

AGENDA

THE TWENTY-FOURTH 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 MAY 16TH, 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 B. Aarts

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meetings held on May 9th, 2005.

DEPUTATIONS

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

Request for Street Naming - Draft Plan of Subdivision File #34T-04510 - Southgate Village
Phase 5

A letter has been received from Greg Tarry, Doug Tarry Ltd. requesting that Street "A" in

Draft Plan of Subdivision File #34T-04510 be named "Coleman Court" and that the southerly extension of Faith Boulevard be named "Barrett Boulevard". **Page 5**

The Fire Chief has indicated that street numbers for Coleman Court should start from Southgate Parkway and run south and westerly, ending at the cul-de-sac, which is comprised of semi-detached lots. As such these numbers cannot be assigned until the easterly phase of the development is known.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

Confidentiality of Information Policy

Report HR-07-05 of the Director Human Resources. **Pages 6 to 9**

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

NEW BUSINESS

2005 Annual Resurfacing & Sidewalk Replacement Program - Award of Tender

Report ES 56-05 of the Manager of Operations & Compliance. **Pages 10 & 11**

Fire Department Substation

Report FD06-05 of the Fire Chief. **Pages 12 to 15**

Report TR 24-05 of the Director of Finance & City Treasurer. **Pages 16 & 17**

St. Thomas-Elgin Community Centre Complex/Twin Pad Arena - Contract with Norlon Builders

Report TR 25-05 of the Director of Finance & City Treasurer. **Pages 18 & 19**

St. Thomas-Elgin Community Centre Complex/Twin Pad Arena and Knights of Columbus Joint Use of Parking Lot- Property Exchange

Report ES54-05 of the Director, Environmental Services. **Pages 20 to 30**

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Request for Staff - Child Care Supervisor

NEW BUSINESS

Monthly Report St. Thomas-Elgin Community Centre Complex/Twin Pad Arena Pages 31 to 34

BUSINESS CONCLUDED

PROTECTIVE SERVICES AND TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Speed Limits - Sandymount Hill Areas - Speed Zone

NEW BUSINESS

Police Services Report

Burwell Road - Request for Stop Signs

A letter has been received from Brad Myall, 5 Ponsford Place, requesting stop signs at the intersection of Donker Drive and Burwell Road and McGregor Court and Burwell Road. Page 35

BUSINESS CONCLUDED**REPORTS PENDING**

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 - Supervisor Roads & Transportation

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES - J. Dewancker

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 COMMUNICATIONS

Spina Bifida & Hydrocephalus Association of Ontario - Proclamation - June 2005

A letter has been received from Derryn Gill, Chair, Board of Directors, Spina Bifida & Hydrocephalus Association of Ontario, requesting that Council proclaim the month of June 2005 as "Spina Bifida & Hydrocephalus Awareness Month" in the City of St. Thomas.

CIBC World Markets Children's Miracle Foundation

An invitation has been received from Rebecca Thomas, CIBC World Markets Children's Miracle Foundation, to nominate an individual for the Young Miracle Maker Award for volunteer or advocacy contributions to health, education and well-being of children and youth in their community. The deadline for nominations is September 30th, 2005.

UNFINISHED BUSINESS

NEW BUSINESS

BY-LAWS

First, Second and Third Reading

1. A by-law to confirm the proceedings of the Council meeting held on the 16th day of May, 2005.
2. 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 Doug Tarry Limited. (Lake Margaret Estates Phase VI, Subdivision File #34T-04509 - 41 lots for single detached dwellings)
3. A by-law to authorize a contract with Norlon Builders London Limited. (\$11,478,966.09 - St. Thomas-Elgin Community Centre Complex/Twin Pad Arena)
4. 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 Bell Mobility Inc. (Tower Lease - North side of Wellington Street and east of Fifth Avenue)

PUBLIC NOTICE

Council will consider a bylaw to change the composition of Council by increasing the size of Council by one member at the June 6th, 2005 meeting.

NOTICES OF MOTION

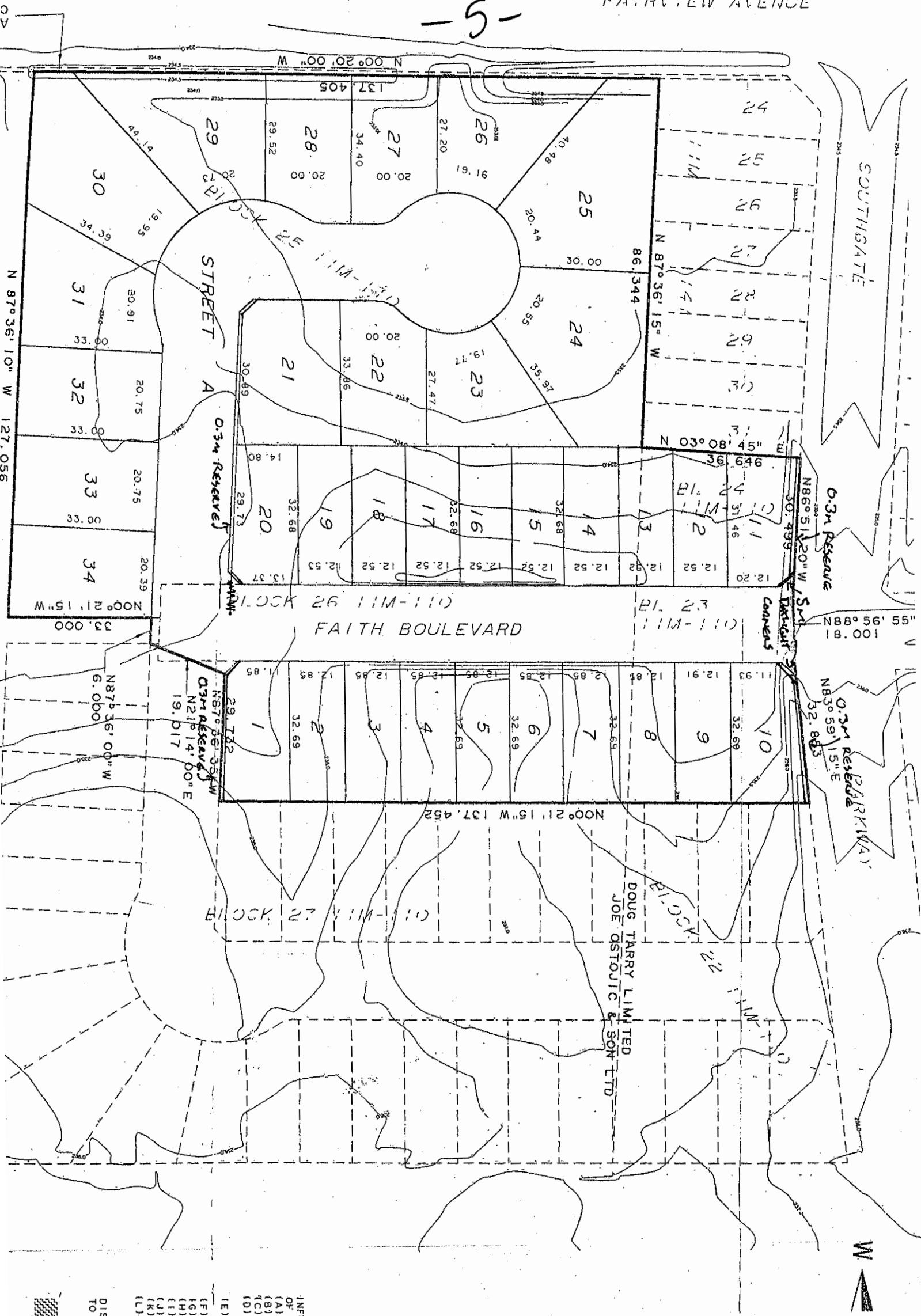
CLOSED SESSION

A resolution to close the meeting will be presented to deal with a matter of potential litigation affecting the municipality.

