manner:

- (a) Prior to February 28, 2005 Lions will pay to the City an initial amount of not less than Fifteen Thousand Dollars (\$15,000.00);
 - (b) In addition to the said initial payment Lions will make annual instalment payments; each instalment to be not less than Nine Thousand Dollars (\$9,000.00) and delivered to the City before February 28 of each calendar year, commencing in 2006.
 - (c) The 28th day of February, 2010, shall be the end of the term for this promissory obligation; At the end of the term of this promissory obligation the full balance that remains outstanding shall be due and payable to the City;
 - (d) Lions may make increased payments or additional payments at any time, to be credited against the balance outstanding. The entire amount may be paid at any time in advance of the end of terms at the discretion of Lions.
 - (e) Provided payments are made in accordance with this Agreement, no interest shall be payable by Lions. In the event of any default by Lions, the City shall have the right and election to claim interest on all of the outstanding balance or as the City deems appropriate. Such interest shall be at the Canadian Chartered Banks Prime lending rate for commercial loans, as of the date of the default by Lions.
 - (f) In the event that any amount payable hereunder remains outstanding after February 28, 2010, the City may take such collection or legal enforcement measures as the City deems necessary or appropriate, based on such default by Lions.
7. In the event that other community groups, service clubs, charitable organizations or individual donors wish to donate funds or otherwise contribute to the construction of this project, all such donations shall be referred to Lions and Lions shall have the right to solicit and receive all donations for this project, and to utilize same for the purpose of making the payments committed by Lions to the City as described in this Agreement.
8. The City acknowledges responsibility through its Parks Department for operation, supervision, maintenance and upkeep of the facility. However, in the event of significant replacements or reconstruction being necessary in future, the City is not hereby committed to same and further decisions would be taken by the City in accordance with the circumstances and financial feasibility at that time.

9. The Parties agree that should any issues arise between the City and Lions in connection with the execution of this project or the interpretation or application of this Agreement, the Party raising such a concern will provide written notice of same to the other within no more than Fifteen (15) days of such notice the parties, or their representatives will meet with one another to attempt to resolve the outstanding issue or, failing resolution, to set a mutually satisfactory procedure for mediation of their differences. Both parties agree that no other action will be commenced by either until such a meeting has been held and a mediation effort has been undertaken over a reasonable period for dispute resolution, the time period to be appropriate to the nature of the issue.
10. This Agreement is not assignable by either party, but shall enure to and be binding upon the parties and their respective successors.

NOW THEREFORE the parties have executed this Agreement by their respective authorized signing officers.

Date:

Date:



Corporation of the

City of St. Thomas

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Report No.

TR 04-05

File No.

Directed to:

Chairman Cliff Barwick and Members of the Finance & Administration Committee

Date

January 25, 2005

Department:

Treasury

Attachment:

Letter to Mr. Peters

Prepared By:

William J. Day, City Treasurer

Subject:

Canada-Ontario Municipal Rural Infrastructure Fund

Recommendation:

For Council information.

Report:

At its meeting dated December 13, 2004 Council adopted the following staff recommendations:

- (1) Council establish the Wellington Street - First Avenue to Fairview Avenue Watermain Replacement and Road Reconstruction project as the Corporation's highest priority project for funding under the Canada-Ontario Municipal Rural Infrastructure Fund program and Intake One eligibility criteria.
- (2) Council direct administration to prepare the necessary documentation and make application for financial assistance to the Canada-Ontario Municipal Rural Infrastructure Fund program for the Wellington Street project.

Following Council's direction, staff proceeded to make application to the program on January 8, 2005.

I have recently been advised that COMRIF may not consider the water, wastewater and road components as one project under the terms of the program. In the event that only one of the components of the project is approved for funding under the COMRIF program it would not be practical or financially feasible for the City to proceed with the project.

My attached letter to Mr. Steve Peters, MPP for Elgin-Middlesex-London requests that he consider our situation and do what he can to assist us in securing full funding for the Wellington Street project.

