

A G E N D A

THE EIGHTH 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 21ST, 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 T. Shackelton

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on February 14, 2005.

DEPUTATIONS

Smoking By-law 89-2004

Mr. Paul Lovelock, Smoke-Free St. Thomas-Elgin Coalition, will be in attendance to discuss Smoking by-law issues.

Mr. Bill Adams, Royal Canadian Legion Lord Elgin Branch-041, will be in attendance to discuss Smoking by-law issues.

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****BUSINESS CONCLUDED****ENVIRONMENTAL SERVICES COMMITTEE** – Chairman M. Turvey**UNFINISHED BUSINESS****NEW BUSINESS****Station Street Reconstruction Tender Results**

Report ES13-05 of the Manager of Engineering. Pages

7 8

BUSINESS CONCLUDED**PERSONNEL AND LABOUR RELATIONS COMMITTEE** – Chairman D. Warden**UNFINISHED BUSINESS****NEW BUSINESS****BUSINESS CONCLUDED****FINANCE AND ADMINISTRATION COMMITTEE** – Chairman C. Barwick**UNFINISHED BUSINESS****NEW BUSINESS****Jesse's Journey - Grant Request**

A letter has been received from John Davidson, Jesse's Journey, requesting a grant in the form of sponsorship for "FUNdraising Friday" to be held on April 1st, 2005. Pages

9 to 11

2005 Levy - Catfish Creek Conservation Authority

A letter has been received from Mr. Kim Smale, General Manager/Secretary-Treasurer Catfish Creek Conservation Authority, regarding the City's apportionment of the 2005 total levy. Page

12

A copy of the 2005 Preliminary Draft Budget is attached.

BUSINESS CONCLUDED**COMMUNITY AND SOCIAL SERVICES COMMITTEE** – Chairman B. Aarts**UNFINISHED BUSINESS****NEW BUSINESS****Monthly Report St. Thomas – Elgin Community Centre/ Twin Pad Arena** Pages

13 to 16

2004 Aquatics Program - Review

Report TR-08-05 of the Manager of Culture and Recreation. Pages

17 to 24

2005/06 Ice Rental Rates

Report TR-09-05 of the Manager of Culture and Recreation. Pages

25 to 28

Funding Grants - Valleyview Home

Report VV-004-05 of the Valleyview Administrator. Page

29

Valleyview Report (September-December 2004)

Report VV-003-05 of the Valleyview Administrator. Page 30

Valleyview Replacement - Monthly Report

Report VV-002-05 of the Valleyview Administrator. Page 31 Project Report attached.

BUSINESS CONCLUDED**PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE** – Chairman T. Shackelton**UNFINISHED BUSINESS**Woodland Road “No Parking” Request

Report ES11-05 of the Director Environmental Services. Pages 32 to 35 Photos Attached

NEW BUSINESSPolice Services ReportExtension of Deadline for Early Purchase of Dog Tags at Reduced Rate

Report CC-06-05 of the Deputy City Clerk. Page 36

Fire Department Year-end Report

Report FD-02-05 of the Fire Chief. Page 37

Animal Control Services 2004

Report CC-04-05 of the Deputy City Clerk. Page 38

St. Anne's Community Festival - June 1-4, 2005

A letter has been received from Rev. Rick Dales requesting a letter of authorization from the city stating “no objection for the extension of their proposed extended licensed area.” Page 39

A letter has been received from Rev. Rick Dales requesting Council's approval for the 34th Annual St. Anne's Community Festival being held on Parish grounds from June 1st to 4th, 2005. Page 40**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. DewanckerENVIRONMENTALLY SENSITIVE LAND USE – P. KeenanSAFETY ISSUES AND INTERSECTION CONCERNS – M. SturePOWER CENTRE TRAFFIC CONTROL – M. StureCIVIL MARRIAGES SOLEMNIZATION – W. Graves

GAS TAX FUNDING SPENDING PROGRAM – M. Sture

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES – J. Dewancker

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

Personnel and Labour Relations Committee – Chairman D. Warden

Finance and Administration Committee – Chairman C. Barwick

Community and Social Services Committee – Chairman B. Aarts

Protective Services and Transportation Committee – Chairman T. Shackelton

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 COMMUNICATONS

Fire Services Labour Relations Seminar March 2-3, 2005

A letter has been received from Robert Browning, Ontario Association of Fire Chiefs, inviting Council, senior municipal officials and Fire Chiefs to participate in the Fire Services Labour Relations Seminar being held in Toronto from March 2nd to 3rd, 2005.

Mental Health Week – Proclamation and Flag Raising – May 2-8, 2005

A letter has been received from Kelly Fafard, Chair, Mental Health Week Planning Committee, requesting that Council proclaim the week of May 2-8, 2005 as “Mental Health Week” in the City of St. Thomas and that their flag be flown at City Hall.

The flag raising ceremony is proposed for May 2nd, 2005 at 10:00 a.m. and the Mayor is invited to attend.

Welcome Wagon Week – Proclamation and Flag Raising– March 20– 26, 2005

A letter has been received from Alma Wigle, Area Manager, Welcome Wagon Ltd., requesting that Council proclaim the week of March 20-26, 2005 as “Welcome Wagon Week” in the City of St. Thomas and that their flag be flown at City Hall.

The Mayor is invited to attend the flag raising ceremony.

By-Law 89-2004, A by-law to establish smoke free public places and workplaces in the City of St. Thomas

A letter, including a petition, has been received from George Wilson, Manx Arms, requesting that the Smoking By-law’s implementation be delayed. Pages 41 & 42

UNFINISHED BUSINESS

Deputy Mayor Position

Report TF-01-05 of the Mayor's Task Force will be considered in March 2005.

NEW BUSINESS

By-Law 89-2004 - Smoking By-Law

Alderman C. Barwick put forward the following Notice of Motion.

Motion by Alderman Barwick:

THAT: By-Law 89-2004, a by-law to establish smoke free public places and workplaces in the City of St. Thomas, be repealed in its entirety.

BY-LAWS

First, Second and Third Reading

1. A by-law to confirm the proceedings of the Council meeting held on the 21st day of February, 2005.
2. A by-law to authorize an amending agreement with the Ministry of Health and Long Term Care. (Amend Service Agreement - Funding)
3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and Omega Contractors. (Malakoff Street Reconstruction - \$1,484,257.99)
4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and 969774 Ontario Limited. (Station Street Reconstruction - \$327,857.84)
5. A by-law to repeal By-Law 89-2004, being a by-law to establish smoke free public places and workplaces in the City of St. Thomas.
6. A by-law to amend By-Law 89-2004, being a by-law to establish smoke free public places and workplaces in the City of St. Thomas. (Exempt a charitable bingo hall - St. Thomas Bingo Country)
7. A by-law to amend By-Law 89-2004, being a by-law to establish smoke free public places and workplaces in the City of St. Thomas. (Add Tobacco Control Act signs as Approved Signs under Signage Requirements)
8. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Iron Rail Security. (Provision of Enforcement Services under By-Law 89-2004)
9. A by-law to appoint Provincial Offences Officers under By-Law 89-2004. (Jayson Chabot, Nicholas C. Lockwood, Sydney A. Salomons, Jason L.O. Steen, Darryl W. Sullivan, Brent A.W. Pincombe, Kathy Daniel, Carolyn Kuntz, Vanda Barreto, Martha Giesbrecht, Tim Hagerman, Barbara Krar, Tammi Ramsay, Ganesh Vallamkonda, Bev Walpole, Jenn Yurek)

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

A resolution to close the meeting will be presented to deal with a proposed or pending acquisition of land and a personal matter about an identifiable individual.

OPEN SESSION

ADJOURNMENT

CLOSING PRAYER



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Corporation of the
City of St. Thomas

Report No.
ES13-05

File No.
08-275

Directed to: Chairman Marie Turvey and Members of the Environmental Services Committee

Date
Feb 10, 2005

Department: Environmental Services Department

Attachment

Prepared By: Peter Hegler, Manager of Engineering

Subject: Station Street Reconstruction Tender Results

RECOMMENDATIONS:

- That the tender as submitted by 969774 Ontario Limited in the amount of \$327,857.84 be accepted; and,
- That the Contractor be authorized to proceed with the contract; and,
- That the Mayor and Clerk be authorized to sign the agreement.

BACKGROUND:

The Station Street watermain is a cast iron 100mm diameter pipe that cannot supply enough water for fire fighting purposes. In addition, corrosion in the pipe has inhibited normal flow and has affected water quality. The replacement of this section of watermain was identified in the City's 2001 Water Needs and Financial Study.

The sanitary main appears satisfactory based on video inspection work; however, the storm sewer does not have sufficient capacity to drain the whole street. A new storm sewer is to be installed to meet the minimum storm sewer size requirements.

An open house Public Information Centre (PIC) was held on Wednesday, December 1, 2004 at City Hall. One area property owner attended the Public Information meeting. There were no concerns expressed at the meeting. Engineering Staff who will be providing inspection services during project implementation will also address any concerns by area residents during the construction phase of this project.

FINANCIAL CONSIDERATIONS:

Tenders were called during the second week of January and the tender period closed on Tuesday February 8, 2005. A total of 14 bidders picked up documents and 11 submitted bids. The Tenders were checked for errors and omissions and the bids were corrected where necessary. The submissions were in order complete with the requested documentation (deposits, Insurance, WSIB, etc.). The corrected bid results are as follows:

BIDDER	TENDERED PRICE
969774 Ontario Limited	\$ 327,857.84
J-AAR Construction Ltd.	\$ 355,912.50
Omega Contracting Limited	\$ 358,864.09
Birnam Contracting	\$ 366,945.02
Euro X 2008422 Ont. Ltd.	\$ 384,033.59
Miracle Construction	\$ 407,948.42
Blue-Con Construction	\$ 417,920.60
Ro-Buck Contracting	\$ 433,630.34
Terra Infrastructure	\$ 438,000.00
United Contracting	\$ 457,008.77
L82 Construction	\$ 479,096.14

The approved amount from the 2004 budget was \$485,000 and the budget versus bid amount for each phase is summarized below. The estimated total costs for engineering and inspection is an additional \$30,000 and is prorated between each phase as shown.