OPEN SESSION

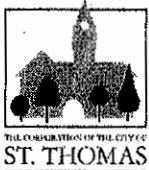
ADJOURNMENT

CLOSING PRAYER



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**The Corporation of the
City of St. Thomas**

Report No.: HR-07-05

File No.:

Directed to: Alderman Dave Warden and Members of the
Personnel & Labour Relations Committee

Date: May 6, 2005

Subject: CONFIDENTIALITY OF INFORMATION POLICY

Department: Human Resources

Prepared By: Graham Dart

Attachment: Policy # HR-06-06
Confidentiality of Information

Recommendation:

That Council approve Corporate Policy #HR-06-06, Confidentiality of Information as attached to this report.

REPORT:

On a daily basis, Municipal employees deal with confidential and/or sensitive information. While it is understood that such information must be treated with respect and that security measures to protect the confidentiality and sensitivity of the information must be taken, there is no written direction to employee's regarding this.

Policy #HR-06-06, Confidentiality of Information, provides this. Once approved by Council this policy will be provided to all current and newly hired employees who will be requested to sign a confirmation that they have read the policy and will abide by it.

This report and Policy # HR-06-06 Confidentiality of Information was reviewed by the Management Board at their May 5, 2005 meeting.

Respectfully submitted

Graham Dart, AMCT, CMM III
Director, Human Resources

Reviewed by:

Treasury

Env. Services

Planning

City Clerk

Valleyview

Fire

***Human Resources
Policy and Procedures
Manual***

Section:

RULES, REGULATIONS & DISCIPLINE

Subject:

CONFIDENTIALITY OF INFORMATION

PURPOSE

To establish rules for the handling of confidential information.

POLICY STATEMENT

The day-to-day business of local government requires staff to manage confidential information with which the City has been entrusted. Staff must ensure that this information is treated with respect and must take all reasonable steps to ensure that security measures to protect confidentiality are consistent with the sensitivity of the information.

PROCEDURE

For the purposes of this statement, confidential information includes, but is not restricted to, personal information, as defined in this policy, and sensitive corporate and third-party business information.

In order to conduct legitimate City business, there may be a necessity for a staff member to disclose confidential information to another City staff member, to a staff member of another government agency, or to an external organization or individual.

Such disclosure must:

- a) be for clear business purposes,
- b) be to an individual who is clearly authorized to receive and use the information, and
- c) consistent with provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Should an employee be uncertain about the appropriateness of any disclosure of information, the employee should speak to the employee's supervisor.

In the course of performing their duties staff may be required to work outside their conventional work location. Examples of this type of working assignment might include attending meetings at hotels or conference centers, appearing in court or at tribunal hearings, conducting investigations, making visits to clients or other government agencies.

EFFECTIVE DATE:

SUPERCEDENCE DATE:

Policy No:	HR-06-06	Section:	RULES, REGULATIONS & DISCIPLINE
Page:	2 of 3	Subject:	-8- CONFIDENTIALITY OF INFORMATION

In the course of conducting this business, it may be necessary to transport records containing personal and confidential information. Such records may be in either a paper or an electronic format and in the case of the electronic format, it could be on laptop computers or in wireless communication devices.

Staff should only remove records containing personal and confidential information from their work location when it is absolutely necessary for the purposes of carrying out their job duties and where required, permission must be obtained from the employee's supervisor if possible, only copies should be removed with the originals left in the office.

All reasonable steps must be undertaken to ensure the security of such personal and or confidential information.

The loss or theft of personal information should be reported immediately to the employee's supervisor. If personal information has been lost through theft the police should be notified as well.

COMPLIANCE

All employees are expected to comply with this Policy. An employee's failure to adhere to this may result in discipline up to and including discharge.

DEFINITION

For purposes of the statement and as defined under the Municipal Freedom of Information legislation:

"Personal Information" means recorded information about an identifiable individual, including,

- (a) Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transaction in which the individual has been involved.
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except if they relate to another individual,

EFFECTIVE DATE:	SUPERCEDE DATE:

Policy No:	HR-06-06	Section:	RULES, REGULATIONS & DISCIPLINE
Page:	3 of 3	Subject:	CONFIDENTIALITY OF INFORMATION

- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the view or opinions of another individual about the individual, and
- (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

EFFECTIVE DATE:	SUPERCEDE DATE:
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Corporation of the

City of St. Thomas

Report No.

ES 56-05

File No.

08-287-00

Directed to: Chairman Cliff Barwick, and Members of the Finance and Administration Committee**Date**

May 3, 2005

Department: Environmental Services**Attachment****Prepared By:** Ivar Andersen, Manager of Operations & Compliance

ES 29-05

Subject: 2005 Annual Resurfacing & Sidewalk Replacement Program – Award of Tender**Recommendation:**

It is recommended that:

1. The tender submitted by TCG Asphalt & Construction Inc. in the amount of \$307,274.41, including taxes, for the construction of the 2005 Annual Resurfacing & Sidewalk Replacement Program be accepted.
2. That the source of the additional funding of \$50,000 required to complete this work be the surplus derived from the tax supported portion of the Balaclava Street reconstruction project tendered in 2004.
3. The City Clerk and Mayor be authorized to execute the contract.
4. The contractor be authorized to proceed with the work.

Origin:

In December 2004, City Council approved the capital budget of \$250,000 for the Annual Resurfacing & Sidewalk Replacement Program. Earlier this year, Council adopted Report ES 29-05, attached, which outlines all the areas of work proposed in this capital project.

Analysis:

Tenders for the 2005 Resurfacing Sidewalk & Replacement Program were closed on April 28, 2005, and opened in public on the same date. Three bidders submitted tenders as follows:

Bidder	Submitted Tender Price
TCG Asphalt & Construction Inc.	\$307,274.41
Del-ko Paving Construcion Co. Ltd.	\$313,708.70
Towland (London) 1970 Limited	\$337,242.64

The tenders were checked by this department and no errors or omissions were found.

