COUNCIL PROCEEDINGS
EIGHTH MEETING
March 5, 2007

The Council meets in Regular Session in the Municipal Offices this day at 5:03 p.m.


At the beginning of the Meeting all Members are present except Councillors Miller, Van Meerbergen and Winninger.

Her Worship the Mayor presents a plaque for "London's Featured Company" to Dave Hewitt, President, Chris Campbell, General Manager and Mark Hamacher, Engineering Manager representing CT Innovation Inc., 2879 Innovation Drive.

Councillor Winninger enters the meeting at 5:05 p.m.

Her Worship the Mayor presents a certificate for "London's Featured Community Organization" to Thelma Rosner, Chair and Robyn Israel, Project Manager of the London Jewish Film Festival.

Her Worship the Mayor recognizes the Western Mustangs Baseball Team on winning the 2006 Ontario University Athletics (OUA) Championship.

Her Worship the Mayor and Kerry Hendricks, Vice Chair of the London Diversity and Race Relations Advisory Committee presents the 2007 City of London Race Relations Recognition Award to:

- EK3 Technologies Inc. (Business and Labour Category)
- King's University College at The University of Western Ontario (Education and Training Category)
- LUSO Community Services (Social and Community Services Category)
- National Research Council – Integrated Manufacturing Technology Institute (Public and Private Institutions)
- London Economic Development Corporation (The Corporation of the City of London, its Departments, Advisory Committees, City Boards and Commissions)

Councillor Van Meerbergen enters the meeting at 5:20 p.m.

DISCLOSURES OF PECUNIARY INTEREST

90. None are disclosed.

MINUTES

Councillor MacDonald moves, seconded by Councillor Armstrong, that the Minutes from the Seventh Meeting held on February 20, 2007, relating to clause 45 of the 4th Report of the Committee of the Whole be amended as follows:
Amend in the 2nd last paragraph on page 14, by adding thereto after the words "clause 45" the words ", as amended by the adoption of clause 1 of the 10th Report of the Board of Control" so that the paragraph now reads:

"Deputy Mayor Gosnell moves that clause 45, as amended by the adoption of clause 1 of the 10th Report of the Board of Control, be adopted. CARRIED on a recorded vote, the members voting as follows:"

Further amended in the second paragraph on page 15 by adding thereto after the words "Clause 45" the words ", as amended by the adoption of clause 1 of the 10th Report of the Board of Control," so that the paragraph now reads:

"Clause 45, as amended by the adoption of clause 1 of the 10th Report of the Board of Control, reads as follows:" CARRIED

Councillor MacDonald moves, seconded by Councillor Baechler, that the Minutes of the Sixth Meeting held on February 19, 2007 and the Minutes of the Seventh Meeting, as amended, held on February 20, 2007 be adopted. CARRIED

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

91. The Council reviews the confidential matters listed for consideration at this meeting and determines that none should be considered in public.

COMMUNICATIONS

92. The Chair directs that the actions suggested by the City Clerk with respect to Communication No.'s 1 and 2 as identified on the Added Communications be taken.

REPORTS

11TH REPORT OF THE BOARD OF CONTROL

93. Deputy Mayor Gosnell presents the 11th Report of the Board of Control.

Deputy Mayor Gosnell moves that clauses 1 to 15, inclusive, be adopted. CARRIED

Clauses 1 to 15 read as follows:

1. That, on the recommendation of the Director of Fleet, Facilities & Departmental Resources, the following actions be taken with respect to the alterations to the Hamilton Road Seniors Centre Annex (Project RC2442), namely:

(a) the bid submitted by Van Boxmeer Construction Corporation, R.R #1, 13466 Elginfield Road, Lucan, at its tendered price of $193,742 (GST excluded), BE ACCEPTED; it being pointed out that the bid submitted by Van Boxmeer Construction Corporation was the lowest of four (4) bids received and meets the City’s specifications and requirements in all areas;

(b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A";

(c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with the project; and

(d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work (Tender 07-05). (A09-02)

2. That, on the recommendation of the General Manager of Environmental and Engineering Services & City Engineer:

(a) the existing contract with the Commissionaires (Great Lakes) for the provision of security services at various City locations BE EXTENDED for a two (2) year period at an annual increase of 2%; and

(b) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order in connection with this matter. (P12-00)
3. That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the Manager of Realty Services, the City owned land described as Part 3, Plan 33R-16639, being part of the closed Clarence Street road allowance, located on the south side of South Street immediately west of 219 South Street, measuring approximately 23' X 30' and containing an area of approximately 689 square feet, BE DECLARED SURPLUS; and that the Mayor and the City Clerk BE AUTHORIZED to execute an Offer to Grant an Easement and Consent to Enter agreement between the City and Phillip Parry and Samantha Parry granting a permanent easement over the subject property for the use of a driveway for the residential property known as 219 South Street, for the nominal sum of $2.00, subject to the following conditions:

(a) the City agreeing to prepare and register, at its expense, a permanent easement agreement; and

(b) the City agreeing to pay the owners' reasonable legal fees, subject to assessment, to complete this transaction. (S06-00)

4. That, on the recommendation of the General Manager of Finance and Corporate Services and in accordance with the Council Civic Reception Policy, funding in the amount of $4,000 BE APPROVED to sponsor the opening reception for the Ontario Council of Folk Festivals Annual Conference to be held in London on October 11 to 14, 2007, subject to:

(a) the City of London being given the traditional level of recognition for its sponsorship of the opening reception; and

(b) the Mayor (or her designate) being invited to attend the conference's opening reception to represent the City of London;

it being noted that sufficient funding for this sponsorship is available in the 2007 Operating Budget for Civic Receptions. (M09-00)

5. That, on the recommendation of the General Manager of Finance and Corporate Services and in accordance with the Council Civic Reception Policy, funding in the amount of $5,000 BE APPROVED to provide a hosting grant to The Canadian Medical Hall of Fame to assist in the sponsorship of the 2007 Induction Ceremony and Dinner to take place on October 2, 2007, subject to:

(a) the City of London being given the traditional level of recognition for its contribution towards the induction ceremony and dinner; and

(b) the Mayor (or her designate) being invited to attend the induction ceremony and dinner to represent the City of London;

it being noted that sufficient funding for this grant is available in the 2007 Operating Budget for Civic Receptions. (M09-00)

6. That, on the recommendation of the General Manager of Finance and Corporate Services, funding in the amount of $10,000 BE APPROVED to sponsor the Canadian Student Leadership Conference to be hosted by H.B. Beal Secondary School in London from September 25-29, 2007 subject to the following:

(a) $5,000 be approved in accordance with the Council Civic Reception Policy; and

(b) $5,000 be funded from the City's operating budget by the sponsor department for the civic project selected for the Leadership Program. (F12-00)

7. That, on the recommendation of the General Manager of Finance and Corporate Services, savings from positions vacated since January 1, 2007 BE CONTRIBUTED to the appropriate vacancy management reserve that has been established for each rate supported fund; it being noted that the purpose of these funds is to provide a one time funding source as recommended by the Corporate Management Team; it being further noted that the Corporation has realized total corporate savings to date in 2007 of $121,420 ($100,530 - general; $20,890 - wastewater; and $0 - water). During the same period in 2006, total corporate savings were $227,809 ($178,461 - general; $39,268 - water; $9,980 - wastewater). (F03-00)
8. That, on the recommendation of the General Manager of Finance and Corporate Services, and in accordance with the policy for City events at the John Labatt Centre, the following event **BE APPROVED** as a City of London Day at the John Labatt Centre:


9. That, on the recommendation of the General Manager of Community Services, the Mayor and the City Clerk **BE AUTHORIZED** to execute the attached Housing Support Services Agreement Renewal for 2007 (RFP05-20 Housing Support Services); it being noted that this agreement provides payment to the Salvation Army in exchange for management and delivery of the Heat and Warmth program (THAW) and the Rent Bank program. (C06-00)

10. That, on the recommendation of the General Manager of Finance and Corporate Services and the General Manager of Environmental and Engineering Services & City Engineer:

(a) the Civic Administration **BE AUTHORIZED** to enter into a contract with Racon Engineering Inc. at an upset contract price of $1,180,000 for the relocation of the TSD Data Centre to Museum London; it being noted that:

(i) the upset contract price is inclusive of Construction Management Fees and General Site Expenses; and

(ii) the recommendation to enter into a contract with Racon Engineering Inc. is in compliance with section 3.7 of the Purchasing By-law for procurement of single source servicing where such services are cost effective and/or beneficial to the City of London;

(b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report attached hereto as Appendix A; it being noted that there is no available funding within the existing Finance & Corporate Services budget envelope; and

(c) the approval given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract in a form satisfactory to the City Solicitor. (A08-03)

11. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the by-law attached as Appendix A to:

(a) approve an agreement with The London Cross-Cultural Learner Centre for the administration of the immigration portal; and

(b) authorize the Mayor and the City Clerk to sign the agreement; **BE INTRODUCED** at the Council meeting on March 5, 2007. (C14-00)

12. That, on the recommendation of the City Treasurer, the taxes on the blocks of land described in the attached schedule **BE APPORTIONED** in accordance with the said schedule, pursuant to Section 356 of the Municipal Act, 2001; it being noted that at the public hearing associated with this matter there were no members of the public in attendance to speak to these matters before the Board of Control (F16-00)

13. That the following actions be taken with respect to development charges:

(a) on the recommendation of the General Manager of Finance and Corporate Services and the General Manager of Environmental and Engineering Services & City Engineer; a by-law to amend By-law No. C.P.-1440-167, attached as Appendix "A", **BE INTRODUCED** at the Municipal Council meeting on March 5, 2007; it being noted that the intent is for a new development charge rate that will be made effective March 26, 2007; it being further noted that at the public participation meeting associated with this matter, there were no individuals who made presentations in connection therewith; and