PROJECT PHASE	BUDGET AMOUNT	BID AMOUNT	INSPECTION	SURPLUS/DEFICIT
Water Rate	\$ 220,000	\$ 124,814.03	\$11,420.87	\$ 83,765.11
Sewer Rate	\$ 187,000	\$ 131,512.94	\$12,033.84	\$ 43,453.22
Roads (Tax Rate)	\$ 78,000	\$ 71,530.87	\$ 6,545.29	(\$ 76.17)
TOTAL	\$ 485,000	\$ 327,857.84	\$30,000.00	\$ 127,142.16

The above figures include a \$15,000 contingency for unforeseen items and 7% GST. The cost of restoration of portions of the road that will be disturbed by excavations for watermain and sewers have been allocated to the responding funding areas.

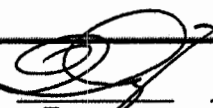
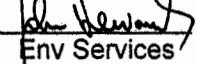
RECOMMENDATIONS:

Based on the above information, the total bid of \$327,857.84 plus estimated inspection costs of \$30,000 are less than the budget amount, it is recommended that the Contract be awarded to 969774 Ontario Limited in the amount of \$327,857.84 and the Contractor be authorized to proceed with the work.

Respectfully Submitted



Peter Hegler
Manager of Engineering

Reviewed By.  Treasury  Env Services Planning City Clerk HR Other

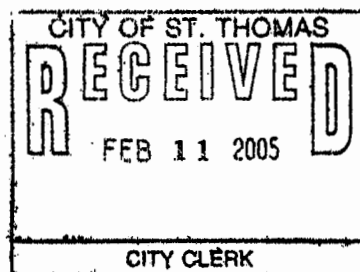
Jesse's Journey™

Patron

Her Excellency the Right Honourable Adrienne Clarkson, C.C., C.M.M., C.D.
Governor General of Canada

February 9, 2005

P.J. Leack
The City of St. Thomas
Office of the Clerk
P.O. Box 520, City Hall
St. Thomas, Ontario N5P 3V7



Dear P.J. Leack,

Jesse's Journey is very excited to have announced a major new research initiative in Duchenne muscular dystrophy. The details outlining this huge leap forward for research in London are contained in the attached package which was distributed late last month when *Jesse's Journey* made two major research and funding announcements. Both announcements have resulted in extremely positive feedback.

Fast on the heels of these announcements – we are working hard on the next major event on our calendar – **FUNdraising Friday** – which this year will be held on April 1st. This event is now in its' seventh year. One part of FUNdraising Friday (where the emphasis is on FUN!) is the **Compass Walk** where walkers who have sponsor pledges cover a distance of 33 kilometres as they converge from the North, South, East and West on the Agriplex at London's Western Fair Grounds.

The funds raised from the Compass Walk – along with funds from the hundreds of other FUNdraising Friday events going on in schools and businesses – are used to further research into Duchenne muscular dystrophy. FUNdraising Friday has become a “don't miss it” fundraiser in London and southwestern Ontario – having raised almost \$1,000,000 in just seven years – with incredible support from the public, the corporate community and the media.

We respectfully ask for your support of FUNdraising Friday through a corporate donation or sponsorship of a specific portion of the Compass Walk. A volunteer from *Jesse's Journey* will contact you within the next week to show you how your company can join in the fun. We thank you in advance for your consideration because after all.....*it's your journey too!*

We hope you will join the team - John Davidson

P.O. Box 5099, London ON N6A 4M8

Website: www.jessesjourney.com e-mail: fgct@jessesjourney.com

Tel (519) 645-8855 Fax (519) 645-2242

Registered Charitable Organization 89509-7756-RR0001

Jesse's Journey.

THE FOUNDATION FOR GENE AND CELL THERAPY

COMPASS WALK GOLD LEVEL SPONSORSHIP \$5,000.00

If you choose to be a Gold Level Sponsor for the Compass Walk your company will receive.

- A signed copy of John's book **"Jesse's Journey A Canadian Story."**
- A VHS or DVD of John and Jesse's walk across Ontario and John's walk across Canada.
- ❖ A framed Jesse's Journey limited edition print of John and Jesse, by renowned artist Ken Jackson.
- Recognition on the Journey website www.jessesjourney.com and a link to your home site.
- ❖ Media recognition for the Walk in the weeks preceding the Walk with the emphasis on the actual day. Media exposure through mentions on radio stations and in the newspapers.
- Inclusion in thank you newspaper and radio ads for Compass Walk.
- ❖ Prominence of your company name in all Compass Walk media releases.
- ❖ Inclusion in the "kick off" of Compass Walk.
- Your corporate logo on all printed material, including poster, letterhead and all correspondence.
- Thank you and logo recognition in our semi annual newsletter - minimum distribution of 8,000.
- Inclusion in displays at FUNdraising Friday speaking & promotional opportunities when locations permit.
- An invitation to be recognized on stage at our FUNdraising Friday / Compass Walk Event April 1, 2005.
- A laminated FUNdraising Friday appreciation plaque for display at your office.
- ❖ Custom designed T- shirts to include your logo as a lead Compass Walk sponsor.
- ❖ Full recognition as one of the four exclusive sponsors of the Compass Walk.
- ❖ Radio exposure throughout the Walk.
- ❖ Opportunity to have your corporate vehicle or mascot or other distinguishing symbol or banner participate in the walk.





THE FOUNDATION FOR GENE AND CELL THERAPY

FUNDRAISING FRIDAY SPONSORSHIP LEVELS

1) Silver Level - \$2500.00

If you choose support at the Silver Level your company will receive all benefits of the Bronze Level PLUS

- A signed copy of John's book "*Jesse's Journey A Canadian Story.*"
- A VHS or DVD of John and Jesse's walk across Ontario and John's walk across Canada.
- Media exposure through mentions on radio stations and in the newspapers.
- Recognition on the Journey website www.jessesjourney.com and a link to your home site.
- Recognition-Thank you in newspaper and radio ads.
- Your corporate logo on ALL printed material, including poster, letterhead and all correspondence.
- Thank you recognition in our semi-annual newsletter - minimum distribution of 8,000.
- An invitation to be recognized on stage at our National FUNdraising Friday wrap-up event.

2) Bronze Level \$1250.00

If you choose support at the Bronze Level, your company will receive the following benefits:

- Your company name included in all media releases.
- Recognition as a sponsor in our semi-annual newsletter – minimum distribution of 8,000.
- Your logo included on our regional posters, which will be distributed in central and southwestern Ontario. As teams become established distribution could be expanded coast to coast.
- Inclusion in displays at FUNdraising Friday speaking and promotional opportunities when locations permit.
- An invitation to our National FUNdraising Friday wrap up event.
- Inclusion in a wrap-up and thank you newspaper and radio ad.
- A laminated FUNdraising Friday appreciation plaque for display at your office.

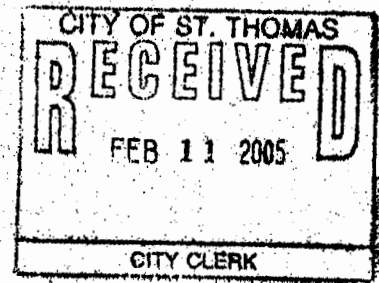


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CATFISH CREEK CONSERVATION AUTHORITY

February 10, 2005

City of St. Thomas
City Hall, P.O. Box 520
St. Thomas, ON N5P 3V7



Attention: Mr. Wendell Graves, Clerk

Dear Sir:

RE: 2005 Preliminary Draft Budget

Please find enclosed a copy of the Catfish Creek Conservation Authority's 2005 Preliminary Draft Budget and General Levy apportionment.

Attached to the Draft Budget is a schedule indicating each municipality's apportionment based on updated CVA data received from the Ministry of Municipal Affairs and Housing. The City of St. Thomas's apportionment is 6.0% of the total Municipal General Levy.

The City of St. Thomas's total Levy for 2005 is \$7,975.54, including the Special Planning Levy approved in 2003.

The Draft Budget and Levy apportionment is being circulated to each municipality for the 30 day notice period in accordance with the Municipal Levy Regulation made under the Conservation Authorities Act. Each municipal representative on the CCCA Board will be asked to vote on the Final Budget at the March Full Authority meeting.

If you have any questions concerning the attached information, please do not hesitate to contact our office at your convenience.

Yours truly,

Mr. Kim Smale,
General Manager/Secretary-Treasurer

KS/sm
Enclosures

cc: Marie Turvey

REFERRED TO	
W. DAY	[Signature]
T. JOHNSON	
FOR	
DIRECTION	<input checked="" type="checkbox"/>
REPORT OR COMMENT	<input type="checkbox"/>
INFORMATION	<input checked="" type="checkbox"/>
FROM: MARIE TURVEY	



8079 Springwater Road, P.O. Box 520, St. Thomas, ON N5P 3V7 (519) 773-9037

Fax: (519) 765-1489

E-mail: ccca@execulink.com

Website: www.execulink.com/~ccca



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MEMORANDUM

To: FRANK LATTANZIO,
Manager of Community Centres and Property

From: LUCAS SMITH,
Project Manager

For Info of: FILE 81280-6

Doc. No.: 81280-3089

Subject: January 2005 Monthly Report
St. Thomas – Elgin Community Centre

Date: February 14, 2005

JANUARY 2005 MONTHLY REPORT

1.1 Project Summary

The “non-committed” items were reviewed by City Council and returned to the Project Management Executive without approval except for the additional accessibility which was approved.

City Council reviewed the colour schemes and returned them to the Project Management Executive. The Executive selected the blue scheme over the green.

A final decision was made for above ground hydro services along Third Avenue.

Concrete foundation construction continued on the remaining interior walls which were approximately 95% completed. Installation of the masonry walls continued inside the building. Wall cladding was installed along the south, east and north walls. Roof installation was completed over Rink “B” and started over Rink “A”. The conventional steel commenced. Poor weather impacted the construction progress.

Third Avenue construction continued with underground sewer and water services.

A regular construction, design and project management meeting were held in addition to meetings to confirm design elements.