The tenders submitted are substantially higher than the original estimate for the work because of higher unit prices related to the low volume of work being tendered in various locations.

Financial Considerations:

Following is a summary of the expenditures of the project along with the proposed sources of funding;

Expenditure

Contract*	\$287,172.35 (excluding GST)
Design & Inspection	<u>\$12,827.65</u>
Total	\$300,000.00

Funding

2005 Capital Budget	\$250,000.00
Surplus on favourable Tender	<u>\$50,000.00</u>
Total	\$300,000.00

* The contract includes a contingency allowance of \$15,000.

** This amount is derived from the tax supported surplus from the Balaclava Street reconstruction capital project from 2004. The projected tax supported surplus for this project is projected to be more than \$150,000.

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

Report No.

ES 29-05

File No.

08-286-00 & 08-287-00

Directed to: Chairman M. Turvey, and Members of the Environmental Services Committee of Council

Date
March 31, 2005

Department: Environmental Services

Attachment

Prepared By: Ivar Andersen, Manager of Operations & Compliance

Subject: 2005 Annual Sidewalk and Road Resurfacing Program

Recommendation:

That the proposed included list of sidewalk replacement and road resurfacing projects be approved for construction in 2005, subject to the tender pricing being within the approved capital budget.

Origin:

In December, 2004, City Council approved 2005 capital budgets of \$200,000 to undertake road resurfacing and \$50,000 to undertake sidewalk replacement and curb replacement at various locations throughout the City. This report provides a list of locations for this proposed work for the information and review of Council. This list is shorter than in previous years as the budget was substantially reduced from the \$408,000 allotted in the past.

Analysis:

For 2005, the following road resurfacing, curb and sidewalk construction is proposed:

- Talbot Street from Balaclava Street to Inkerman Street; replace curb & gutter and sidewalk
- Rapelje Street from Elm Avenue to Mandeville Street; replace curb & gutter and resurface road
- Chestnut Street from First Avenue to north walkway; replace curb & gutter and resurface road
- Glanworth Avenue/Ashton Place from First Avenue to Aldborough Avenue; resurface road
- Walkway from Chestnut Street to Locust Street; pave walkway
- Oldewood Park at east leg of Carrie Crescent; complete sidewalk construction
- Walkway from Rosethorn Park to Rosethorn Court; asphalt walkway

It should be noted that the resurfacing program does not involve full reconstruction of the road and usually only includes minor curb replacements, unless noted otherwise. Also, this program used to be included in the Environmental Services' annual operating budget as a special Public Works Roads Project.

The proposed program is contingent on tender pricing. Modifications to the proposed program may be required to stay within the approved capital budget.

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 - 12 -

Report No.

FD06-05

File No.

Directed to:

Chairman Terry Shackleton and members of the Protective Services and Transportation Committee

Date

May 5, 2005

Department:

Fire Department

Attachment

Prepared By:

Fire Chief Bob Barber

Site Location Map
Fit Up Costs List

Subject:

Fire Department Substation

Recommendation:

"THAT: St. Thomas Council approve the Fire Department Action Plan for the construction of a new Fire Substation together with the total project budget of \$ 1,189,091.00

Analysis:

In July of 2001 the Fire Department prepared a 5-year Master Plan at the request of St. Thomas City Council. The general purpose of this report was to review and recommend changes to the Fire Department, one of which was a substation. In early 2004 a committee was formed. It consisted of the Fire Chief, Deputy Chief, Captain Warren Scott and Captain Rob Broadbent. The committee met several times, visited many substations in the area and gathered pertinent data in order to make its recommendations.

It was determined by the committee that there is a definite need for a fire substation and that the preferred location is in the northern sector of the City of St. Thomas. The primary reasons for this decision were:

1. Over crowding at 305 Wellington St, due to the hiring of 17 firefighters over the past three years.
2. Unprecedented growth in the north end of the City.
3. The location of the new Valleyview Home for the Aged being located in the north end of the City.
4. The need for a Fire Department station north of the CN tracks.
5. Staffing is now at a level that allows us to properly man another station.
6. To reduce response times for industry and residential in this area.

In 2005 Council formed its own Substation Committee, consisting of Alderman Shackleton, Alderman Barwick, Alderman Johnston and Mayor Kohler. Former Chief Lyons, Chief Barber and Captain Scott (President of the Professional Firefighters Association) were invited to join.

The committee, using accepted guidelines from the Fire Marshall's Office, considered a number of sites. The criteria included response times, cost, access to arterial roadways, lot size, ownership of the property and zoning. The preferred site is owned by the City (EDC) and zoned select industrial zone M4 and the use of the property for a fire substation is permitted as a public service use, under the provision of zoning by-law 50-88.

The project will be processed through the Site Plan Committee for approval. The architect and staff will make a presentation to council for approval of drawings before tender.

The Sub Station committee met several times and as a result of these meetings the committee is now prepared to present an Action Plan for Council's approval.

Action Plan:

- a. 1. Site recommendations - The Committee recommends the 1.9 acre site located due north of 300 Burwell Road
2. Hire architect - Tender process
3. Schedule

June - August 2005
September 2005
October - April 2006
April 2006

Design
Tender
Construct
occupancy

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The project schedule misses the end of the 2005 school board work which usually clogs up the General Contractors interest in bidding - September is usually a good month as the school work is complete and GC's are eagerly looking for their Autumn work that can occur through the winter months (the construction strategy would be: prior to winter > foundation, structure, watertight roof and exterior walls, which then allows the remainder of the work to occur inside over the winter months, the site work would finish up in April of 2006)

b. Proposed costs for the new Fire Sub Station

1.	2 bay single depth, 6500 sq. ft. building	900,000.00 (GST recovered)
2.	Fit up costs (Vehicle exhaust system, generator, furniture and fixtures)	120,000.00
3.	Architectural costs	75,000.00
4.	Site acquisition (EDC commission) costs	6,300.00
5.	Site servicing costs (Geological testing & survey, building permit and water and sewer connection)	10,000.00
Total		1,111,300.00
Plus 7% contingency		77,791.00
Total cost		1,189,091.00

Financial Consideration: Information to be provided by Bill Day.

Respectfully,



Bob Barber
Fire Chief

Note: The Management Board members have made individual comments on this report (by email), given the short time frames for submission of the report to meet the May 16th meeting of Council.