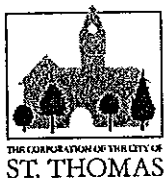
Respectfully submitted,

W. J. Day

Director of Finance and City Treasurer

NAME: William J. Day, C.A.
City Treasurer

Phone: 519-631-1680 Ext. 4101



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545 Talbot Street • P.O Box 520 • City Hall • St. Thomas • Ontario N5P 3V7

January 25, 2005

The Honourable Steve Peters, MPP
Elgin-Middlesex-London
542 Talbot Street
St. Thomas, Ontario
N5P 1C4

Dear Mr. Peters:

Re: **Canada-Ontario Municipal Rural Infrastructure Fund Application – Intake One**

At its meeting dated December 13, 2004 St. Thomas City Council adopted the following staff recommendations:

- (1) Council establish the Wellington Street – First Avenue to Fairview Avenue Watermain Replacement and Road Reconstruction project as the Corporation's highest priority project for funding under the Canada-Ontario Municipal Rural Infrastructure Fund program and Intake One eligibility criteria.
- (2) Council direct administration to prepare the necessary documentation and make application for financial assistance to the Canada-Ontario Municipal Rural Infrastructure Fund program for the Wellington Street project.

Following Council's direction, staff proceeded to make application to the program on January 8, 2005.

As you know, under the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) program each municipality can submit only one application consisting of one project. The submitted project generally must be considered to be construction ready, and projects will not be eligible if construction has previously commenced. The stated priorities for Intake One are water, wastewater, local bridges and roads and solid waste management.

Based on COMRIF eligibility criteria for the Intake One phase the municipality made application for funding of the Wellington Street – First Avenue to Fairview Avenue Watermain Replacement and Road Reconstruction project. Council had approved the Class Environmental Study report for this project on September 22, 2003 and subsequently as part of the 2005 Capital Budget, funding was approved for engineering design work. The project is estimated to cost approximately \$2 million. COMRIF presents an opportunity to fund two-thirds of this cost, thereby substantially reducing the City's future financial contribution.

I have recently been advised that COMRIF may not consider the water, wastewater and road components as one project under the terms of the program. In essence then it is my understanding that the City may receive approval for only one of the three components of the project. As such we would be placed in a position of having to either fund the two remaining components with 100 percent City dollars or not proceed with the project. If only one of the components is approved under the program the City's financial position would not likely permit the entire project to proceed. Alternatively, it would be imprudent for us to proceed with only one of the three components as this is truly a "bundled" capital works project.

Mr. Peters, I respectfully request that you consider our situation and do what you can to ensure that our concern is brought forward to the appropriate parties so that the City may receive full funding for the Wellington Street project. Should you require further clarification please contact me at your convenience.

Yours very truly,

William J. Day, C.A.
City Treasurer



Corporation of the
City of St. Thomas

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Report No.

TR 03-05

File No.

Directed to:

Chairman Cliff Barwick and Members of the Finance & Administration Committee

Date

January 19, 2005

Department:

Treasury

Attachment:

Prepared By:

William J. Day, City Treasurer

Subject:

Temporary Borrowing from Reserve Funds to finance Capital Projects

Recommendation:

It is recommended that Council authorize the Treasurer to borrow from Reserve Funds on a temporary basis for the purpose of financing Capital projects; it being noted that such temporary loans will be supported by a promissory note and repaid at the time that permanent financing for the Capital projects is secured.

Background:

Council has previously authorized the construction of two major capital projects, namely the replacement of the Valleyview Home and the Community Centre Complex. Gross expenditures to be incurred are estimated at \$18 million and \$12 million respectively. At the present time and until the projects are permanently financed, temporary financing is required.

Comments:

The City has previously secured a construction loan line of credit for both projects. The interest rate for temporary borrowings against the line of credit is established at bank prime less 1.31 percent. Presently, bank prime is 4.25 percent. Therefore any loans would be subject to a rate of 2.94 percent.

The City is presently investing idle funds, including Reserve Funds at a rate of bank prime less 1.8 percent. Given the current bank prime rate, investments are earning interest at a rate of 2.45 percent per annum.

Prior to borrowing from external sources, the City should borrow from Reserve Funds. Such borrowings would be documented by way of a promissory note. The rate of interest would be established based on the difference between the prevailing borrowing and investment rate. As such, based on current interest rates, the General Fund would borrow at a rate of 2.70 percent or approximately 25 basis points lower than would otherwise be the case. The Reserve Funds would earn interest at a rate of 2.70 percent or approximately 25 basis points lower than would otherwise be the case.

Finally, it is understood that should funds be required by the Reserve Fund at any time, the loan would be repaid and the General Fund would borrow from external sources.