1.2 Meetings

Date	Description
January 11, 2005	Ministry of Labour Site Review
January 17, 2005	City Council Meeting

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January 18, 2005	Construction, Design and Project Management Meetings #9
January 20, 2005	St. Thomas Hydro Meeting regarding Third Avenue Services
January 27, 2005	Review of Dasherboard Systems at London Ice Rink

1.3 Budget

Anticipated project expenditures remain within the project budget of \$11,998,288 which was approved on December 19, 2004. At the end of January 2005, project funds were 97% committed and approximately 40% expended.

A contingency reserve of \$130,000 for the Third Avenue and parking lot work is included in the budget. To-date, approximately \$52,000 of the contingency is committed to address the removal of impacted soils along services lines.

1.4 Schedule

The September 2005 opening date remains unchanged based on information provided by the design build contractor. The contractor noted that weather had delayed work approximately 15 days but no formal application for extension was received.

It was decided to hold the regular design and project management meetings on a monthly basis during the winter season due to lower levels of activity. Construction meetings continued on a bi-weekly basis.

1.5 Design Issues

A final decision was made to install the hydro utilities along Third Avenue above ground due to the cost savings. The Avenue was not deemed to be a subdivision under the terms of the City subdivision agreement.

The blue colour scheme and floor finish products were selected in January.

Designs and associated costing for the VIP Room and smaller items were requested from Spriet and Norlon Builders.

A keying schedule for the building was received from Norlon Builders and reviewed.

1.6 Procurement

Draft contract documents were received from Norlon Builders. The City and Project Manager performed a document review which extended into February.

New ice resurfacing equipment was donated by Mr. McCaig at the January 18, 2005 Project Executive Meeting. This represents a budgetary cost saving of \$15,000.

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Norlon Builders received competitive tenders from three suppliers for the dashboard systems. A review of the systems by the City and MHPM was ongoing in January including options for hardware and glass. A potential savings exists depending on the options selected.

Requests were received from the STARS hockey club to revise portions of the facility. An estimate was requested from Norlon Builders for presentation to the club. The City is not anticipated to incur costs associated with any potential revisions. Similarly, additional rough-in for washers and dryers was investigated.

The new city phone system provider was contacted to identify the issues regarding extending the phone system to the new facility. The type of connection between the community centre and City Hall was the main issue.

The water connections to provide future service to the west property were installed at no cost to the City.

It was confirmed that the City would perform portions of the landscaping work associated with the project. Estimates for planting materials were within the budget allocation.

Budget pricing for City supplied items continued.

The fourth progress payment was made to Norlon Builders for December 2004. The majority of the work performed was the building structure and Third Avenue site work.

1.7 Construction Progress

The building permit was awarded to Norlon Builders by the City of St. Thomas.

Remaining foundations within the building were installed as weather permitted. This work is now approximately 95% completed. Interior masonry walls were ongoing.

Roofing over Rink "B" areas was completed and roofing over the larger Rink "A" commenced. Remaining structural steel around the front façades also commenced.

Wall cladding was installed along the south, east and north walls.

The sewer and water mains started at the building working towards Wellington Street.

Additional buried concrete along the Third Avenue extension was removed. The materials were placed on the west side of the property in accordance with direction from the property owner.

1.8 Issues and Risk Management

A draft contract was provided by Norlon Builders. City staff, MHPM and the City solicitor reviewed the documents and will submit comments to Norlon in February. It is anticipated that approval to award the contract will also be received in February.

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To provide protection against deviations from the estimated quantities for the Third Avenue and parking lot work the contingency was increased to \$130,000. Currently an overage for additional excavation of impacted soils is estimated at \$52,000. This will be absorbed by the contingency allowance but if additional quantities and the resulting costs exceed the contingency reserve then the budget would be placed at risk.

Buried concrete continued to be discovered in various areas. These materials were moved to the west side of the property under direction from the property owner. The materials were reviewed by the environmental consultant and protected according to the Risk Management Plan by covering with tarps and fencing. Allocation of cost for this work is governed under the agreement between the City and the property owner.

The potential for additional costs relating to excavation and backfilling of various areas was identified. Examples include locations around services and added excavation due to direction from the Ministry of Labour.

Prior to making the construction progress payment, the City received a letter from the designated project engineer at Spriet Associates recording that work had been performed in "general conformity to the plans and specifications". This letter is required with all applications for progress payment.

Design reviews of both the design-build and City supplied components continued to determine scope details in order to mitigate future changes and their associated costs. This process will decrease as the building elements become finalized.

MHPM monitored the construction progress with regular site visits and the City provided a daily, on-site presence.

Site testing and inspections by technicians and engineers was performed as required.

1.9 Next Month's Priorities

Complete the draft contract documents and receive approval to award the contract.

Erect remaining structural steel around the front entranceways.

Complete Rink "A" roof.

Continue installation of interior masonry walls.

Continue installation of the Third Avenue and parking lot services as weather permits.

Commence excavation of the parking lot areas and service installations as weather permits.

Complete all concrete foundations as weather permits.



Corporation of the
City of St. Thomas

Report No.
TR-08-05

File No.
90-16

Directed to: Chairman Bill Aarts and Members of the
Community and Social Services Committee

Date
February 7, 2005

Department: Recreation Services

Attachment
Report CS-11-04

Prepared By: Dianne Morgan, Manager of Culture and Recreation

Subject: 2004 Aquatics Program - Review

Recommendation

THAT: City Council approve Recreation Services Report TR-08-05 entitled "2004 Aquatics Program – Review, as information,"

AND THAT: the following 2005 hourly wage rates for the Municipal Aquatic Staff be accepted:

<i>Aquatic Supervisor</i>	<i>\$13.40</i>
<i>Senior Aquatic Instructor/Lifeguard</i>	<i>\$ 8.85</i>
<i>Junior Aquatic Instructor/Lifeguard</i>	<i>\$ 8.30</i>
<i>Basket/Wading Pool Attendant</i>	<i>\$ 7.45 (2005 General Minimum Wage)</i>

Origin

At the November 15, 2004 City Council meeting, the following direction was given to Staff:

"...that a report on pool expenses incorporating CS-11-04 be provided to the Members..."

Report CS-11-04 is attached for the Member's reference.

Report

Background

On April 19, 2004 authorized Recreation Services to resume the management and operation of the Municipal Aquatic Program that included Jaycees (Northside) pool and the wading pools located within Waterworks and Pinafore Parks. This was based on the information provided by staff in Report CS-11-04 that indicated a projected \$18,225 cost to the City.

Having missed a year of operating the outdoor pool program, the summer of 2004 proved to be a season of challenges. Staff embarked on an assertive awareness-raising campaign that was two-fold: to inform the community that the municipal pools would once again be run by the City, and to promote the return of the availability of the popular Canadian Red Cross Aquatic Program. Staff is pleased to report that the response from the community was overwhelmingly positive.

As a benchmark, staff aimed to meet the Water Safety/Aquatic Instruction attendance figures of 2002, the last season the program was run by the City. As demonstrated below, our goal was exceeded.

Water Safety/Aquatic Instruction Attendance			
2004	2003	2002	2001
446	234	406	450

The Aquatic student staff suggested, planned, and organized a fundraising event on August 6 to fund needed items to improve the level of service at Jaycees Pool (outdoor clock, lane ropes, new spinal board, and possibly a guard chair at the diving well). The 24-Hour Relay, held on what turned out to be one of the coldest nights of the summer, was an incredible and gratifying success. The staff swam in shifts continually from 8pm Friday to 8pm Saturday, keeping a lane open during Public Swim hours so as not to interrupt the Relay. Although somewhat optimistic, a fundraising goal of \$1,000 was set. However, again, community support was tremendously positive, resulting in a final tally of \$1,807. This event not only raised dollars for the pool program, it allowed the aquatic staff to show the community the pride they have in Jaycees Pool and it helped further solidify their sense of teamwork and accomplishment.

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The only truly uncontrollable aspect to the aquatic season of 2004 was the weather. Environment Canada recorded a cool trend that began in June and continued throughout the season. In July, there were only 3 days termed by Environment Canada as "hot" (i.e., daytime temperatures exceeding 30 degrees). Rainy days, thunderstorms, and tornado warnings took their toll on our ability to consistently attract people to the pool for 2- to 3-hour blocks of recreational swimming. Consequently, the 2004 Public Swim projections did not meet staff expectations.

Budget Comparisons

Below are the budget projections submitted in Report CS-11-04, paired with the 2004 actuals for comparison.

PROPOSED

ACTUAL

REVENUES

Provincial Grant	\$ 8,000	\$ 6,793.00
Admissions	\$15,500	\$ 9,493.88
Instructional Fees	<u>\$16,000</u>	<u>\$18,074.43</u>
Total Revenues	\$39,500	\$34,361.31

EXPENSES

Wages	\$42,500 (includes wages for Pinafore and Waterworks Wading Pool Supervision)	\$41,755.02
Benefits	\$ 4,250	\$ 3,501.70
Memberships/Associations	\$ 75	\$ 129.00
Advertising	\$ 350	\$ 341.56
Refunds	\$ 150	\$ 78.00
Telephone	\$ 300	\$ 285.33
Mileage	\$ 100	\$ 125.65
Stationery and Supplies	\$ 1,000	\$ 947.67
City Equipment	\$ 100	\$ 64.73
Chemicals	\$ 2,500	\$ 3,142.08
Maintenance/Janitorial Supplies	\$ 2,300	\$ 3,103.37
Hydro	\$ 2,400	\$ 2,545.26
Water	<u>\$ 1,800</u>	<u>\$ 1,390.16</u>
Total Expenses	<u>\$57,825</u>	<u>\$57,409.53</u>

Total 2004 Net Cost	projected \$18,325	actual \$23,048.22
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The 2004 actual cost of operation exceeded the projected net cost by \$4,723.22. In our view, the weather-related decrease in Public Swim attendance contributed greatly to this difference.

Aquatic Wages

The history of the Aquatic staff wages is documented in Report CS-11-04. The following is the proposed 2005 wage structure. These rates remain within the range of the Parks and Recreation Ontario (PRO) survey described in that earlier report and provides for appropriate incremental increases for the positions above Cashier/Basket Attendant (paid at the current General Minimum Wage).