**Location Plan
Proposed No. 2
Fire Sub Station**

**Subject Lands
1.9 acres**

Scale: 150 0 150 300 Meters

**Subject
Lands
1.9 acres**

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Projected Cost for New Sub Station for Furniture and Fixtures

Dormitory	Bed & Mattress 4@ \$750.00	3,000.00
	Pillows and blankets	700.00
Dining Room	6 chairs and table	2,000.00
	5 Lounge chairs	3,500.00
	Radio & TV	500.00
	Bookcase – VCR	500.00
Kitchen	Fridge	1,200.00
	Stove	750.00
	Microwave	250.00
	Dishwasher	500.00
	Dishes & silverware	250.00
	Pots & pans	500.00
Training/Officer Room	File cabinets	500.00
	Desk & chair	2,500.00
	Computer	2,000.00
Phone System – Intercom ?		5,000.00
Washer & Dryer		1,500.00
Riding Lawn Mower/hand mower/weed eater		7,500.00
Tool Box & tools		2,500.00
Brooms/mops/buckets, etc		500.00
Fence		1,000.00
Exercise room in partnership with Association		5,000.00
Power Washer – apparatus floor		2,500.00
Air Compressor		1,500.00
Vehicle Exhaust System		35,000.00
Generator (Back-up)		35,000.00
Lockers (20)		5,000.00
Total		120,650.00



Corporation of the

City of St. Thomas

Report No.

TR 24-05

File No.

Directed to:

Chairman Cliff Barwick and Members of the Finance & Administration Committee

Chairman Terry Shackelton and Members of the Protective Services and Transportation Committee

Date**May 10, 2005****Department:**

Treasury

Prepared By:

William J. Day, City Treasurer

Attachment:

none

Subject:**Fire Department Substation****Recommendation:**

It is recommended that Council refer the Fire Substation project to Part 1 of the 2006 Capital Budget for consideration at that time.

Background:

The Fire Chief has submitted Report number FD 06-05 for the Committee's consideration. The Report recommends that Council approve a new Fire Substation at a gross cost of \$1,173,691 and that the project proceed immediately.

Comments:

On March 29th, 2005, Council adopted the 2006 Operating Budget and Part 2 of the Capital Budget. Previously, on November 22nd, 2004 Council approved Part 1 of 2005 Capital Budget.

Each year Council is faced with numerous requests for capital expenditures. Invariably, demands far outweigh available funding and as such, Council is faced with the significant challenge of prioritizing expenditure requests. Ultimately, only those projects that have competed successfully for the available financial resources are approved. It is critical to the financial health and success of the City that all projects competing for the scarce financial resources of the municipality be considered at the same time. Adhering to this process serves to ensure that only the highest priority projects are being approved and that we are living within our financial means.

Introducing and approving an individual project outside of the normal budgeting and priority setting process is dangerous and therefore not recommended. Council is well aware of the numerous "big ticket" property tax supported projects facing us at this time including roads and bridges, parks facilities, our library facility, our police facility, CASO properties, etc. A large component of these projects must be accommodated from property tax funding included in Part 1 and Part 2 Capital which in 2005 provided \$2,693,700.

We recognize that regardless of our position on this matter, Council may choose to approve and initiate the Fire Substation project at this time. Should this be the case, we would recommend the following sources of funding, it being noted that we have not conducted any reviews to confirm the completeness or accuracy of the estimated project costs. Furthermore we understand that the Fire Chief has estimated annual operating costs associated with the new facility to be in the order of \$31,000.

Source of Funding	Amount
Facilities Reserve	\$400,000
Development Charges Reserve Fund	\$283,208
Fire Reserve	\$155,000
Pre-Commitment of 2006 Capital Budget - Part 1	\$335,483
Total	\$1,173,691

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Conclusion:

In recognition of the principles of budgetary discipline and due process we recommend that the Fire Substation project be referred to the 2006 Capital Budget-Part 1 which will be presented to Council in November of this year.

Respectfully submitted,



W. J. Day
Director of Finance and City Treasurer



Corporation of the

City of St. Thomas

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Report No.

TR 25-05

File No.

Date

May 10, 2005

Directed to:

Chairman Cliff Barwick and Members of the Finance & Administration Committee

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

Department: Treasury

Attachments:

Appendix "A"
Summary of Contract Documents

Prepared By: William J. Day, City Treasurer

Subject: Community Centre Complex – Contract with Norlon Builders

Recommendation:

It is recommended that Council authorize the Mayor and Clerk to execute a contract between the Corporation of the City of St. Thomas and Norlon Builders London Limited for the construction of the Community Centre Complex.

Comments:

The contract with Norlon Builders London Limited to construct the Community Centre Complex has been reviewed by the project manager, City staff and legal counsel. It is now in order that the City enter into the contract with Norlon.

We have attached Appendix "A", a summary of contract documents which was prepared and presented to Council at a previous meeting. Should members be interested in reviewing the contract document, we have made a copy available in the Clerks office.

The project manager and staff will be in attendance to answer any questions that Council may have.

Respectfully submitted,

W. J. Day
Director of Finance and City Treasurer



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SUMMARY OF CONTRACT DOCUMENTS

For Presentation to Council on May 16, 2005

Between: Norlon Builders London Limited and The City of St. Thomas

Effective Date: June 17, 2004

Contents:

1. Canadian Construction Document Council (CCDC), Standard Construction Document #14, 1975: design-build stipulated price contract
2. Contract Cost Summary
3. Construction Schedule
4. Supplementary Conditions to CCDC Document #14
5. June 17, 2004 Letter of Intent
6. Building Excavation / Engineered Fill Information
7. Third Avenue Extension and Site Services (Parking Lot) Information
8. Supplementary Contract Information
 - 8.1 Minutes of Meetings
 - 8.2 Request for Proposal, May 2002
 - 8.3 Correspondence
9. Contract Drawings



Corporation of the

City of St. Thomas

Report No.

ES54-05

File No.

2 Third Avenue, 265 Wellington Street

Directed to:

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

Date

May 2, 2005

Department:

Environmental Services

Attachment

Prepared By:

J. Dewancker, Director,
Environmental Services

- Plan of parking lots and proposed property exchange
- Letter of March 17, 2005 by Knights of Columbus
- Letter of March 4, 2005, by Spriet Associates
- Meeting minutes of November 26, 2004, between City and Knights of Columbus representatives

Subject:

Community Complex and Knights of Columbus Joint Use of Parking Lot – Property Exchange

Recommendation:

- That the City of St. Thomas and the Knights of Columbus enter into an agreement respecting the joint use of the Knights of Columbus parking lot at 265 Wellington Street and the parking lot of the St. Thomas-Elgin Community Complex at 2 Third Avenue.
- That the proposed property exchange as outlined in ES54-05 be approved.
- That the cost of the preparation of the associate engineering design, survey and legal work in the estimated amount of \$6,000 be identified as an unbudgeted expenditure in the June 30 Budget Monitoring Report.

Origin:

At the request of the Project Management Team of the St. Thomas Elgin Community Complex project, Environmental Services Staff have met with representatives of the Knights of Columbus to review the means by which a joint use of the existing and proposed parking lots on the Knights of Columbus property and the Community Complex property respectively can be achieved. Three meetings on December 17, 2004, February 3, 2005 and April 28, 2005, were held and attended by the following: Maurice Beaudry, Roy Esbaugh, Bob Gracey, Bob Beausoleil, Larry Gigun (Spriet and Associates, December 17, February 3), Peter Hegler (December 17, February 3), and John Dewancker.