Conclusion:

It is common practice for Ontario municipalities to borrow from internal Reserve Funds for the purpose of providing temporary financing for capital projects under construction. Such practice is authorized by Sections 417. (3), (4) and 418. (1) of the Ontario Municipal Act. On the basis of the financial benefits accruing to both the General Fund and Reserve Funds it is recommended that the Treasurer be authorized to borrow from Reserve Funds on a temporary basis for the purpose of financing Capital projects.

Respectfully submitted,

W. J. Day
Director of Finance and City Treasurer



Corporation of the

City of St. Thomas

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Report No.

ES07-0.5

File No.

08-276

Directed to: Chairman Cliff Barwick, Chairman Finance and Administration Committee

Department: Environmental Services

Prepared By: Ivar Andersen, Manager of Operations and Compliance

Subject: Water Meter Replacement Program – Request for Proposal – Tender Award

Date
February 4, 2005

Attachment

Recommendation:

1. That the request for proposal submitted by Canadian Water Services, for the replacement of water meters in the total amount of \$127,330.00 including taxes, be accepted.
2. That a by-law be passed authorizing the City Clerk and Mayor to execute the contract.
3. That the contractor be authorized to proceed with the work.

Origin:

In the 2004 Capital Budget, Council approved an allocation of \$140,000 to initiate a water meter replacement program. The project involves the replacement of approximately 800 water meters located throughout the City.

Analysis:

A Request for Proposal was issued by the City in December of 2004 with a closing date of December 21, 2004. Two bidders responded as follows:

Canadian Water Services	\$127,330.00
Neptune Technology Group	\$136,906.50

An Environmental Services Department committee undertook an evaluation of both proposals in accordance with the proposal documents. This committee determined that the proposal submitted by Canadian Water Services scored the highest and as a result, recommended Canadian Water Services. Both tenders were checked for errors and omissions and both were found to be in order with all the requested documentation.

Financial and Legal Considerations:

The tendered amount of \$127,330 can be accommodated within the approved funding of \$140,000. Note that the tendered amount includes GST of \$8,330 which will be rebated to the City.

Respectfully Submitted,


Ivar Andersen, P. Eng., Manager of Operations & Compliance
Environmental Services

Reviewed By:


Treasury


Env Services

Planning

City Clerk

HR

Other



Corporation of the

City of St. Thomas

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Report No.

ES 09-05

File No.

Directed to:

Alderman Cliff Barwick and Members of the Finance and Administration Committee of Council

Date

February 7, 2005

Department:

Environmental Services Department

Attachment

Prepared By:

Mark Sture, Supervisor, Roads & Transportation

Petition for Annual Payment of Vehicle Program Funding

Subject:

Transit Subsidy Request

RECOMMENDATION

1. That the Clerk, Treasurer and Officer responsible for Public Transportation be authorized to sign the attached Petition for Annual Payment of Vehicle Program Funding; and
2. That Council endorse this request for transit subsidy funds; and
3. That the Petition for Annual Payment of Vehicle Program Funds be submitted to the Ministry of Transportation; and
4. That a copy of Council's endorsement be sent to the Ministry of Transportation with the forms.

Report:

Origin

On August 16, 2004, Council endorsed an application to the Ministry of Transportation for Transit Renewal Funds assisting the City in the purchase of a transit bus. The City took delivery of the bus on January 24, 2005. To receive the Vehicle Program Funding from the Ministry of Transportation a request for payment of the funds is required.

Analysis

On March 8, 2004 the City awarded the tender of a community transit bus to MacNab Bus Sales Limited of Ingersoll. Confirmation of MTO funding was received in the summer of 2004 and the bus order was confirmed with MacNab. The bus was put into service on January 25, 2005.

The MTO's Vehicle Program Funding is to assist municipalities in the purchase of transit equipment. The attached forms are the formal request for payment to the City. The forms require the signature of the Clerk, Treasurer and Officer Responsible for Public Transportation (Director of Environmental Services or designate). Once signed and sealed they can be sent to the MTO for payment.

The deadline for submission is February 15, 2005.

Financial Impacts

The available funding to the City is one third of the purchase price of the vehicle – approximately \$26,000.

Respectfully submitted

Mark Sture, Supervisor of Roads and Transportation
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



P.O. Box 130,
Ingersoll, Ontario
N5C 3K1
Telephone (519) 485-3340
www.macnabauto.com

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Invoice No. 19064

Date December 13, 2004

Salesperson Tye/Young

Purchase Order MS0809M
or Tender No.