Aquatic Supervisor	\$13.40
Senior Aquatic Instructor/Lifeguard	\$ 8.85
Junior Aquatic Instructor/Lifeguard	\$ 8.30
Basket/Wading Pool Attendant	\$ 7.45 (2005 General Minimum Wage)

Noteworthy Statistics

- ✓ The number of children who enrolled in swimming lessons at Jaycees Pool increased dramatically by 48%, compared to 2003 (446 vs 234).
- ✓ Despite the cold and wet summer of 2004 and while less than projected, 5587 children participated in recreational swim.
- ✓ 1,058 YWCA and St. Andrew's daycampers participated in Public Swim at Jaycees Pool.
- ✓ Impressive community support resulted in \$1,807 being raised to support items required for the pool facility.

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2005 Projected Budget

Note that the requirement for Wading Pool Attendants will be reduced by half in 2005, now that the Pinafore wading pool has been replaced with the Rotary Club Splash pad that requires no formal supervision. Below is the 2005 projected budget for the Aquatic Program including Jaycees Pool and Waterworks Park wading pool.

REVENUES

Provincial Grant	\$ 6,800
Admissions	\$10,500
Instructional Fees	<u>\$18,000</u>

Total Revenues \$35,300

EXPENSES

Wages	\$39,275
Benefits	\$ 3,928
Memberships/Associations	\$ 130
Advertising	\$ 350
Refunds	\$ 150
Telephone	\$ 300
Mileage	\$ 100
Stationery and Supplies	\$ 1,000
Chemicals	\$ 2,500
Maintenance/Janitorial Supplies	\$ 2,300
Hydro	\$ 2,400
Water	<u>\$ 1,800</u>


Total Expenses \$54,233


Total 2005 Projected Net Cost \$18,933

Conclusion

While indeed a season of challenges, the summer of 2004 was ultimately rewarding. Staff tackled the reintroduction to the community of the municipal management of the outdoor pools, the pressure of meeting budget projections after one full season removed from the Aquatic Program, and the everyday test that Mother Nature provided for the operation of our outdoor pool facilities. Knowing that a well-run program was so enthusiastically received by the community, and seeing the countless smiling faces of the young swimmers lining up for lessons and recreational swimming, made all the summer's challenges most worthwhile.

Respectfully submitted,


Dianne Morgan
Manager of Culture and Recreation
Recreation Services



Reviewed By: Treasury Env Services Planning City Clerk HR Other

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Corporation of the
City of St. Thomas

Report No.
CS11-04

File No.
90-16

Directed to: Chairman Bill Aarts and Members of the
Community and Social Services Committee

Date
April 19, 2004

Department: Recreation Services

Attachment
2004 YMCA Proposal

Prepared By: Dianne Morgan, Manager of Culture and Recreation

Subject: 2004 Aquatics Program

Recommendation

THAT: City Council authorize Recreation Services to resume the management and operation of the Municipal Aquatic Program,

AND THAT: the following 2004 hourly wage rates for the Municipal Aquatic Staff be accepted:

Aquatic Supervisor	\$13.10
Senior Aquatic Instructor/Lifeguard	\$ 8.55
Junior Aquatic Instructor/Lifeguard	\$ 8.00
Basket/Wading Pool Attendant	\$ 7.15 (2004 General Minimum Wage)

Report

Background

On April 7, 2003, City Council passed a resolution accepting a one-season trial agreement that permitted the YMCA to manage the Municipal Aquatic Program for the summer of 2003, based on Reports TR15-03 and TR22-03. The related contract expired September 30, 2003. A fee of \$15,000 plus GST was paid by the City to the YMCA to provide this service. In addition, the contract stated that the City would be responsible for all costs associated with:

- 1) preparing the pools for opening
- 2) facility repairs during the season
- 3) preparing the pools for closing.

Below is the actual cost to the City for the 2003 Aquatic Program:

Management Fee	\$15,000	
Solicitor's Fee	787	
Facility Maintenance	<u>11,240</u>	(Facility repairs, paint, chemicals, and materials related to opening and closing, as per 2003 Agreement)
Total 2003 Actual Cost	\$27,027	

2004 YMCA Proposal

The YMCA was asked by Staff to submit a proposal for 2004, if it was their intention to request the management of the pools this summer. The YMCA's submission is attached for the Members' reference.

This year, the YMCA has expanded their 2003 request, proposing that the City take on full responsibility of all maintenance, hydro, and water costs this year, and pay the fee of \$15,000 to the YMCA to manage the program. The total cost to the City for such an arrangement is shown below:

Management Fee	\$15,000
Hydro	2,400
Water	1,800
Chemicals	2,500
Maintenance/Janitorial	<u>2,300</u>
Total 2004 Projected Cost (YMCA contract)	\$24,000

It is staff's assertion that the City could offer the 2004 outdoor Aquatic Program at a comparable cost.

Aquatic Wages

The most costly item in any Aquatic Budget is student wages. In 1999, staff conducted a wage comparison with other municipalities to determine if the rates paid to our Aquatic staff:

- 1) were in line with other cities,
- 2) fairly reflected the financial commitment of students to become qualified and to maintain their aquatic qualifications, and
- 3) fairly reflected the level of responsibility and risk associated with supervising children at a pool setting.

It was concluded that the wages indeed were lower than the municipal standard, and truly did not recognize the specific and costly mandatory qualifications, or the responsibility placed upon our Aquatic student workers. As a result, the Aquatic wages were increased in 1999 and were maintained during the subsequent years, including 2002.

The 2002 Municipal Aquatic Staff hourly rates were:

Aquatic Supervisor	\$14.10
Senior Aquatic Instructor/Lifeguard	\$ 9.55
Junior Aquatic Instructor/Lifeguard	\$ 8.77
Basket/Wading Pool Attendant	\$ 6.85 (2002 General Minimum Wage)

In 2003, Parks and Recreation Ontario (PRO) conducted a province-wide survey of part-time wages. The results as they relate to the positions we offer in Aquatics are listed below:

Position	Maximum	Minimum
Head Instructor (equal to our Aquatic Supervisor)	\$20.00	\$9.00
Instructor/Lifeguard	\$20.00	\$8.00
Cashier (equal to our Basket Attendant)	\$15.00	\$6.75

In order to further decrease the cost of the Aquatic Program to the City, staff recommends a revised wage structure that would show a slight decrease in the hourly rates, but would still be in keeping with the findings of the recent PRO survey. The new minimum wage has been applied to the Basket/Wading Pool Attendant position. The proposed Aquatic Staff wages are as follows:

Aquatic Supervisor	\$13.10
Senior Aquatic Instructor/Lifeguard	\$ 8.55
Junior Aquatic Instructor/Lifeguard	\$ 8.00
Basket/Wading Pool Attendant	\$ 7.15 (2004 General Minimum Wage)

Proposed Costs for a City-Run Program

Incorporating the suggested wage rates, below is the 2004 proposed operational budget for the Aquatic Program, should the City resume its management:

REVENUES

Provincial Grant	\$ 8,000
Admissions	\$15,500
Instructional Fees	\$16,000
Total Revenues	\$39,500

EXPENSES

Wages	\$42,500 (includes wages for Pinafore and Waterworks Wading Pool Supervision)
Benefits	\$ 4,250
Management Fee	\$ 0
Memberships/Associations	\$ 75
Advertising	\$ 350
Refunds	\$ 150
Telephone	\$ 300
Mileage	\$ 100
Stationery and Supplies	\$ 1,000
Chemicals	\$ 2,500
Maintenance/Janitorial Supplies	\$ 2,300
Hydro	\$ 2,400
Water	\$ 1,800

Total Expenses	\$57,725
Total 2004 Projected Cost (City-run)	\$18,225 = \$5,775.00 less, compared to YMCA Projected Cost

Projected revenues are based on the City's attendance numbers of 2002. An instructional fee of \$40 per 2-week session would be Staff's recommendation. This would incorporate a \$2-increase over the fees charged in 2002. Revenues for Recreational Swim admission fees have been conservatively projected, based on 2002 attendances.

Notable Statistics

Statistically, the number of children who benefited from swimming lessons at Jaycees Pool dropped dramatically by 42% last year, compared to 2002 (406 vs 234).

In addition, over 1,000 less children participated in recreational swim in 2003 than in 2002.

Financially, the YMCA incurred an unbudgeted deficit of approximately \$3000 operating the pools in 2003.

Comments from the public to Staff have indicated the preference of the option of a municipally-run Aquatic Program that offers a full range of Canadian Red Cross instruction.

Conclusion

With all due respect to the YMCA, Staff feel that the quality of service expected in its contract with the YMCA last year was not satisfactorily met, based on feedback received by the public and further illustrated by attendance figures in 2002, as shown above. The City has a proven history of providing a high-standard program of Canadian Red Cross Society instruction and Recreational Swim in an outdoor setting, supervised by strong, fully qualified Aquatic staff. Staff have a wealth of experience and expertise in operating, managing, and maintaining the outdoor pools, and would welcome the opportunity of providing that choice to the community again in a cost-effective manner.

In reviewing this report, Council has three options to choose from:

- 1) accept the 2004 YMCA Proposal, noting that the terms differ from those in 2003,
- 2) offer the YMCA an agreement with the same terms of 2003, or,
- 3) reclaim the Aquatic Program, allowing the outdoor pools to be operated by City Staff.

Staff are recommending Option 3 to the Members.

The Management Board has reviewed and concurs with the recommendation in this report.

Respectfully submitted,


Dianne Morgan
Manager of Culture and Recreation
Recreation Services

Reviewed By: Treasury Env Services Planning City Clerk HR Other

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Family YMCA of St. Thomas-Elgin

Outdoor Aquatic Operating Proposal - 2004

Background:

In the summer of 2003, the Family YMCA of St. Thomas-Elgin and the City of St. Thomas entered into a one year operating agreement with respect to the following outdoor pools owned by the City of St. Thomas: Jaycee Swimming Pool, Pinafore Park Wading Pool and Water Works Park Wading Pool.

The agreement from 2003 stipulated that the City of St. Thomas had budgeted a deficit of \$26,000 for complete operation of the Outdoor Pools. The previous year 2002 actual operations came in at a deficit of \$43,419 as indicated in statements provided by the City. It was felt that the Family YMCA of St. Thomas-Elgin could operate said pools for a total fee of \$15,000. As such, the City of St. Thomas paid to the YMCA a total of \$15,000 providing a budget surplus of \$9,000 for the City and surplus of \$28,419 from 2002.