Analysis:

In order to assess the feasibility of a joint use of the adjoining parking lots, the firm of Spriet and Associates was retained to prepare a parking lot design for their property and to prepare a construction cost estimate.

The construction cost estimate of the asphalt works is \$37,000, excluding the cost of removal of existing cinder materials and the placement and compaction of a granular roadbase. A site plan showing the interface between both parking facilities is attached herewith for the information of the members.

On March 17, 2005, the Knights of Columbus advised that they do not intend to proceed at this time with the parking lot construction, however, the joint use of the current parking area at the rear of the Knights of Columbus to accommodate any overflow parking needs during any larger function at the Community Complex would remain open and be subject to the following:

1. Use of a mutual entrance off Third Avenue extension. As the hydro pole layout on the east side of Third Avenue interfered with the construction of a mutual entrance, a joint access with connecting laneway(s) between both parking lots became a second option which is currently being implemented as shown on the attached drawing. An agreement between the City of St. Thomas and the Knights of Columbus will be required to formalize such joint access and parking lot use.
2. An exchange of property between the Knights of Columbus and the City of St. Thomas involving the hatched area on the attached plan and a 2m wide roadway widening along the Wellington Street frontage of the Knights of Columbus property. This property exchange could also be covered in the above-noted agreement with the City of St. Thomas. The road widening property will need to be made a part of the Wellington Street road right-of-way (by-law). Also, the continuity of compliance with the Zoning By-law of the building setback of the existing Knights of Columbus building relative to the new Wellington Street road right-of-way

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would need to be verified, however, such continuity of compliance has in the past not been a prerequisite to permit a road widening to be acquired for a future municipal roadway or intersection improvement.

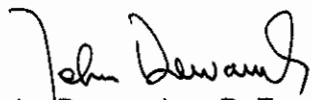
- 3. The City payment of the engineering, survey, legal etc., costs associated with the joint use of the parking lot(s). The cost of engineering to date is \$2,855.84, as shown on the attached invoices by Spriet Associates. This cost is deemed to remain unchanged in the near future since the engineering design work, with the exception of a geotechnical/environmental assessment, has been completed, however, there is an additional future cost associated with the preparation of a survey (reference plan) for the proposed property exchange as well as a legal cost for the preparation of the joint use agreement.

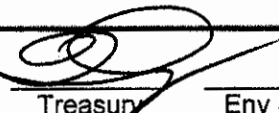
Financial Considerations:

The total estimated cost of the engineering, survey preparation, legal assistance and registration of survey and legal agreement is approximately \$6,000. It is recommended that this City expenditure be authorized and that it be identified as an unbudgeted expenditure in the June 30, 2005, Budget Monitoring Report.

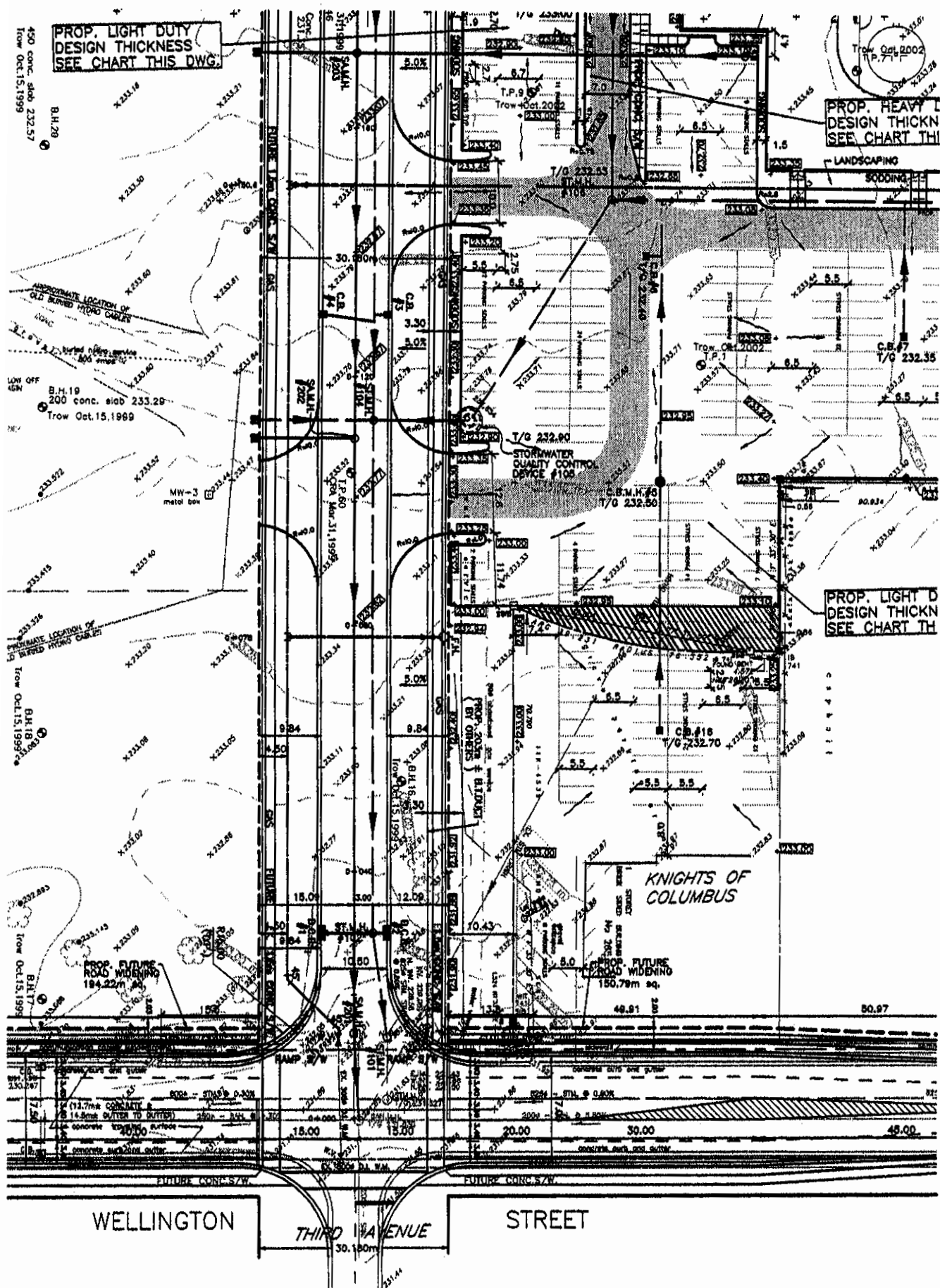
This report was reviewed by the Management Board at its meeting of May 5, 2005.