SOLD TO: St. Thomas Transit
545 Talbot Street
St. Thomas, ON
N5P 3V7

Macnab GST #R103440996
Macnab Dealer #1140169

Supreme Startrans Senator Bus				
Base bus			64,955.00	
PST			5,196.40	
Wheelchair equipment & installation			8,342.00	
PST			exempt	
Sub total			78,493.40	
GST			5,130.79	
Sub total			83,624.19	
GST rebate			-583.94	
Stock #	VIN#	Body#		
15766	1FDXE45F63HB75925	40081017		
Bid Deposit			1,500.00	
TOTAL INVOICE			84,540.25	

MACNAB BUS SALES IS A DIVISION OF MACNAB AUTO SALES LIMITED.



For the Year 2004.

Pursuant to the Ontario Transit Vehicle Program Program – (“the Guidelines and Requirements”)

The Council of the Corporation of the

City _____ of St. Thomas _____ (the “Corporation”)

Hereby requests payment of vehicle program funding for conventional transit vehicles,

Summary of Expenditures

for the period between January 1 _____ to December 31 _____, 20 04

In the amount of \$ 83902.75 _____

Treasurer's Declaration

I solemnly declare that I have paid out of funds belonging and accruing to the Corporation the above sum, as set out in the Interim Detailed Statement of Receipts and Expenditures (Form ON-T-08) attached hereto, and do hold bona fide evidence of such payments which I am prepared to produce in verification thereof.

Treasurer

Officer's Declaration

I solemnly declare that the above expenditure was made solely for either the replacement, expansion, or major refurbishment or both of conventional transit vehicles and in strict accordance with the Guidelines and Requirements.

Officer Responsible for Public Transportation

Furthermore, by submitting this request for payment of vehicle program funding, the Council of the Corporation acknowledges and agrees that the Corporation shall be bound by all the terms and conditions set out in the Guidelines and Requirements.

We hereby request payment of vehicle program funding on the above expenditure in accordance with the allocation of vehicle program funding made to the Corporation of the

City _____ of St. Thomas _____

(Seal)

Clerk

Dated at St. Thomas _____ this 8th _____ day of February _____, 2005



Corporation of the

City of St. Thomas

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Report No.

ES08-05

File No.

08-276

Directed to:

Chairman Cliff Barwick and Members of the Finance and Administration Committee of Council

Date

January 30, 2005

Department:

Environmental Services

Attachment

Prepared By:

John Dewancker, Director

Subject:

Third Avenue Extension – Cost Sharing Arrangement for the Future Construction of the North Portion of Third Avenue Extension

Recommendation:

- That the cost of the future construction of the most northerly portion of Third Avenue Extension between station 0+200m and station 0+235m be shared between the City of St. Thomas and the owners of Block 1, shown on draft plan of Subdivision 34T-03502, as outlined in report ES08-05.
- That such cost sharing arrangement be included in the subdivision agreement between 1106006 Ontario Ltd/1106030 Ontario Inc., and the City of St. Thomas.

Origin:

- The land transfer agreement of January 28, 2004, for the purchase by the City of St. Thomas of the Community Complex lands provides for the City of St. Thomas to construct at its cost Third Avenue Extension from Wellington Street, northerly, over a distance of 200m or 650ft.
- In conjunction with the finalization of the subdivision agreement for the development of the proposed commercial subdivision development 34T-03502 at 263 Wellington Street (Iron Horse Property, owned by 1106006 Ontario Ltd and 1106030 Ontario Inc.), the financial responsibility for the construction of the remnant 35m long portion of Third Avenue Extension between station 0+200 and station 0+235, (which coincides with the north limit of the subject plan of subdivision), needs to be agreed upon and established between the City of St. Thomas and the Developer.

Analysis:

The current servicing and construction of Third Avenue extension, in conjunction with the development of the Community Complex lands provides for the northerly extension of underground services, road works and utility plant along Third Avenue from Wellington Street over a distance of 200m or 650ft. These servicing works are in compliance with the land transfer agreement of January 28, 2004, between 1106006 Ontario Ltd/1106030 Ontario Inc., and the City of St. Thomas and are currently being completed by Norlon Builders, General Contractors for all infrastructure works required by the City's Community Complex.