The operation of the pools occurred with some challenge. In particular, a bill was issued to the YMCA in December for the utilities associated with operation of the pools. That bill was in excess of \$4,000. When accounting for this bill as well, the YMCA expense total exceeded total revenue (inclusive of the management fee and operational revenue).

That being said, it was felt that for a first time operational agreement, there were success shared by both the City and the YMCA. These successes included but were not limited to:

1. Program availability and accessibility for those experiencing financial difficulty resulting from the YMCA/United Way Financial Assistance Initiative.
2. A total pool operation that exceeded City budgeted expectations by \$9,000.
3. More diversity in the aquatic programming offered through out the City.
4. Greater consistency with level of training and ability to recruit qualified and competent aquatic staff.

It is felt that these successes, coupled with the learning experiences from last summer, it is a worthwhile venture for both the City of St. Thomas and the Family YMCA of St. Thomas-Elgin to entertain a partnership agreement for the summer 2004 operating season with the intent of developing a long term agreement based on meaning evaluation of this season.

The 2004 Operating Season:

The Municipality of Chatham-Kent has enjoyed an operating agreement with the YMCA of Chatham-Kent for the four outdoor pools located in the City of Chatham since 1992. Our proposal for the 2004 operating season is following the lead of this very successful and long term partnership, as well as examination of the successes and challenges from our experiences last year.

The Family YMCA of St. Thomas-Elgin has a proven expertise in the provision of services related to pool operations in a fiscally responsible manner. However, admittedly, the YMCA lacks that same expertise in the maintenance of the three outdoor pool facilities.

Therefore, it is suggested that the YMCA support the City through the 2004 operating season with only the service delivery component of each outdoor pool. For the sake of clarity, service delivery is defined as the supervision (inclusive of hiring, monitoring and evaluation) of all lifeguards, swim instructors and pool attendants; the handling of all program registration; all financial transactions associated with program delivery; all equipment expenses associated with swim lessons.

The maintenance of the pools would thus be the responsibility of the City of St. Thomas. It is felt that these pools being such large capital assets of the City, is reasonable for taxpayers to expect the City to maintain control over these assets. Additionally, it is felt the YMCA simply lacks the expertise of the City to maintain these pools.

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The budget for the proposed recommendation would look as follows:

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Revenue		Revenue	
Management Fee	\$15,000		
Grants	\$7,000		
Admissions/Fees	\$19,750		
Vending	\$500		
Expenses		Expenses	
Wages	\$32,000	Cleaning & Maintenance Supplies	\$600
Benefits	\$2,900	Chemicals	\$2,550
Program Supplies	\$2,600	Building Maintenance	\$600
Telephones	\$650	Hydro	\$3,000
Advertising	\$500	Water	\$2,000
Travel Expenses	\$225	Management Fee	\$15,000
Membership Dues	\$75		

Budget Assumptions:

1. The expenses identified are based on the actuals from 2003 with an inflationary increases incorporated.
2. The revenues are based on the actuals from 2003 with thought to some new and some improved programming opportunity.
3. The net surplus identified for the YMCA is deemed to compensate for administrative, management and overhead expenses.
4. The net identified for the City still surpasses the budgeted deficit of \$26,000 by \$2,250 from 2003 and surpasses the actual cost of 2002 by \$19,669.

Benefits of the 2004 Operating Proposal:

There are numerous benefits to both the City and YMCA from the 2004 Operating Proposal. These benefits include, but are not limited to:

1. There will be continued fiscally responsible operation of the Outdoor Pools. It is felt the City has an obligation to taxpayers to operate the pools in the most fiscally responsible manner. Further, it is felt that this operating agreement does successfully prove to be more fiscally responsible the previous City Operations.
2. It is an established reality that many smaller communities through out Ontario are experiencing a shortage of qualified lifeguards. Through a joint operating arrangement there is a greater likelihood of maintaining quality staff as year round employment can be offered. Frankly, there is not enough qualified staff available for the City and the YMCA to compete with one another. The entire community could suffer with lack of aquatic programming in future years unless a proactive partnership is embraced.
3. The YMCA / United Way Financial Assistance Program enables many children who would otherwise be unable to participate in swimming lessons due to financial constraints the opportunity to gain this valuable experience.
4. Historically, the YMCA and City have competed to offer Advanced Aquatic Certifications. Again, this competition can potentially serve to only further deplete the availability of swimming lessons down the road.
5. The YMCA and the City will both maintain a presence and involvement with the pools in their areas of expertise. This can only serve to benefit the community as a whole through improved service.

Conclusion:

The Family YMCA of St. Thomas-Elgin appreciates the opportunity to be involved again with such an important and worthwhile community initiative.

We are certainly willing to discuss this further and look forward to partnering with the City.

Respectfully,

Eric Simard

Eric Simard
Director of Aquatic Services

Colin Service

Colin Service
General Manager



Corporation of the

City of St. Thomas

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Report No.
TR-09-04-5

File No.
90-16

Directed to: Chairman Bill Aarts and Members of the
Community and Social Services Committee

Date
February 14, 2005

Department: Recreation Services

Prepared By: Dianne Morgan, Manager of Culture and Recreation

Attachment
Comparison of Municipal
Ice Rental Rates

Subject: 2005/06 Ice Rental Rates

Recommendation

THAT: Recreation Services Report TR-09-05 entitled "2005/06 Ice Rental Rates" be received,
and THAT: City Council approve the following proposed 2005/06 ice rental fee structure for
Memorial Arena and the new Community Centre, effective September 1, 2005:

Group	Hourly Rate	Capital Contribution	Sub-total	GST	Total
Minor	\$95	\$5	\$100	\$7	\$107
Junior B	\$110	\$5	\$115	\$8.05	\$123.05
Adult	\$130	\$5	\$135	\$9.45	\$144.45
Non-Prime 8.30am to 5pm weekdays only	\$95	\$5	\$100	\$7	\$107

and THAT: Council authorize the establishment of a "Community Centres - Major
Maintenance" reserve.

Report

Background

In 2002, Members authorized a \$5-per-hour increase in the existing hourly ice rates, bringing
the fees to \$91 + GST (Minor Rate) and \$125 + GST (Adult Rate).

Given the condition of Northside Arena and with the prospect of the fundraising required by the
ice community for the new double-pad facility, Members concluded it best not to increase the
rates in 2003.

Last year, Council approved the establishment of a separate "Junior B" category in the amount
of \$105 per hour, while maintaining the Minor and Adult rates of 2002.

Ice Rate Comparison

In preparing this report, Staff surveyed 11 surrounding municipalities to determine a basis of
comparison regarding ice rental rates. This useful exercise allows for the tracking of area
trends that can help guide Staff in determining the best direction for our municipality. The
findings are attached for the Members' reference. Note that the current St. Thomas fees are in
the lower end of the range (Minor lowest: \$90; Minor highest: \$150; Adult lowest: \$115; Adult
highest: \$174).

Proposed Increase

Keeping in mind that the City's ice rates have not increased since 2002, it is recommended
that the following percentages be applied, effective September 1, 2005:

Minor	4.4% increase	=	\$ 95 per hour
Junior B	4.76% increase	=	\$110 per hour
Adult	4% increase	=	\$130 per hour

These proposed fees, when compared to those of the other surveyed municipalities, would
place St. Thomas in mid-range. Not all municipalities are planning to increase their fees for
05/06, but for those that are, an inflationary percentage of 2 to 3% is planned.

Capital Contribution

It is noteworthy that 2 newly constructed facilities (Leamington and Aylmer) have introduced an hourly charge in addition to their standard fees. It is Staff's recommendation that a similar approach be taken in St. Thomas. Instituting a \$5-per-hour additional fee for all rental categories would allow the opportunity to proactively establish a capital maintenance fund to be used at the arena facilities, as future needs arise.

Non-Resident Fee

As shown in the attachment, only one municipality of those included in the survey applies a non-resident fee for the rental of ice by groups outside city or regional boundaries.

In discussing this issue with other recreational professionals, Staff agrees there are two central reasons for not charging a different rate for non-residents:

1. monitoring and keeping current the addresses of league registrants and primary renters creates an administrative burden for staff, and
2. to maximize utilization of an arena facility in our highly competitive regional marketplace, the municipality must be in the position to attract non-residents in addition to City residents. A non-resident fee detracts from this ability.

Staff strongly advises that for these key reasons, a non-resident fee is neither practical nor uniformly enforceable.

Non-Prime Rate

All of the surveyed municipalities include a non-prime rate in their fee structures. It is recommended that we introduce such a fee at Memorial Arena and the new facility for the 2005/06 season. Since our current staffing schedule includes only 2 shifts (8am to 4pm and 4pm to 12am), any bookings taken before 8.30am or after midnight incur overtime pay and should be charged at regular rates. A non-prime rate charged at the Minor rate will encourage more adult groups (industrial hockey teams, adult pick-up hockey) to book ice during daytime hours at the lower, more appealing rate.

School Rentals

There has been a longstanding reciprocal agreement between the City and the local school board that, in the past, has allowed for municipal access to school fields and gyms free of charge (when available), in exchange for no-charge access to school groups at the City's recreational facilities (during the weekday hours of 9am to 3.30pm). Shortly after the Elgin County School Board merged with the Thames Valley District School Board, Staff received official notification that gymnasiums would no longer be available to the community through the municipality. Only outdoor fields would continue to be booked without fees, when available. Since that time, and although a reciprocal agreement in the true sense no longer exists, the City has continued to honour the tradition of providing free access to ice, ball diamonds, and pavilions to area schools.

In the survey conducted, 7 of the 12 municipalities charge their associated schools some level of rental rate for ice time (from \$1 per person to \$126 per hour). It is recommended that the Minor rental fee be applied to school rentals. For the Members' information, a total of approximately 54.0 annual hours of ice rentals are provided free of charge for school outings, physical education classes, and hockey practices at our two existing arenas.

Contractual Obligations

To ensure commitment for weekly block bookings, Staff will introduce a contractual approach for all groups and organizations that rent 5.0 or more total standard weekly hours of ice time. This contract will guarantee ice bookings for these groups for the period of September 1 to March 31 annually, and will require a deposit to the City in the amount equivalent to first and last months' total rental fees. This will be payable by certified cheque, cash, or letter of credit and due no later than September 30. The first month's payment would apply to September's rental invoice, while the last month's payment would be held until April 30 when it will be reconciled with the amount owing for the month of March. A variety of payment procedures are in place in the surveyed municipalities, but most of them do find it imperative to employ an advance payment system, similar to what we have outlined.