(b) the Civic Administration **BE REQUESTED** to review the commercial development charge rates as part of the overall review of development charges and the background study respecting this matter.
14. That, on the recommendation of the General Manager of Finance and Corporate Services, the attached proposed by-law to provide for licensing the business of pawnbrokers BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007; it being noted that at the public participation meeting associated with this matter there were no individuals who made presentations in connection therewith. (P10-18)

15. That the following BE APPOINTED to the Community Safety and Crime Prevention Advisory Committee (CSCP) for the term ending November 30, 2010:

May Murton, representing Neighbourhood Watch London
Loren Demelo, representing the London District Catholic School Board;
it being noted that Amanda Jastrau, formerly appointed as a Member-at-Large, will now serve as the youth representative on the advisory committee; it being further noted that Donna Szpakowski, formerly appointed to the advisory committee as the Neighbourhood Watch representative, will now sit on the committee as a non-voting resource member; it being further noted that the Board of Control deferred consideration of the member-at-large vacancy on the Community Safety and Crime Prevention Advisory Committee to the next meeting in order for the City Clerk to report on whether any members of the current Committee have work experience as a Police Officer. (G03-00)

Deputy Mayor Gosnell moves that clause 16 be adopted.

Councillor Usher moves, seconded by Councillor Eagle, that clause 16 be amended by adding thereto at the end the name "Councillor D. Winninger". CARRIED

The motion to adopt clause 16, as amended, is put and CARRIED. Clause 16, as amended, reads as follows:

16. That the following BE APPOINTED to the Working Group established to review the London Transit Commission’s Report on Long Term Growth:

- Controller G. Barber
- Councillor J. Baechler
- Councillor N. Branscombe
- Councillor S. Eagle
- Councillor P. Hubert
- Councillor W. Lonc
- Councillor H. Usher
- Councillor D. Winninger (G03-00)

Deputy Mayor Gosnell moves that clause 17 be adopted.

Councillor Eagle moves, seconded by Councillor MacDonald, that clause 17 be amended by adding thereto after the first bullet point a new bullet point as follows:

Controller Gina Barber, as the alternate representative of London City Council. CARRIED

The motion to adopt clause 17, as amended, is put and CARRIED. Clause 17, as amended, reads as follows:

17. That the following BE NOMINATED for appointment to the Social Housing Services Corporation Board of Directors for a term commencing June 30, 2007 and ending December 31, 2009:

- Councillor Susan Eagle, as the representative of London City Council
- Controller Gina Barber, as the alternate representative of London City Council
- Louise Stevens, Director of Municipal Housing, as the City of London staff representative. (G03-00)

Deputy Mayor Gosnell moves that clause 18 be adopted. CARRIED Clause 18 reads as follows:
18. That Marvin Simner BE APPOINTED to the Community Advisory Committee on Dearness Services as a representative of the Council for London Seniors for the term ending November 30, 2010. (G03-00)

Deputy Mayor Gosnell moves that clause 19 be adopted.

Controller Gosnell moves, seconded by Controller Barber, that clause 19 be referred back to the Board of Control. CARRIED

Clause 19 reads as follows:

19. That the Terms of Reference for the Environmental & Ecological Planning Advisory Committee BE AMENDED to include a voting member representing the Council for London Seniors; and that Doug Jervis BE APPOINTED to the Environmental & Ecological Planning Advisory Committee as the Council for London Seniors representative for the term ending November 30, 2010. (G03-00)

Deputy Mayor Gosnell moves that clauses 20 to 22, inclusive, be adopted. CARRIED

Clauses 20 to 22 read as follows:

20. That the Terms of Reference for the Transportation Advisory Committee BE AMENDED to include a voting member representing the Council for London Seniors; and that Dave Waller BE APPOINTED to the Transportation Advisory Committee as the Council for London Seniors representative for the term ending November 30, 2010. (G03-00)

21. That the concept of permitting Council Members to utilize funds from their Council Members Expense Account for the purpose of engaging temporary part-time office assistance BE APPROVED and that the Civic Administration BE REQUESTED to report back to the Board of Control on the implementation details pertaining to this matter. (G06-00)

22. That the Civic Administration BE REQUESTED to give consideration to green power during the development of the Energy Management Master Plan; it being noted that the Board of Control received a presentation from Tom Heintzman, President, Bullfrog Power Inc., with respect to green power. (W10-00)

Deputy Mayor Gosnell moves that clause 23 be adopted.

Councillor Winninger moves, seconded by Deputy Mayor Gosnell, that clause 23 be amended by deleting part (b) and renumbering the balance of the parts accordingly. CARRIED

Councillor Van Meerbergen moves, seconded by Controller Barber that clause 23 be referred back to the Board of Control.

At 5:45 p.m. Her Worship the Mayor places Councillor Usher in the Chair and takes a seat at the Council Board.