At this time and in conjunction with the preparation of the subdivision agreement between the land owners of the property at 263 Wellington Street and the City of St. Thomas, the responsibility for the future construction of the remnant 35m long portion of Third Avenue Extension and located immediately south of the north limit of the proposed subdivision development needs to be established between the parties to the subdivision agreement.

Upon review and further to recent meetings of January 24, and 26, 2005, between City representatives and the Subdivider, the following cost sharing arrangement has been reached, subject to Council approval:

- At the time the Developer of the Block 1 lands, on the west side of Third Avenue, applies for a building permit for the whole or any part of Block 1, the City and Developer of these lands agree to share the cost of extending Third Avenue to the north limit of the subdivision development on a 50/50 basis up to a total construction cost limit of \$80,000. Any additional cost beyond \$80,000 would be the City's responsibility.
- Should the City of St. Thomas elect to proceed with the construction of Third Avenue to the northerly limit of the road prior to any development on the Block 1 lands, then such cost would be borne 100% by the City.

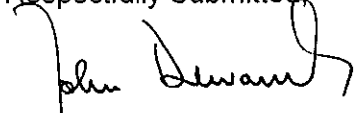
The above financial arrangement for the extension of Third Avenue beyond its current construction limit, is being submitted for the approval by Council in order that such arrangement may be included as

a special clause in the Subdivision agreement for this development. Upon conclusion of the subdivision agreement, the plan of subdivision may then be registered with the Registry Office followed by the MOE Record of Site condition to be issued by the Ministry of the Environment all of which will then also permit the transfer of the Community Complex property and Third Avenue road right-of-way to the City of St. Thomas.

Financial Considerations:

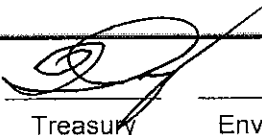
Subject to receiving Council's approval of the above noted cost sharing arrangement, the estimated city share of cost for the future extension of Third Avenue to the north limit of the proposed subdivision development in the amount of \$40,000 will be included in the City's capital forecast.

Respectfully Submitted,



John Dewancker, P.Eng
Director, Environmental Services

Reviewed By:


Treasury

Env Services

Planning

City Clerk

HR

Other

ELGIN COUNTY LIBRARY
CATHY BISHOP
Director of Library Services

cbishop@elgin-county.on.ca

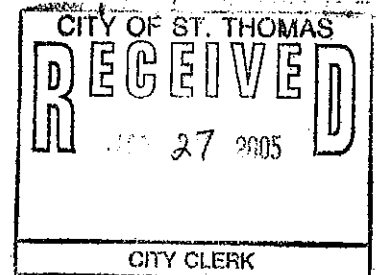


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450 SUNSET DRIVE
ST. THOMAS, ON N5R 5V1
PHONE (519) 631-1460
FAX (519) 631-9209

January 24, 2005

The Mayor and Council
Corporation of the City of St. Thomas
P.O. Box 520
St. Thomas, Ontario
N5P 3V7



Your Worship and Members of Council:

The Elgin County Pioneer Museum has achieved yet another very successful year in it's operations. Although the year 2004 brought forth many challenges, we have continued to maintain our community programs and visibility in St. Thomas and Elgin County. Our temporary location downtown has been a positive experience. As a cost-saving and temporary measure pending the success of a funding application to the government to renovate the 4th floor of the County Administration Building, Council has decided to move the museum back to 32 Talbot Street by the end of February, 2005.

A museum is an institution designed to help a community learn about its past and grow together. The Elgin County Pioneer Museum is a vital link to the culture and heritage of St. Thomas and Elgin County. The Museum is grateful for the support that it has received from the City of St. Thomas in the past and sincerely hopes that we may continue to count on your support in the future.

We respectfully request that the City give consideration for a grant to the Elgin County Pioneer Museum for \$3,500, in addition to the ongoing ground maintenance of the museum site at 32 Talbot Street.

Thank you for your consideration and I look forward to hearing from you.

Respectfully,

Mary Clutterbuck

Mrs. Mary Clutterbuck, Chair
Elgin County Pioneer Museum

cc: Cathy Bishop, Director of Library Services
Mark McDonald, Chief Administrative Officer

REFERRED TO	
W. DAY	mll
T. JOHNSON	
DISCUSS	<input type="checkbox"/>
RECOMMENDATION	<input type="checkbox"/>
INFORMATION	<input checked="" type="checkbox"/>
FROM	MARIA KONEFAL



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Corporation of the

City of St. Thomas

Report No.