Other Rental/Program Rates

Since ice rental rates are most topical at this time, and leagues and organizations need to budget according to the 2005/06 rental fees, Staff felt it important to focus on this aspect of our arena operations at this time. Proposed non-ice fees (auditorium, meeting rooms, and storage facilities, etc.) as well as municipally organized ice programs (Public Skate, Blue Card, 50+ Hockey, etc.) will be the subjects of a forthcoming report.

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

Respectfully submitted,


Dianne Morgan
Manager of Culture and Recreation
Recreation Services



Reviewed By: Treasury Env Services Planning City Clerk HR Other

St. Thomas Recreation Services
Comparison of 2004/05 Hourly Ice Rental Rates in Area Municipalities

compiled February 2005

sorted according to Minor rates

revised February 8, 2005

	Municipality	Youth	Adults	Schools	Surcharge?	Non-Prime Time		Non-Resident Fee?
						Rate	Hours (weekdays only)	
1	Petrolia	\$ 90	\$115	\$1 per person	No	\$ 90	12am to 4pm	No
2	Woodstock	\$ 90.65	\$118.69	\$40.91	No	\$79.44 (Y) \$85.98 (A)	6am to 4pm	No
3	St. Thomas	\$ 91	\$125	No charge	No	n/a	n/a	No
4	St. Mary's	\$ 93.46	\$116.82	No charge	No	\$ 59	8am to 3pm	No
5	Central Elgin	\$ 97.43	\$120.79	No charge	No	\$ 64.49 (Y) \$ 97.43 (A)	6am to 5pm	No
6	Chatham	\$100	\$123.50	\$63.50	No	\$100	12am to 4pm	No
7	Aylmer	\$100	\$125	\$45	Yes - 5%	\$ 75	6am to 5pm	Yes
8	London	\$109.10	\$152.93	No charge	No	\$109.10	12am to 4.30pm	No
9	Strathroy	\$109.35	\$123.36	No charge	No	\$ 51.40	8am to 5pm	No
10	Leamington	\$115	\$131	\$126	Yes -\$4 per hour	\$126	6.30am to 3pm	No
11	Sarnia	\$130	\$174	\$65.25	No	\$ 87	12am to 3.30pm	No
12	Tecumseh	\$150	\$150	\$100	No	\$100	8am to 3pm	No

GST is extra on all listed rates.

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Corporation of the
City of St. Thomas

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Report No.

VV-004-05

File No.

Directed to: Chairman B. Aarts and Members of the
Community and Social Services Committee

Date
February 21, 2005

Department: Valleyview

Attachment

Prepared By: M. Carroll, Valleyview Administrator

Subject: Funding Grants

Recommendation:

That the report be received and filed as information.

Background:

The provincial government has announced 60 million dollars for mechanical lifts and specialized equipment to increase the safety and comfort of residents in long-term care homes. This funding will also benefit staff as they continue to provide care to residents who acquire increasing amounts of assistance. On average more than 70% of residents in long-term care homes require assistance from one or two staff members to go about their daily lives. The funding announced by the government is 100% grant. No contribution is required on behalf of the cooperation to access the funds. The grants are divided into two envelopes, each with their own eligibility and application requirements.

Diagnostic and Medical Equipment Funding:

On February 4, 2005 Valleyview was informed that it was eligible for a one-time grant of \$71,059 to acquire diagnostic and medical equipment. In order to access the funds staff had to complete the application and determine what types of equipment the Home required by the February 14 deadline. The equipment has to be delivered by March 31st, 2005. The Nursing department worked diligently to review our existing equipment, establish a priority list of what would best benefit staff and residents and still be eligible under the criteria of this program. After this assessment 63 pieces of equipment were ordered including airflow mattress, therapeutic mattress, suction machines, mobile blood pressure stations, electronic thermometers, and bed sensors/alarms.

Lift Initiative

On January 4, 2005 Valleyview was informed that it was eligible for a one-time grant of \$76,363 to purchase lifts and to establish a lift/transfer education program. (\$70,000 for the lifts and \$6363 for the education component.) In order to access the funds staff had to complete the application and a lift assessment survey by January 14th, 2005. In addition, staff had to determine suppliers by January 31st, 2005 and place our orders to ensure delivery of the lifts by March 31st, 2005 deadline. With this funding a combination of 18 floor and overhead lifts were ordered.

Conclusion

This equipment will be a major benefit to our residents and staff who provide the care. All equipment is transferable to our new facility.

Respectfully,

M. Carroll
Valleyview Administrator

Reviewed By: Treasury Env Services Planning City Clerk HR Other



Corporation of the
City of St. Thomas

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Report No.

VV-003-05

File No.

Directed to: Chairman B. Aarts and Members of the
Community and Social Services committee

Date
21 June 2004

Department: Valleyview

Attachment

Prepared By: Michael Carroll, Valleyview Administrator

Subject: Valleyview Report (September-December 2004)

Recommendation:

"THAT: The operational report of the Valleyview Administrator be received and filed as information.

Admissions - Discharges:

Total Admissions year to Date	Males-13, Females-36
Total Discharges year to Date	Males-14, Females-37
Current Vacancies	Males-01, Females-01
Residents on Respite Care	Males-00, Females-01

Resident Days:

Estimated Resident Days to December 31	=	49,640
Actual Resident Days to December 31	=	48,967
Unused Resident Days as of December 31	=	673

Meals On Wheels: A total of **4110 meals** were delivered to seniors in St. Thomas during the months of September-December. On average this is 51 meals per weekday.

Adult Day Program: **578** client days from September, 2004-December 2004.

Administration Report

1. Staff Replacement

Mr. Mark Minor will be the new Environmental Services Supervisor at Valleyview. Mr. Minor began his duties on February 14th, 2005.

2. Family Council

A steering committee for a Valleyview Family Council was established. The first meeting was held on Wednesday, January 19th. Additional information will be provided as the Council develops.

3. Valleyview Bathing Program

Valleyview is now offering residents the choice of two baths a week as per the new compliance standards from the Ministry of Health and Long Term Care.

Respectfully,

Michael Carroll
Valleyview

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



-31-

Corporation of the
City of St. Thomas

Report No.

VV-002-05

File No.

Directed to:

Chairman B. Aarts and Members of the
Community and Social Services Committee

Date

February 21, 2005

Department:

Valleyview

Attachment

Prepared By:

M. Carroll, Valleyview Administrator

Project Report

Subject:

Valleyview Replacement-Monthly Report

Recommendation:

That the Valleyview Replacement report for the month ending December 31st, 2004 be received and filed as information.

Background:

Construction of the replacement facility for Valleyview started in August 2004 with the awarding of the construction contract to D. Grant and Sons, General Contractor. Enclosed is the regular monthly report from cm2r project management Inc. Below is a short summary of some of the items which are contained in the report.

Progress Report:

1. *Schedule*

The project is progressing on schedule with substantial completion scheduled for December 23, 2005. The Home is anticipated to be in a position to accept residents by March 2006. Please see section 4 of the report for additional information.

2. *Budget*

The total project budget is \$17,972,909. As of December 31st, 2004 expenditures have totaled \$3,268,116 As per the contract \$190,158 has been held back from the contractor until the project is complete. The project is meeting budget projections. Please see section 2 of the report for additional information.

3. *Replacement Committee*

The Replacement committee continues to meet to monitor the progress of the project. Currently, the committee is focusing much of its attention to the interior of the building and is involved in selecting colour schemes for the building. The Committee is also focusing on selecting names for each resident home area. The committee will continue to meet until the project is complete.

4. *Project Management/On-site representation*

The project management team assigned by cm2r is constantly monitoring the progress of the project and providing on-site representation, as well as working with staff to monitor the budget. Cm2r staff are also involved in ongoing issues associated with the project.

5. *Mekinda Snyder*

The firm of Mekinda Snyder continues to act as the primary consultant for the project. They ensure that the project is meeting the design specifications as set out in the tender document. They attend all site meetings and certificate the progress of the work at the site.

Staff will be in attendance at the meeting to answer any questions Members may have.

Respectfully,

M. Carroll
Valleyview Administrator

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

- 32

Report No.

ES11-05

File No.

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

Date
February 15, 2004

Department: Environmental Services Department

Attachment

Prepared By: John Dewancker, Director

- Sketch
- ES111-04
- Memo of October 2/02, by Fire Chief & Sketch
- Photos

Subject: Woodland Road "No Parking" Request

RECOMMENDATIONS

- That a no parking zone be established on the west side of Woodland Road between Woodland Avenue and the end of Woodland Road.
- That the City's Traffic By-law be 45-89 be amended to include such no parking zone on Woodland Road.

Report:

Origin

Renewed request by a property owner on Woodland Road for reconsideration by the City of a "no parking" zone along Woodland Road. At the meeting of February 14, 2005, Council requested that a further report be prepared on the parking provision along Woodland Road.

Analysis

At the September 2004 meeting by the Protective Services and Transportation Committee of Council, Members received report ES111-04 which recommended that a request for a parking restriction on Woodland Road be denied. This staff recommendation was based primarily on the fact that a number of property owners on Woodland Road did not concur with a possible parking restriction along this road. A copy of report ES111-04 is attached herewith for the information of the committee.

However, one additional aspect that needs to be considered in conjunction with the review of any need for a parking restriction is the maintenance of accessibility of a street for emergency vehicles, primarily fire response trucks. In this regard, the existing pavement width of Woodland Road, having a rural road cross section, is only 6m (8m in one location). When vehicles are parked on both sides of the street, then such width may be reduced to 2m, which is less than the minimum width requirement of 5.9m(19.5m) established by the Fire Code. A copy of the letter of October 8, 2002, by Roy Lyons, Fire Chief, and accompanying sketch showing the minimum clearance requirement for emergency vehicles is attached with this report.

In view of the above additional findings, it is recommended that a no parking zone be established along Woodland road from Woodland Avenue to the end of Woodland Road. Consistent with the recommendation by the Fire Chief, the no parking zone would be established on the side of the fire hydrant, which is the west side of the road.