At 5:50 p.m. Her Worship the Mayor resumes the Chair, and Councillor Usher takes a seat at the Council Board.

The motion to refer clause 23 back to the Board of Control is put and LOST.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on part (c) of clause 23, now being part (b) of clause 23, as amended.

The motion to adopt part (a) of clause 23, as amended, is put and CARRIED.

The motion to adopt part (b) of clause 23, as amended, is put and CARRIED.

Clause 23, as amended, reads as follows:

23. That, on the recommendation of the Chief Administrative Officer:

(a) the report entitled "Ontario Centre for Excellence in Family Medicine and Primary Health Care (London)" and the attached Strategic Plan BE RECEIVED for
information; and

(b) the Civic Administration **BE REQUIRED** to report back with the business plan and budget prior to proceeding with implementation of this initiative;

it being noted that the Board of Control (BC) received the attached presentation from Dr. Tom Freeman with respect to this matter.  (C09-00)

Deputy Mayor Gosnell moves that clauses 24 and 25 be adopted.  CARRIED  Clauses 24 and 25 read as follows:

24. That the following actions be taken regarding Fanshawe Park Road East and the Policy for Pacing Development:

(a) consideration of the attached report from the General Manager of Environmental and Engineering Services & City Engineer **BE DEFERRED** to the Board of Control meeting on March 21, 2007 and that the report **BE REFERRED** to the Committee of the Whole for information at its meeting to be held on March 1, 2007; and

(b) the Civic Administration **BE REQUESTED** to report back at the March 21, 2007 Board of Control meeting on the implementation of the Blue Ribbon Panel recommendations and the transitional issues with respect to this matter.

25. That the copy of a News Release with respect to Bell Aliant’s unsolicited bid to acquire all of the outstanding trust units of Amtelecom Income Fund **BE NOTED AND FILED**.

The Chair directs that clauses 26 to 29, inclusive, of Section II be noted.  Clauses 26 to 29 read as follows:

26. That the Board of Control received and noted an information report from the General Manager of Finance and Corporate Services with respect to a summary of public and confidential meeting times for Council, Board of Control and the Standing Committees for the period September 1, 2006 to December 31, 2006.  (G07-00)

27. That the Board of Control received and noted an information report from the Director of Intergovernmental and Community Liaison with respect to the University of Saskatchewan infrastructure study being undertaken to study the linkages between Canadian cities and their rural counterparts.  (023-00)

28. That the Board of Control received a verbal update from the Fire Chief and Director of Paramedic Services regarding the plans in place with respect to the provision of vehicles for the City’s Fire Stations and the delivery schedule for the new fire trucks currently on order.

29. That the Board of Control met in camera from 11:55 a.m. to 12:30 p.m. for the purpose of considering the following:

(a) a matter pertaining to labour relations or employee negotiations and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, respecting the engagement of temporary, part time office assistance for members of Council; and

(b) a matter pertaining to the proposed acquisition of land by the municipality;

and that the BC is submitting a confidential report to the Municipal Council regarding these matters.  (See Confidential Appendix to the 11th Report of the Board of Control enclosed for Council Members only.)

**6TH REPORT OF THE COMMUNITY AND PROTECTIVE SERVICES COMMITTEE**

94. Councillor Winninger presents the 6th Report of the Community and Protective Services Committee.

Councillor Winninger moves that clause 1 be adopted.
Councillor Eagle moves, seconded by Councillor MacDonald, that clause 1 be amended in line 2 of part b(i) by adding thereto after the word "stakeholders" the words "including, but not limited to, the London Advisory Committee on Heritage and Landmarks London.": CARRIED

The motion to adopt clause 1, as amended, is put and CARRIED. Clause 1, as amended, reads as follows:

1. That, on the recommendation of the Director of Management Support, Audit and Risk, the General Manager of Community Services and the General Manager of Planning and Development, the following actions be taken with respect to the Guy Lombardo Music Centre:

(a) consistent with the July 24, 2006 Council resolution on the matter, and the Creative Cities Task Force Report goal of strengthening the unique cultural features of London; it BE APPROVED that the long term future use of the Guy Lombardo Music Centre, recognize and celebrate Guy Lombardo together with the former Wonderland Gardens which supports the new vision of Springbank Gardens;

(b) the existing Guy Lombardo Music Centre BE INCLUDED within the scope of the Springbank Gardens (the former Wonderland Gardens) Development Project in order to use the facility to create an expanded display that would showcase the musical heritage of the former Wonderland Gardens, including Guy Lombardo, with the following action steps to be taken related thereto;

(i) a plan BE DEVELOPED by Administration, with input from key stakeholders including, but not limited to, the London Advisory Committee on Heritage and Landmarks London, to include the existing Guy Lombardo Music Centre within the scope of the Springbank Gardens (the former Wonderland Gardens) Development project;

(ii) the 2008 Capital Budget submission for the Springbank Gardens Development Project BE INCREASED by $25,000 to accommodate the creation of new displays and features;