Respectfully Submitted,


John Dewancker, P. Eng., Director
Environmental Services

Reviewed By:  Treasury Env Services Planning City Clerk HR Other

Cc: Maurice Beaudry, Knights of Columbus



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MAR - 3 2005

March 4, 2005

Corporation of the City of St. Thomas
Environmental Services Department
545 Talbot Street, Box 520
ST. THOMAS, Ontario N5P 3V7

Attention: Mr. John Dewancker, P. Eng.
Director of Environmental Services
and City Engineer

ENVIRONMENTAL
SERVICES

JD	
IA	
PH	
CF	
MS	
RT	
JF	
FILE	2 Third Ave 265 Wellington St E



**SPRIET
ASSOCIATES**
ENGINEERS & ARCHITECTS
155 York Street
London, Ontario N6A 1A8
Tel. (519) 672-4100
Fax (519) 433-9351
E-mail: mail@spriet.on.ca
www.spriet.on.ca

Dear Mr. Dewancker:

Re: Knights of Columbus
265 Wellington Street
Parking Lot Drainage/Entrance
Our Reference No. 205020

This will confirm the meeting of February 3, 2005 with yourself, Mr. Peter Hegler, P. Eng. of your department together with Mr. Roy Esbaugh and Mr. Maurice Beaudry who were representing the Columbus Club, for the purposes of discussing future entrance and exit movements from the above noted property and/or the possibility of the sharing of parking spaces with the new St. Thomas-Elgin Community Centre.

Two (2) preliminary parking/entrance schemes were presented as Scheme 'A' and Scheme 'B' which are enclosed herewith for your easy reference with Scheme 'B' being the preferred and accepted scheme by all parties. Subsequent to the meeting, upon receipt of a proposed hydro pole layout from St. Thomas Energy, it was noted that hydro pole spacing would not allow the entrance from Third Avenue to be constructed in the location as shown on Scheme 'B', but required the entrance to be shifted approximately ten (10) meters northerly to the originally proposed entrance location.

In addition, it was mutually agreed that the Columbus Club would provide the City with a 3.048 meter wide strip of land along their frontage on Wellington Street for a future roadway widening in exchange for an irregular curved parcel of land at the rear of the Columbus Club property. All costs involved with the property "swap" would be assumed by the City of St. Thomas and the Columbus Club would be responsible for all costs related to extending the storm drainage system from the Community Centre into the Columbus Club property as required.

It was also agreed that the current entrance into the Columbus Club property from Wellington Street would become a "right-in" and "right-out" in the future once any widening of Wellington Street takes place and that access to or exit from the Columbus Club property would require crossing the Community Centre property.

Please call if you have any questions or concerns.

Yours truly,

SPRIET ASSOCIATES LONDON LIMITED

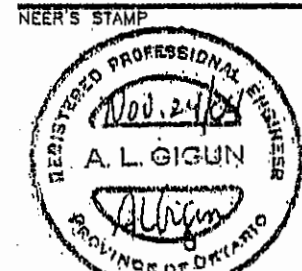
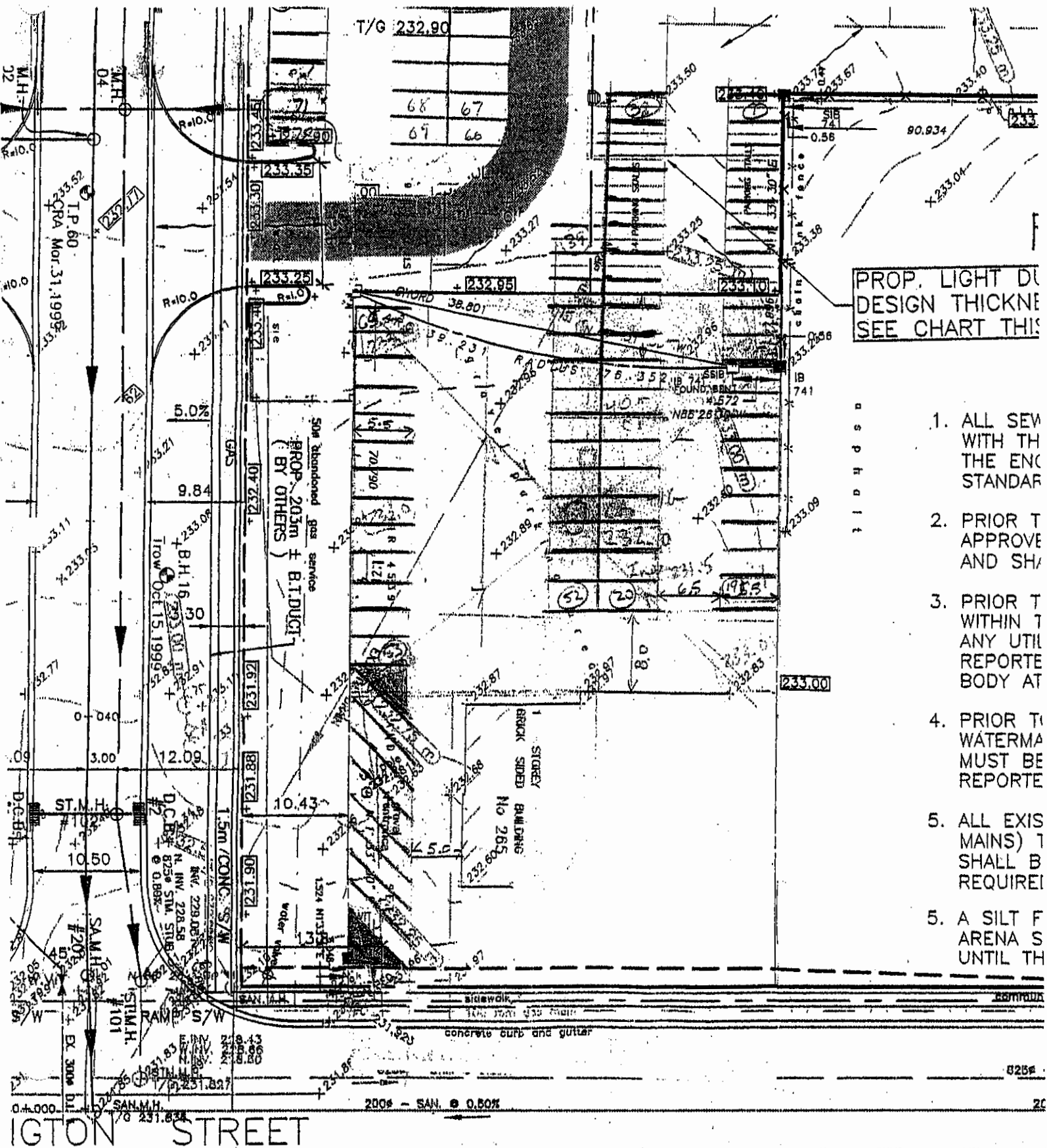
A. Larry Gign

A. Larry Gign, P. Eng.

ALG:sjs

CC: Mr. Roy Esbaugh - 11 Glanworth Avenue
Mr. Maurice Beaudry (Fax:633-8896)

Associates: A.M. SPRIET • D.J. YOUNG • J.R. SPRIET • A.L. GIGUN • K. McILMURRAY • M.P. DEVOS • J.M. SPRIET



SCHEME "A"