It must be noted also that each local street in the City does not provide the above noted minimum clearance requirements for fire vehicles when cars are parked on both sides of the local street and as such, each local street in the City may, in the future, become subject to a parking restriction on one side if local road use conditions warrant such action.

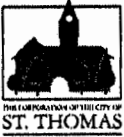
This report has been circulated to all property owners on Woodland Road and also has been reviewed by the Municipality of Central Elgin, as a portion of Woodland Road is a boundary road.

Respectfully submitted

John Dewancker, P.Eng., Director
Environmental Services

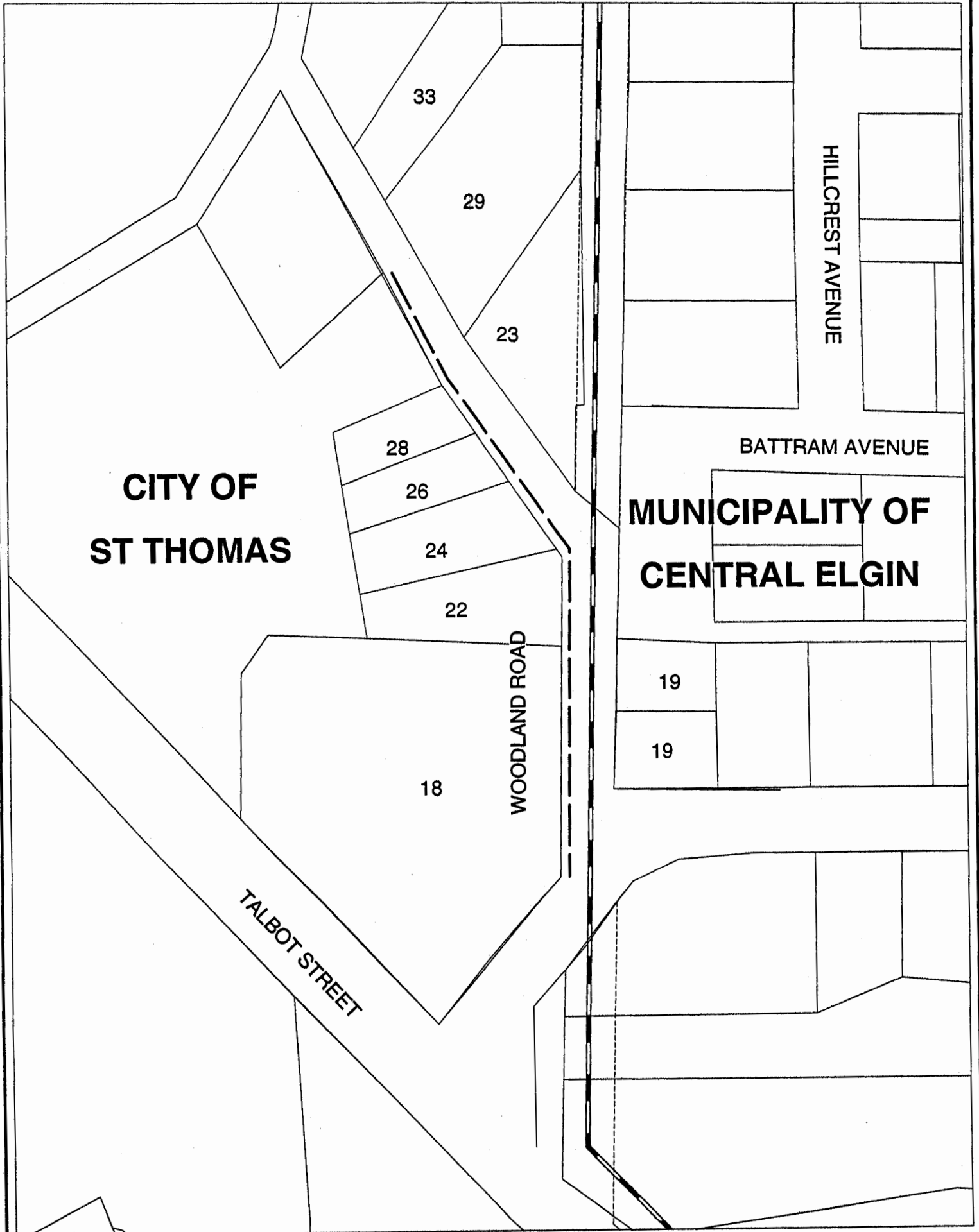
Reviewed By: _____
Treasury Env Services Planning City Clerk HR Other

cc: Don Leitch, CAO Municipality of Central Elgin
Roy Lyons, Fire Chief



CITY OF ST. THOMAS

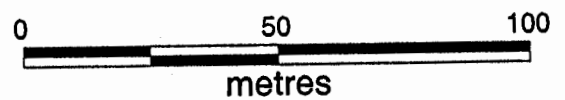
WOODLAND ROAD PARKING RESTRICTIONS



LEGEND

- • No Parking Zone
- ▭ St Thomas City Limits

SCALE



-34-



THE CORPORATION OF THE CITY OF
ST. THOMAS
Fire Department

305 Wellington Street
St. Thomas, Ontario
N5R 2T2

Telephone: (519) 631-0210
Fax: (519) 631-0215

Date: October 8, 2002

Mr. John Roberts

Traffic Co-Coordinator

Dear John:

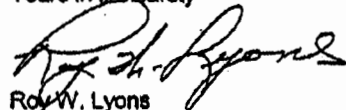
The St. Thomas Fire Department has been approached, by yourself, several times with concerns from citizens of St. Thomas about parking and no parking issues on city streets. We usually send out staff to check the streets for access, turn radius, as well as width of the roadway and the location of fire hydrants.

We would like to take this opportunity to propose a standard response for any request for parking concerns on any city street.

If any city street is 25 feet or less wide (the fire code requires 19.5 feet for emergency vehicles) we would request that parking be prohibited on one side of that road, and the side with the fire hydrants be the prohibited side. This would give emergency vehicles un-restricted passage, room to operate at an emergency scene and not have to worry about the possibility of having the hydrants blocked by cars.

Hope this will assist with concerns for parking from any citizen in the future.

Yours in fire safety


Roy W. Lyons



Corporation of the

City of St. Thomas

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Report No.

ES111-04

File No.

05-014-06

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

Date
September 20, 2004

Department: Environmental Services

Attachment
- Location Map
- Petition

Prepared By: Mark Sture, Supervisor of Roads and Transportation

Subject: Woodland Road - "No Parking" Request

Recommendation:

1. That the request by property owners for a parking restriction on Woodland Road be denied.

Report:

Origin

Staff recently received a request to implement a parking restriction on one side of Woodland Road from its northerly end to its "Y" at number 18 Woodland Road. Also a petition by area residents, in opposition to such parking restriction has been received by the City (copy attached).

Analysis

Staff received a request to implement a parking restriction on one side of the roadway on Woodland Road between the north end and number 18 Woodland Road (at the "Y" split). Woodland Road is a boundary road with no curb and gutter. The speed limit is a statutory 50 km/h. The homes on the east side of this road are in the Municipality of Central Elgin, and the homes on the west side are in St. Thomas.

The request was generated from one resident objecting to a neighbour parking in front of their home. A letter was circulated to all eleven (11) homes in the affected area requesting input on the requested parking restriction. To date, Staff have received one letter in support of the request and three in opposition to the request. Staff also received a petition from 6 residents on the street in opposition to the request.

Given the strong opposition to the request for a "No Parking" restriction, it is recommended that a restriction not be imposed.

Financial Considerations

None.

Alternatives

Impose a parking restriction on Woodland Road.

Respectfully,

Mark Sture, Supervisor, Roads and Transportation
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

-36-

Report No.

CC 06-05

File No.

Directed to:

Chairman T. Shackleton and Members of the Protective
Services and Transportation Committee

Date

February 11, 2005

Department:

City Clerks Office

Attachment

Prepared By:

Richard Beachey, Deputy City Clerk

Subject:

Extension of deadline for early purchase of dog tags at reduced rate

Recommendation:

That the reduced rate for dog tag purchases be extended to March 31, 2005 from February 15, 2005.

Origin:

The Dog tag renewal forms, issued by Treasury, were changed this year and as a result a delay in issuing the renewal notices has occurred.

Analysis:

As a result of the renewal notices not being sent out, public concerns have been expressed about the lack of renewal notices. It is proposed that the deadline for the purchase of dog tags at the reduced rate be extended from February 15, 2005 to March 31, 2005. The difference in rate is \$5.00 less prior to February 15 being:

		Before Feb 15th	After Feb 15th
1st dog		\$25.00	\$30.00
	spayed/neutered	\$20.00	\$25.00
2nd dog		\$30.00	\$35.00

The total reduction in revenue would be impossible to quantify, because of the lack of renewal notices this year.

Alternatives:

The Committee may:

1. Extend the reduced rate for dog tag purchases to March 31, 2005 from February 15, 2005.
2. Keep the existing deadline of February 15, 2005.

Respectfully submitted,

Richard Beachey
Deputy City Clerk

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the

City of St. Thomas

-37-

Report No.

FD02-05

File No.

Directed to: Chairman Terry Shackleton and members of the Protective Services and Transportation Committee

Date
January 31, 2005

Department: Fire Department

Attachment

Prepared By: Fire Chief Roy Lyons

Subject: Fire Department Year-end Report

Recommendation:

"THAT: The Year-end Report of the St. Thomas Fire Department be received as information.

Origin:

Council has requested that the Fire Department make a report available on Fire Department activities. This report will capsule the activities for the year 2004.