(iii) the Administration BE DIRECTED to undertake an inventory, assessment, clarification and re-organization of the Guy Lombardo collection starting in the summer of 2007; and current operations of the Guy Lombardo Music Centre continue until September 2007 noting that the Music Centre will be re-introduced to the community in the summer of 2008;

(c) the Friends of Lombardo BE INVITED to submit a business plan proposal for the long term management and operation of the Guy Lombardo Music Centre; it being noted that the plan is to include evidence of financial stability, evidence of insurance coverage, details related to operating hours, staffing structure, promotional strategies, and budget information associated with the management of the centre; it being further noted that staff will work with the Friends of Lombardo to ensure the business plan is submitted in a timely fashion;

(d) the Director of Management Support, Audit and Risk, in conjunction with the Community Services Department, BE REQUESTED to evaluate the business plan proposal noted in recommendation (c), above, and to report back to the Community and Protective Services Committee;

(e) the Administration BE REQUESTED to continue to identify additional opportunities in the future for display of the Lombardo collection; and

(f) the Community Services Department BE REQUESTED to continue to be the lead Department for the oversight of the Guy Lombardo Music Centre in whatever service delivery model is adopted in the future. (2007-C15-00)

Councillor Winninger moves that clauses 2 to 6, inclusive, be adopted. CARRIED

Clauses 2 to 6 read as follows:

2. That, on the recommendation of the General Manager of Community Services, the attached By-Law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007 to:

(a) approve the attached (Appendix "B") Purchase of Service Agreement for
Recreation Programs Template; and

(b) authorize the General Manager of Community Services, or his/her designate, to execute purchase of service agreements for the delivery of municipal recreation programs as may be appropriate from time to time. (2007-C18-00)

3. That, on the recommendation of the General Manager of Community Services, the attached By-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007; it being noted that this By-law will consolidate the concurrent noise management requirements as specified in the City’s Noise Control By-law and its Special Events Policy by adding a new section 2.1.1. to By-law PW-4, as follows:

“2.1.1 Despite section 2.1, one of the provisions of this by-law shall apply to the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park in connection with a Special Event under the City of London’s Special Events Policy and Procedures Manual, provided written permission of the General Manager of Community Services, or delegate, has first been obtained.” (2007-P07-00)

4. That, on the recommendation of the General Manager of Community Services, the 2007 Special Events Policies and Procedures Manual attached as Appendix “A”, BE APPROVED, it being noted that the report of the General Manager of Community Services identified revisions from the approved 2006 Special Events Policies and Procedures Manual. (2007-M09-00)

5. That, on the recommendation of the General Manager of Community Services, the attached By-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007 to:

(a) approve the Amending Agreement to amend the 1996 Agreement between The Corporation of the City of London and The Garden Club of London, to reference the recently constructed Club Storage Room at the Civic Gardens Complex; and

(b) authorize the Mayor and City Clerk to execute the Amending Agreement between The Corporation of the City of London and the Garden Club of London. (2007-A09-07)

6. That, on the recommendation of the General Manager of Planning and Development, the attached proposed By-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007 for the purpose of amending Council Policy 13(2)(h) related to the enforcement of the Vital Services By-law as it relates to non-payment of vital services in order to delete the policy statement which limits the application of the Vital Services By-law to buildings containing five or more rented units. (2007-P07-02)

Councillor Winninger moves that clause 7 be adopted.

Councillor Winninger moves, seconded by Councillor Eagle, that clause 7 be amended in part (c) by adding thereto at the end the words “it being noted that the maximum Limit will be reviewed on an annual basis;” and further amended in part (d) by adding thereto at the end the words “it being noted that the maximum Value will be reviewed on an annual basis;”. CARRIED

The motion to adopt clause 7, as amended, is put and CARRIED. Clause 7, as amended, reads as follows:

7. That, on the recommendation of the General Manager of Planning and Development and with the concurrence of the Council Housing Leadership Committee, the following actions with respect to the Homeownership Component of the Canada-Ontario New Affordable Housing Program BE APPROVED:

(a) the City of London enter into an Administration Agreement with the Province for delivery of the Homeownership component; it being noted that this program does not include municipal funding other than the resources required to administer the program and that the possibility of future municipal funding will be reviewed on
an annual basis;

(b) the City of London partner with the City of St. Thomas for delivery of the Homeownership component;

c) the maximum Household Income Limit be established at $50,000; it being noted that the maximum Limit will be reviewed on an annual basis;

d) the maximum Market Home Value be established at $120,000; it being noted that the maximum Value will be reviewed on an annual basis;

e) an RFP be issued for a delivery agent to:

(i) advertise/promote the program;

(ii) create and undertake training sessions for the eligible purchasers;

(iii) screen applications for program requirements and eligibility;

(iv) screen/inspect units for suitability;