John D. Dwyer
CITY ENGINEER

-27-



Spriet Associates London Limited

155 York Street, London Ontario Canada N6A 1A8
Phone: 519-672-4100
FAX: 519-433-9351
E-Mail: mail@spriet.on.ca

February 28, 2005

Statement of Account

Knights of Columbus
11 Glanworth Avenue
ST. THOMAS, ON N5R 1E5
Attention: Mr. Roy Esbaugh

Code: KNIGH

<u>Invoice</u>	<u>Invoice Date</u>	<u>Invoice Amount</u>	<u>Payments Credits</u>	<u>Balance</u>
205020	Knights of Columbus, St. Thomas Parking Lot Drg./Grading			
05-0038	01/31/05	\$1,039.80	\$0.00	\$1,039.80
05-0091	02/28/05	\$1,816.04	\$0.00	\$1,816.04
Project Totals:		<u>\$2,855.84</u>	<u>\$0.00</u>	<u>\$2,855.84</u>
Report Totals:		<u>\$2,855.84</u>	<u>\$0.00</u>	<u>\$2,855.84</u>

22/03/2005

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TO:

Knights of Columbus
11 Glanworth Avenue
ST. THOMAS, Ontario N5R 1E5

February 28, 2005

DATE

205020

JOB NO.

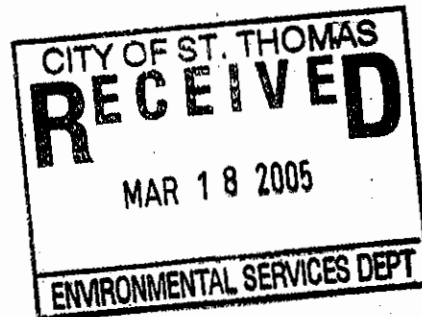
05-0091

INV. NO.

KNIGH

CL. CODE

TERMS Net 30 days
24% per annum charged on overdue accounts



**SPRIET
ASSOCIATES**
ENGINEERS & ARCHITECTS

155 York Street
London, Ontario N6A 1A8
Tel. (519) 872-4100
Fax (519) 433-9351
E-mail mail@spriet.on.ca

GST # R104970710

TO SERVICES RENDERED

Re: Second Account for Engineering
Drainage and Grading
St. Thomas Parking Lot

Engineering fees based on the Schedule of Fees for Consulting Engineering Services as published by Professional Engineers Ontario

For services rendered to February 28, 2005:

- Design Work
- Drafting Work
- Related Expenses

**ENVIRONMENTAL
SERVICES**

JD		
IA		
PH		
CF		
MS		
RT		
JF		
FILE		

Amount Hereby Certified \$2,669.01
LESS Amount Previously Certified (1st) \$ 971.78

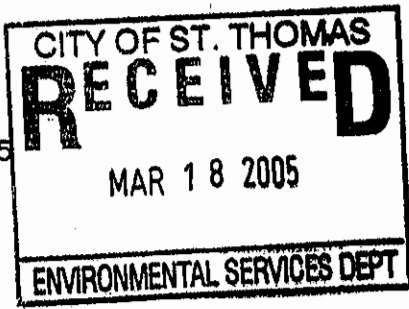
Amount This Account (2nd) \$1,697.23
Plus G.S.T. 7% \$ 118.81

TOTAL AMOUNT \$1,816.04
=====

Associates: A.M. SPRIET • D.J. YOUNG • J.R.SPRIET • A.L.GIGUN • K. McILMURRAY • M.P. DEVOS • J.M.SPRIET

TO:

Knights of Columbus
11 Glanworth Avenue
ST. THOMAS, Ontario N5R 1E5



**SPRIET
ASSOCIATES**
ENGINEERS & ARCHITECTS

155 York Street
London, Ontario N6A 1A8
Tel. (519) 672-4100
Fax (519) 433-9351
E-mail mall@spriet.on.ca

DATE January 31, 2005

JOB NO. 205020

INV. NO. 05-0038

CL. CODE KNIGH

TERMS Net 30 days
24% per annum charged on overdue accounts

GST # R104970710

TO SERVICES RENDERED

Re: Account for Engineering
Drainage and Grading
St. Thomas Parking Lot

Engineering fees based on the Schedule of Fees for Consulting Engineering Services as published by Professional Engineers Ontario

For services rendered to January 31, 2005:

- Design Work
- Drafting Work

Amount This Account \$ 971.78
Plus G.S.T. 7% \$ 68.02

TOTAL AMOUNT \$1,039.80
=====

**ENVIRONMENTAL
SERVICES**

JD		
IA		
PH		
CF		
MS		
RT		
JF		
FILE		

Mayor Meeting : called by Jeff on Fri. Nov. 26th At 4pm.

Attendance - Jeff Kohler - Bill Aarts, - Bob Gracey, - Bob Beausoleil

Meeting called to order by Jeff- Comment from Jeff - Bill and Roy have talked earlier.

Jeff commented on the proposal that they would like

1. Close off Wellington Street entrance.
2. Use 1st arena entrance to go into the back of our parking lot.
3. We pave out lot and pay for it.
4. Spriet will give us a thumb nail- Ball park figure on storm Sewer, catch basins and paving.
5. Would like us to share parking lot.

Jeff had a phone call and had to leave.

Bill - Helped draw proposal on piece of paper. Than suggested that we get a site Plan

Bob B. - Asked a few times for site plan to take to our next meeting Dec. 20th.

Bill - said OK he would get us a site plan before our meeting.

Discussed property line, how the North end jogs in. Will be on site plan.

Bob B. - Asked what will this do to our taxes. Jeff and Bill said NO Change.

Meeting finished about 4:30 pm.



MEMORANDUM

To:	FRANK LATTANZIO, Manager of Community Centres and Property	For Info of:	FILE 81280-6
From:	LUCAS SMITH, Project Manager	Doc. No.:	81280-3113
Subject:	April 2005 Monthly Report St. Thomas – Elgin Community Centre	Date:	May 9, 2005

APRIL 2005 MONTHLY REPORT

1.1 Project Summary

The revised contract document submitted in March was reviewed and required resubmission. The next approval date is set for May 16, 2005 at Council.

Construction during April proceeded well. Work to the underside of Granular "B" on the Third Avenue extension and parking lot was completed including services and rough-in. Masonry work continued inside the building and started outside on the perimeter walls. Refrigeration, mechanical and electrical work was considerable during April. Final amounts of underground concrete and rubble were uncovered and relocated.

The reversal of a credit for PUC Charges was confirmed and Basketball Equipment was donated by Norlon Builders.

The request for time extension due to winter weather and additional excavation / fill under the building was reviewed, assessed and additional information requested.

Regular construction, project management and City staff meetings were held.

1.2 Meetings

Date	Description
April 5, 2005	On-Site Construction Meeting
April 13, 2005	On-Site Review of Curbs and Property Lines
April 18, 2005	City Council Meeting
April 19, 2005	Construction, Project Management and Staff Meetings #12
April 19, 2005	Contract Review Meeting

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1.3 Budget

Anticipated project expenditures remain within the project budget of \$11,998,289 approved on December 19, 2004. At the end of April 2005, project funds were 98% committed and approximately 62% expended.