Report:

SUMMARY OF RESPONSES BY ST THOMAS FIRE DEPARTMENT JANUARY 1, 2004 TO DECEMBER 31, 2004

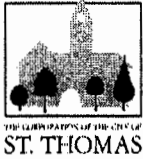
<u>Response types</u>	<u>YTD # of incidents</u>
Fires/Explosions/Pre-fire conditions	136
False fire calls	241
Public Hazards	113
Vehicle Accidents/Rescue	88
Medical/Resuscitator Calls	656
Other Responses	217
Total responses Jan 1 – Dec 31, 2004	1451

The total estimated dollar loss as of December 31, 2004 is \$707,650.00. The following are highlights of the year 2004 for St. Thomas Fire Department

- Captain Kevin Kernohan graduated from the Ontario Fire College after completing the Company Office program.
- The 3rd Annual Dennis Memorial Golf Tournament was a great success raising \$8,000.00 for the scholarship fund and \$2,000.00 for Memory Gardens.
- In January we hired the last 4 new recruits to complete the hiring as laid out in the Master Plan.
- On May 21st we received out new Pump/Rescue truck from Superior Fire Truck and it went into service in June.
- On Labour Day weekend the St. Thomas Professional Firefighters raised approximately \$10,000 for Muscular Dystrophy at their annual Fire Muster.
- The worst months for losses were February at \$245,000, July at \$155,000 and November at \$78,000.
- The teaching aid Hazard House, which is a miniature house full of safety hazards and scenarios, was purchased for St. Thomas/Elgin County Fire Departments through contributions of \$7,000 raised by the Fire Departments.
- St. Thomas Fire Department successfully participated in the Essential Level of Emergency Preparedness, conducted by Community Emergency Measures Coordinator, Ray Ormerod.
- Fire Prevention conducted 14 Fire Extinguisher Training sessions, which involved 215 people and 50 Fire Safety talks, with a participation of 3,177 people in the community.
- Fire Prevention instituted a home inspection program and no home was left without a working smoke alarm.

Respectfully,

Roy W. Lyons
Fire Chief



Corporation of the
City of St. Thomas

Report No.

CC 04-05

File No.

Directed to: Alderman T. Shackleton and Members of the Protective Services and Transportation Committee

Date
February 2, 2005

Department: Clerk's Department

Attachments

Prepared By: Richard Beachey, Deputy City Clerk

Subject: Animal Control Service 2004

RECOMMENDATION

That report CC 04-05 in regards to the operation of the Animal Control Service during 2004 be received as information.

ANALYSIS

The year 2004 was another very busy year for the City's Animal Control Service. Animals were admitted at the Animal Control Centre throughout the year. Ninety four formal telephone complaints were written up as well as numerous telephone enquires and concerns were addressed by the animal control staff. Serious dog bites were investigated by staff, which led to one dog being declared as a dangerous dog and after a lengthy process, the dog being euthanized.

The breakdown of the animals taken into the control centre is as follows:

D O G S		C A T S	
St. Thomas	244	St. Thomas	440
Other Municipalities	155		
TOTAL	399	TOTAL	440
Claimed by Owners	235	Claimed by Owners – or redeemed by Animal Aide	400
Available for Adoption	156	Available for Adoption	40
Euthanized	17	Euthanized	0

Any animals euthanized showed signs of an aggressive nature or were at the request of the owners. Most of these animals were euthanized under the direction of Animal Aide. Numerous wild animals such as squirrels, raccoons and rabbits were also euthanized as a result of severe injuries suffered by motor vehicle collisions or sickness.

Animal Bites

The hospital and medical practitioners are required to report all animal bites to the Elgin – St. Thomas Health Unit. The table below show the number of animal bites in the City for 2004.

	Domestic Dog	Stray Dogs	Domestic Cats	Stray Cats	Bats	Other Animals
2004	52	0	20	2	10	3

Respectfully,

Richard Beachey, Deputy City Clerk
City Clerk's Department

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



St. Anne's Community Festival

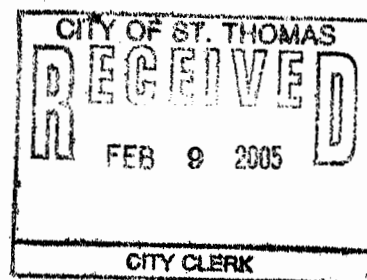
"Helping Others in OUR Community!"

20 Morrison Drive, St. Thomas, Ontario N5R 4S6

Telephone: (519) 631-3640

Fax: (519) 631-7938

February 8, 2005



Mr. W. Groves, City Clerk
City of St. Thomas
P.O. Box 520, City Hall
St. Thomas, Ontario N5P 3V7

Dear Mr. Groves:

The 34th Annual St. Anne's Community Festival is to take place on June 1,2,3,4, 2005 on the grounds of the Parish.

All of the necessary conditions to hold the annual event will be adhered to as in former years, and we hope it will be as successful and smooth-running as in former years.

The Alcohol and Gaming Commission of Ontario requires us to apply for a temporary extension of our existing liquor licence for a beer tent which will be attached to the restaurant tent which is adjacent to our licenced area (The Centre). The beer tent will be open on Wednesday, Thursday and Friday from 4:00 p.m. until midnight and on Saturday from 12:00 noon until midnight. The beer tent will be 38' x 47' and will have the capacity to hold 120 persons at any one time.

Will you please send us a letter of authorization from the city stating that you have no objection to the St. Anne's Community taking place; and no objection to the extension of our proposed extended licensed area, so that we may send it with the application to Toronto.

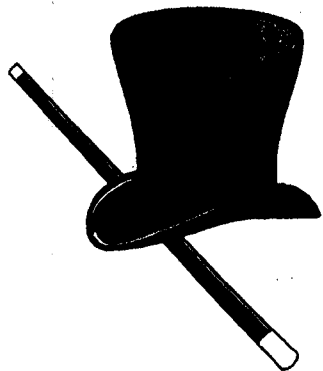
Thank you for your attention to this matter.

Yours truly,

Rev. Rick Dales
St. Anne's Community Festival

RD:cf

REFERRED TO	
C. EWASKIW	<i>mk</i>
M. STURE	
FOR	
DIRECTION	<input type="checkbox"/>
REPORT OR COMMENT	<input type="checkbox"/>
INFORMATION	<input checked="" type="checkbox"/>
FROM	M. KONEFAL



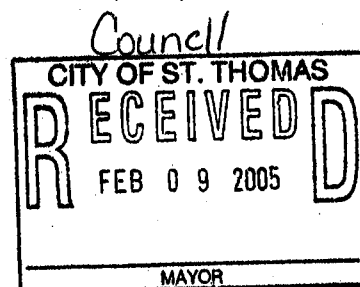
St. Anne's Community Festival

"Helping Others in OUR Community!"

20 Morrison Drive, St. Thomas, Ontario N5R 4S6

Telephone: (519) 631-3640

Fax: (519) 631-7938



February 8, 2005

Mayor Jeff Kohler and Members of City Council
City of St. Thomas
P.O. Box 520
St. Thomas, Ontario N5P 3V7

Your Worship and Members of Council:

The 34th Annual St. Anne's Community Festival is to take place on June 1,2,3,4, 2005 on the grounds of the Parish. As in other years, we, the Board of Directors, seek the approval and authorization of the Mayor and City Council.

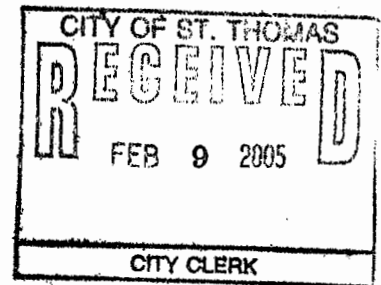
All of the necessary conditions will be adhered to as in former years, and we would be most grateful for your attention to this matter.

Sincerely,

Rev. Rick Dales
ST. ANNE'S COMMUNITY FESTIVAL

RD:cf

-41-



The Corporation of the City of St. Thomas
545 Talbot Street,
St. Thomas, ON, N5P 3V7

January 31, 2005

Attention: The Mayor & Members of St. Thomas City Council

Re: Delaying the March 1st, 2005 Implementation Date of By-Law 89-2004

Dear Members of Council:

On January 26, 2005 a majority Bar and Pub Owners and other interested parties gathered and have asked me to provide this communication for City Councils' consideration at the next Community and Protective Services Committee.

Please find enclosed a pack of petitions (attachment A) that have been gathered since this time last year, asking the City of St. Thomas to delay this issue until such time that the Province of Ontario, provides all municipalities across the province with legislation and regulations to govern the smoking of a lit tobacco product. The province at that time did not give any indication when we would see movement on this matter.

Enclosed is a list of establishment owners (attachment B) who are again asking you to delay the implementation of By-Law 89-2004 until the Province of Ontario sets out guidelines for Smoke Free Ontario.

Rationale

1. The Province of Ontario has moved forward with Bill 164, there are contents within the Bill that contradict By-Law 89-2004.
2. There are issues within Bill 164 that are silent within By-Law 89-2004 example: the display of tobacco products in convenience stores.
3. It is our understanding that Bill 164 has completed first reading and heading for committee and a consultation process this spring.
4. There are at least two constitutional challenges on this issue, which will be heard by the Supreme Court of Canada this coming March and May. It is our understanding that the same clauses in those municipal by-laws are similar to By-Law 89-2004.
5. Why not move forward with a clear set of regulations once, at this time there are conflicting messages in the media as to what Smoke Free Ontario will be.
6. Continuous changing of the rules from whatever level provincial, municipal, has created confusion as to expectations of the initiative.

Thank-you for the information packages some of us received. We however need to seek further clarification of the information we received.

1. The extension number enclosed to call for more information tells the caller there is no such extension.
2. A few owners have acquired copies of By-law 89-2004, but the By-law is still silent on the following issues.
 - a) Are you expecting each propoetior to police this By-Law? If not whom will we see as enforcement?
 - b) What are the fines for non-compliance?
 - c) What is the definition of a public place? Do you believe that each of these private enterprises listed below are public places?
3. Has the fee structure sent to the Attorney Generals Office on 24 August 2004 been approved or is it pending because the Province of Ontario has Bill 164 on the table?
4. Where do we file for compensation due to loss of business complying with the City of St. Thomas By-Law 89-2004?

Final thoughts a majority of establishment owner's hold close to their hearts that choice is the underlying missing message. If an establishment owner wishes to go 100 % Smoke Free, or provide designated smoking rooms/areas/patios for their clientele, this should be their choice. Why not post sign outside the establishment stating "Smoking establishment"? This allows a member of the public older then 19 years of age to make the choice of crossing their thresholds into either a smoke filled room or a smoke free one.

Are not sidewalks a public place? Would it not be setting a better example for the young people of St. Thomas not to see adults standing around on the streets smoking?

Regards

George Wilson
Manx Arms