(v) ensure security agreements are registered on title; and

(vi) design and execute a mortgage agreement with each approved proponent. (2007-C03-00)

Councillor Winninger moves that clauses 8 to 15, inclusive, be adopted. CARRIED

Clauses 8 to 15 read as follows:

8. That, on the recommendation of the General Manager of Planning and Development, and with the concurrence of the Council Housing Leadership Committee, the following actions be taken with respect to the Homeownership Component of the Canada-Ontario New Affordable Housing Program:

(a) the attached By-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007 to approve the attached Service Manager Homeownership Administration Agreement; and

(b) the Mayor and the City Clerk BE AUTHORIZED to execute the said Agreement. (2007-C03-00)

9. That Councillor Winninger, Chair of the Community and Protective Services Committee (CPSC), BE APPOINTED to the Creative City Committee as the representative of the CPSC.

10. That, on the recommendation of the City Treasurer, the following actions be taken with respect to the transition of services currently provided by the Association for the Elimination of Hate (AEH) to the London Urban Services Organization Centre Inc. (LUSO):

(a) the Civic Administration BE DIRECTED to reallocate existing funding of $59,862 in the 2007 Budget from AEH to LUSO; it being noted that the Chair of the Association for the Elimination of Hate has advised that existing funds on hand will also be transferred to LUSO; and,

(b) the Civic Administration BE DIRECTED to take all necessary administrative steps to amend LUSO's purchase of service agreement to include provision of anti-hate services, as outlined in LUSO's letter of February 5, 2007; it being noted that the Community and Protective Services Committee heard a verbal delegation from L. Norman, AEH, E. Rodriguez, LUSO and the City Treasurer with respect to this matter.

11. That, on the recommendation of the Council Housing Leadership Committee, the Civic Administration BE REQUESTED to further investigate the "entity" model for the Homelessness Partnering Initiative; it being noted that London's role would be undertaken on a temporary basis during the funding transition period; it being further noted that the Council Housing Leadership Committee (CHLC) heard delegations from R. Fair, General Manager of Community Services, S. Yeo, Director of Transition and Community Programs, Women's Community House and C. Curry, London Homeless Coalition, with respect to the new Homeless Partnering Strategy, federal programs and the affordable housing reserve fund budget cut that the Committee of the Whole approved in its budget session and received a communication dated January 23, 2007 from D. Rastin, Chair, London Homeless Coalition with respect to the Homelessness Partnering Strategy and CMHC renovations programs funding.
12. That clause 3 of the 2nd Report of the Council Housing Leadership Committee BE DELETED and BE REPLACED with the following new report clause, with the balance of the Report to be renumbered accordingly:

“5. That the Council Housing Leadership Committee affirmed the Municipal Council-adopted recommendations contained in the 2005 Affordable Housing Strategy as the basis for the CHLC’s ongoing work.”

13. That, on the recommendation of the Council Housing Leadership Committee, the Director of Municipal Housing BE AUTHORIZED to spend $1,000.00 for the Canada Mortgage and Housing Corporation and the City of London “Aboriginal Housing Forum” to be held at the Lamplighter Inn on March 6, 2007; it being noted that the funding will be met within existing budgets.

14. That, on the recommendation of the Council Housing Leadership Committee (CHLC), the Director of Municipal Housing BE ASKED to prepare a Briefing Note for the CHLC advising them of the following with respect to Wave 1 of the New Ontario-Canada Affordable Housing Program:

(a) the status of the second Request for Proposals for the balance of the units that have been allocated; and

(b) the status of any new funding that the Province has provided for this program.

15. That the following matters BE NOTED AND FILED:

(a) the 1st Report of the Community Advisory Committee on Dearness Services from its meeting held on February 8, 2007 (See Report attached);

(b) the 2nd Report of the London Housing Advisory Committee from its meeting scheduled to be held on February 14, 2007 (See Report attached); and,

(c) clauses 6 through 12, inclusive, of the 2nd Report of the Council Housing Leadership Committee from its meeting held on February 15, 2007. (See Report attached.)

The Chair directs that clauses 16 to 22, inclusive, of Section II be noted. Clauses 16 to 22, inclusive, read as follows:

16. That the Community and Protective Services Committee reviewed and received a copy of the “Dearness Home Community Newsletter” for the month of February 2007. (10.7.1.05)

17. That the Community and Protective Services Committee reviewed and received an information report from the General Manager of Community Services with respect to an update on the Dearness Home. (2007-C11-00)

18. That the Community and Protective Services Committee reviewed and received an information report from the General Manager of Community Services with respect to London’s “Youth Friendly” designation and National Youth Week; it being noted that the General Manager of Community Services was requested to report back at a future date with respect to ways by which the Municipal Council can further engage and involve local youth; it being further noted that a verbal presentation was heard from the Director of Neighbourhood & Children’s Services with respect to this matter. (2007-C06-00)
21. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Planning and Development with respect to a comprehensive graffiti strategy focussing on prevention, eradication and enforcement; it being noted that a public meeting will be held on May 28, 2007 to receive comments on the draft Graffiti Removal By-law; it being further noted that a verbal presentation was also heard from the Manager of By-law Enforcement and the Manager of Environmental Programs and Customer Relations with respect to this matter. The CPSC requested that the London Police Services be advised that the elimination of graffiti is a priority of the Municipal Council and the London Police Services is therefore encouraged to take the Municipal Council’s position into consideration when deploying its resources. (2007-PO7-00)

22. That the Community and Protective Services Committee met in joint session with the Planning Committee with respect to the coordination and consolidation of by-law enforcement services. See clause 5 of the 7th Report of the Planning Committee.