A contingency reserve of \$130,000 for the Third Avenue and parking lot work is included in the budget. The full contingency is either committed or required to address additional removal of impacted soils, changes to the base building contract or increases in management and engineering fees.

The issue relating to the cost savings carried in the budget for deletion of "basketball equipment" in the multi-purpose room was resolved with a donation of the equipment by Norlon Builders. It was confirmed that the \$40,000 credit previously provided for PUC Charges should be reversed.

The contractor provided details of the projected Winter Allowance overrun. The details provided by Norlon Builders were reviewed and found to reflect winter weather conditions. The current budget of \$40,000 will be exceeded by \$29,844.

The list of changes to-date was reviewed and confirmed with the contractor. These will be formally recorded as Change Order(s) once the contract is signed. These items are currently included in the Cost Control Log.

1.4 Schedule

A claim for time extension of 16 days for unusual weather and 9 days for additional excavation / backfill was received from Norlon Builders. The Project Manager assessed the claim and reported to the City; the weather extension was found invalid based on historical weather data but the delay due to additional building excavation / fill was found to have merit. Additional information was requested from the builder on April 8, 2005 to substantiate the second part of the claim. The impact of a possible extension to the substantial performance date of approximately 2 weeks is under review with the City. No costs were associated with the application for time extension.

It is important to note that despite the claim for time extension, Norlon Builders reiterated their commitment to complete the facility on-time. The time extension was noted by the contractor as a buffer in the event that the facility could not be delivered on-time.

1.5 Design Issues

The final design meeting was held in March. Issues arising at the construction and project meetings included scoreboard locations, IT conduit, interior signage, exterior ladder locations, bottle fill stations and dasherboard advertising.

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1.6 Procurement

The latest contract documents from Norlon were reviewed, revisions were proposed, and comments were returned to the builder. Due to the required changes, the presentation to Council was scheduled for May 16, 2005.

The request for proposals for the Pro Shop and Concessions were issued for closing in May 2005. The scoreboard documents will be issued next month.

Installation of the viewing boxes was declined at this time due to cost.

The phone system connection between the centre and City Hall remained an issue for resolution at a later date.

The eighth progress payment was made to Norlon Builders for March 2005. The majority of the work performed was the parking lot and building services.

1.7 Construction Progress

Excavation and installation of granular "B" was completed for Third Avenue and the parking areas. The final leveling course and asphalt will proceed once most of the exterior building work is completed. Soil for tree planting was placed. Final quantities of buried concrete were removed. Parking area lighting was delivered.

Work on the building continued at the front entrance with installation of roof purlins and joists. Foam insulation was applied at the perimeter behind the future masonry.

Interior masonry walls were ongoing for completion next month in time for the second and final hollow-core slab delivery. Exterior face block commenced after the installation of foam installation / barrier.

Electrical work proceeded including conduit and conductor runs to various locations. Equipment was installed in the electrical room and energized. The sign conduit to Wellington Street was installed. Power was provided to the building by St. Thomas Energy which allowed for interior lighting; power during construction is billed to the contractor's account.

Mechanical installation continued including drains and main supply. Sprinkler mains and heads were installed in most areas. The refrigeration equipment was delivered and located.

1.8 Issues and Risk Management

Estimates of additional costs for excavation / backfill and design fees were absorbed by contingency but any additional costs will exceed the contingency reserve and place the budget at risk. The final quantities of excavation and Granular "B" materials represent the largest risk to the budget. These values will be provided in May. The final base course and asphalt quantities carry less risk due to better defined scopes.

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The estimated expenditures remain at the total project budget. To offset additional costs to the project, corresponding savings must be identified. Potential areas for saving funds include grants for providing accessibility, further reductions in the IT and furniture, and the paging / sound systems.

The projected overruns on the Winter Allowance portion of the design-build contract were reviewed and found reasonable at a total of approximately \$29,844. No additional overruns from this item are anticipated.

Final quantities of buried concrete were discovered and relocated to the north-west side of the property. Allocation of cost for this work is governed by the agreement between St. Thomas and the property owner.

MHPM notified the City that the fees for overall management of the project will be exceeded in June. The fixed fee required to complete the project is approximately \$15,500. This amount was approved by the Project Executive.

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.

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

Receive approval to award the contract to Norlon Builders.

Determine the final quantities of base materials for Third Avenue and parking lot areas.

Complete installation of interior masonry walls.

Commence installation of exterior and main entrance masonry.

Receive and install the second / final delivery of hollow-core slabs.

Complete OWSJ and decking at entrance areas.

Continue rough-in of refrigeration, mechanical and electrical services.

Continue preparation for slabs-on-grade and commence pouring slabs.

Commence installation of windows / entrances and painting.

Brad

ATTN. WENDELL GRAVES -35

CITY OF ST. THOMAS	
RECEIVED	
MAY 5 2005	
CITY CLERK	

From: "Brad" <brad034@sympatico.ca>
 To: <wgraves@city.st-thomas.on.ca>
 Sent: Wednesday, May 04, 2005 4:04 PM
 Subject: Three-way stop signs on Burwell Road

To city council : We have lived on Ponsford Place for 3 years and have found the flow of traffic on Burwell Road to be increasingly dangerous. To see vehicles traveling well over the posted 50 km/hr speed limit is becoming a regular occurrence as well as vehicles using the center turn lane as a passing lane. In our own observations we have found that northbound traffic on Highbury Avenue will use Burwell Road as a shortcut to Southedgeware Road when in fact there is no time saved using Burwell Road in this way. Just today on my way home I witnessed a car passing a school bus going north on Burwell and as I was in the left hand turn lane for Ponsford Place two cars going northbound over the speed limit were using the turn lane to shorten the radius of the curve. I should also add that this was at 2:50 p.m.(shift change) All this is becoming a daily issue in our neighborhood. We have a son in grade 6 and many of our neighbors have small children not to mention the children that live on Donker Drive and in the town house complex at Burwell and Southedgeware Roads. It is alarming to think what might happen someday with the excessive speed and traffic.

I am not laying blame on the commuting traffic to the cities factories on this problem, there are many in the neighborhood that are at fault as well. Would this issue therefore justify three-way stop signs being installed to slow down the flow of traffic and stop the vehicles using Burwell Road as a "shortcut". If a stop sign was installed at Donker Drive & Burwell Road and another at McGregor & Burwell Road in my opinion would greatly benefit the community.

I hope council can discuss this in an upcoming meeting.

Tim H. U.
 5 Ponsford Place
 637-2002

5/5/2005

REFERRED TO	
<u>John Dewarckler</u>	
<u>Supervisor, Roads & Transportation</u>	
DIRECTION	<input type="checkbox"/>
REPORT OR COMMENT	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
FROM <u>C. BEZAIRE</u>	