TF-01-05

File No.

Date

January 20, 2005

Directed to: Members of St. Thomas City Council

Department: Mayor's Office

Prepared By: Mayor's Task Force

Attachment

Municipality of Central
Elgin Bylaw 6 (b)
Elected Officials
Remuneration (2203)

Subject: Deputy Mayor

Recommendation:

THAT: St. Thomas City Council consider adding the position of Deputy Mayor for the Municipal Election in 2006, and,

THAT: the position is elected at large, and further

THAT: the position description and compensation below be considered.

Report:

Adding the position of Deputy Mayor to City Council has been discussed at the Mayor's Task Force meetings. Research was conducted by the Members of the Task Force and is outlined in this report as information.

The Municipal Act, 2001 only recognizes two distinct roles of Council; the head of council and the council member. While the Act grants certain authority to the head of council distinct from the others, the head has all of the same powers as the rest of council.

OPTION ONE

Deputy Mayor - Elected

The Task Force recommends the following tasks be assigned to the elected position of Deputy Mayor: A member, who is not the chair of any standing committee, elected to City Council, as Deputy Mayor to assist the Mayor, and to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City, or is absent through illness, or the office of the Mayor is vacant, and while so acting, such member has, and may exercise, all the rights, powers and authority of the Mayor. The Deputy Mayor will be the first person the Mayor will contact should he/she not be able to attend an invited function.

If the decision is made to elect a Deputy Mayor, we have about 18 months to run the process and pass the by-law so that it is in place before Jan. 1, 2006, according to a representative of the Municipal Affairs and Housing.

OPTION TWO

Deputy Mayor – Appointed

The Task Force recommends that the same tasks above be assigned to the appointed position of Deputy Mayor. The Deputy Mayor, in the absence of any procedural by-laws does not have the power of the head of council. Therefore, the City's procedural by-law will need to be amended. If the decision of Council is to appoint a Deputy Mayor, then Council could do that at anytime

OPTION THREE

City Council chooses to file the Report and take no action at this time.

Compensation

It is expected that the Deputy Mayor position be compensated accordingly. Currently, the Mayor's yearly salary is \$32,863.77 and the Aldermen are paid \$15,018.44. The Committee is suggesting that the position of Deputy Mayor be paid, \$23,941.11 (midway between the pay for Mayor and that of Alderman.

Respectfully,

Cathy Topping, Chairperson
Mayor's Task Force

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- (e) Unless otherwise specified in the notice described in Paragraph 5 (c) above, a special meeting shall be held in the Council Chamber.
 - (f) The notice of a special meeting shall specify the purpose for the meeting.
- 6.
- (a) The Mayor shall preside at all meetings of Council.
 - (b) When the Mayor is absent or refuses to act, or the office is vacant, the Deputy Mayor shall act in the place and stead of the Mayor, and, while so acting, the Deputy Mayor has and may exercise all the rights, powers and authority of the Mayor.
 - (c) Notwithstanding Paragraph 6(b) above, the members may appoint another presiding officer from among themselves for the purpose of chairing a particular meeting.
 - (d) The Mayor or presiding officer may expel from a meeting anyone who engages in improper conduct.
- 7.
- (a) All Council and Committee meetings shall be open to the public.
 - (b) Notwithstanding Paragraph 7(a) above, a meeting of Council or a Committee may be closed to the public if the subject matter being considered relates to:
 - i) the security of the property of the municipality, or local board;
 - ii) personal matters about an identifiable individual including municipal or local board employees;
 - iii) a proposed or pending acquisition of real property for municipal or local board purposes;
 - iv) employee negotiations or labour relations;
 - v) litigation or potential litigation including matters before administrative tribunals, affecting the municipality or a local board;
 - vi) a matter in respect of which Council, a Committee of Council or a local board has authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament.
 - vii) the receiving of advice that is subject to solicitor - client privilege, including communications necessary for that purpose.
 - (c) Before all or part of a meeting is closed to the public, the Council shall state by Resolution:
 - i) the fact of the holding of the closed meeting;
 - ii) the general nature of the matter considered at the closed meeting;
 - (d) Subject to subsection (e) a meeting shall not be closed to the public during the taking of a vote.