7TH REPORT OF THE PLANNING COMMITTEE

95. Councillor Baechler presents the 7th Report of the Planning Committee.

Councillor Baechler moves that clauses 1 to 3, inclusive, be adopted.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on clause 4.

The motion to adopt clauses 1 to 3, inclusive, is put and CARRIED. Clauses 1 to 3 read as follows:

1. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Longwood Oaks Limited for the subdivision of lands located on the west side of White Oak Road, south of Southdale Road East:

(a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Longwood Oaks Limited for the Longwood Oaks Subdivision (Phase 2) - (39T-03517-2) BE APPROVED subject to clause (i) of PART II - SPECIAL PROVISIONS being amended in line 2 of paragraph 2 to read "2008", rather than "2007";

(b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement and all documents required to fulfill its conditions; and

(c) the applicant BE ADVISED that the General Manager of Environmental & Engineering Services & City Engineer has estimated the following Revenues and Claims:

<table>
<thead>
<tr>
<th>Impact of Subdivision on Reserve Funds and Budget</th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>$243,331</td>
<td>Nil</td>
<td>$243,331</td>
</tr>
<tr>
<td>Stormwater Ponds</td>
<td>$164,258</td>
<td>Nil</td>
<td>$164,258</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$407,589</td>
<td>Nil</td>
<td>$407,589</td>
</tr>
<tr>
<td>City Services Reserve Fund</td>
<td>$812,266</td>
<td>Nil</td>
<td>$812,266</td>
</tr>
<tr>
<td>London District Catholic School Board Fund</td>
<td>$34,489</td>
<td></td>
<td>$34,489</td>
</tr>
<tr>
<td>Capital Works Budget</td>
<td>Nil</td>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: (1) ESTIMATES ARE CALCULATED USING CURRENT RATES AND THE INFORMATION IS REPORTED ALL IN ACCORDANCE WITH THE DEVELOPMENT CHARGES AND URBAN WORKS FUND BY-LAW (IE. C.P.-1440-167), AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT...
FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440-167 AND AS APPROVED BY THE CITY ENGINEER.

(2) THE OWNER SHOULD TAKE NOTE THAT THERE IS CURRENTLY A DELAY IN PAYMENT OF CLAIMS FROM THE URBAN WORKS RESERVE FUND. THERE IS POTENTIAL FOR SIGNIFICANT DELAYS IN PAYMENT ON UWRF CLAIMS AT THIS TIME.

(3) CLAIMS/REVENUES ARE BASED ON ESTIMATES USING CURRENT UWRF RULES. ANTICIPATED RULE CHANGES MAY AFFECT CLAIM AMOUNTS.

(4) ESTIMATED REVENUES AND ESTIMATED CLAIMS ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL REVENUES AND CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE BY-LAWS AT THAT TIME.

(2007-D26-04)

2. That, on the recommendation of the General Manager of Planning and Development and the City Clerk, the following actions be taken with respect to amending Council Policy 19(34A) relating to the Disposition of School Sites to reflect the current practice:

(a) the attached by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2007 to replace the existing Council policy on the Disposition of School Sites with the following policy in order to carry out the intent of Clause 16 contained in the standard Subdivision Agreement with respect to the disposition of school sites:

19(34A) Disposition of School Sites Policy

(1) the Planning Division shall determine the commencement date for the three year option period for all Boards of Education, based on their electoral status, to exercise their right to purchase the block being held in reserve for a school. This shall be determined by monitoring the reports compiled by various Divisions within the Planning and Development Department, giving details on "building permits issued" in each subdivision. When these reports indicate either seventy (70%) percent of the dwelling units in a subdivision have had building permits issued or when the servicing of the subject site is completed to the satisfaction of the General Manager of Environmental and Engineering Services & City Engineer, whichever is the later, the indicator shall determine when the three year option period commences;

(2) the Planning Division shall notify the School Boards, the Owner, and the Manager of Realty Services of the commencement date of the three year option period for the Boards of Education;

(3) the Planning Division shall monitor the time frame and six months prior to the expiry date of the three year option period, remind the Boards of Education, in writing, of the expiry date and provide the Owner with a copy of the reminder notice;

(4) if the subdivision agreement or the Planning report indicates the City has NO interest in acquiring all or any portion of the school site, the Planning Division shall write the Owner to indicate that the Owner is free to sell or develop the block;

(5) if the subdivision agreement or the Planning report indicates the City has an interest in acquiring all or a portion of the school site;

(i) upon the expiration of the Board of Education's option, or in the event that the Boards of Education notifies the Planning Division earlier, in writing, that they waive their option to purchase the school site, then the Planning Division shall provide written notice to the Owner and the Manager of Realty Services that the two year option period for the City to acquire the subject parcel has commenced;

(ii) the Planning Division shall immediately liaise with the appropriate Civic Departments in order to determine whether or not it is desirable for the City to acquire all or a portion of the subject land
and shall prepare an appropriate report, with recommendations, for the Planning Committee;

(iii) the Planning Division shall establish a time and date for a public participation session to consider the staff's recommendations referred to in (ii) above at a Planning Committee meeting within six months of the commencement of the City's two year option period and the Planning Division shall arrange for notice to be sent to the owners of properties within a 120 metre (400 foot) radius of the subject property and shall place an advertisement in the "Living in the City" section of the London Free Press advising of the public participation meeting and the opportunity for citizens to present their views on whether or not the City should take up its option to purchase the subject property;

(iv) the Planning Committee shall make a recommendation on the matter to the City Council;

should the City Council determine that the subject property should be acquired, the City Clerk, shall so notify the Owner and the Manager of Realty Services, in writing. The Manager of Realty Services shall be directed to commence immediate negotiations for the acquisition of the land and ensure that an appropriate recommendation is made to the Board of Control and the City Council with respect to the offer to purchase, so that within sixty days of the date of the Clerk's notice, the purchase transaction is completed; and

should the City Council determine that the subject property should not be purchased, the Planning Division shall immediately notify the Owner, in writing, that the City has waived its right to purchase the said property.

the Civic Administration BE REQUESTED to include in their report to Planning Committee, where possible, prior to draft approval for a plan of subdivision, the potential need to purchase all or a portion of a proposed school block should the Boards of Education elect to waive their rights to purchase; it being noted that any such recommendation shall be for the sole intent to advise the Planning Committee of any potential future land acquisitions and that the City will not forfeit their rights under Clause 16 of the Subdivision Agreement. (2007-D26-00)

3. That, on the recommendation of the General Manager of Planning and Development, based on the application of BPRA relating to the properties located on a portion of 610 & 620 Beaverbrook Avenue, the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting on March 5, 2007, to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision (h*h-74*R9-7(11)) Zone and a Holding Residential R9 (h*h-74*R9-1*H15) Zone TO a Residential R9 Special Provision (R9-7(11)) Zone, a Holding Residential R9 Special Provision (h*R9-7(11)) Zone and a Holding Residential R9 (h*R9-1*H15) Zone to remove the holding provision for road dedication (h-74) and to remove the holding provision for development agreement (h) for phase one of the development. (2007-D11-01)

Councillor Bryant moves, seconded by Councillor Branscombe, that clause 4 be amended by adding thereto at the end the words "; it being noted that there may be no further extensions in the future if this matter comes before the Municipal Council again."

Councillor Usher moves, seconded by Councillor Branscombe, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Bryant be permitted to speak longer than five minutes with respect to clause 4. CARRIED

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Eagle also calls for a separate vote on clause 4.

The motion moved by Councillor Bryant and seconded by Councillor Branscombe to amend clause 4 by adding thereto at the end the words "; it being noted that there may be no further extensions in the future if this matter comes before the Municipal Council again." is put and LOST.
The motion to adopt clause 4 is put and CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controllers Polhill and Hume and Councillors Van Meerbergen, MacDonald, Armstrong, Caranci, Bryant, Baechler, Orser, Lonc, Hubert and Usher. (14)

NAYS: Controller Barber and Councillors Eagle, Winninger and Branscombe. (4)

Clause 4 reads as follows:

4. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Speyside East Corporation, relating to the property located at 3126 Colonel Talbot Road:

(a) the Approval Authority APPROVE a one year extension of the Draft Plan of Subdivision Approval, draft approved plan dated August 22, 2005 and red-line amended, submitted by Speyside East Corporation, prepared by Zelinka Priamo Limited, dated February 8, 2005, certified by Bruce Baker, Archibald Gray & McKay Ltd File No. 39T-00514, drawing No. DP 2 which shows a total of 171 single detached dwelling lots, 12 low density residential blocks, 2 future residential blocks, 1 commercial block, 2 institutional blocks, 3 mixed use residential/commercial blocks, 3 park blocks, 2 stormwater management block/open space, 2 open space blocks, and 1 future road block, served by several new secondary collector roads and new local public streets, SUBJECT TO the August 22, 2005 conditions contained in the revised attached Appendix “39T-00514-1”.

(b) IMPACT ON PROJECT ON RESERVE FUNDS AND BUDGET

EFFECT ON URBAN WORKS RESERVE FUND AND DEVELOPMENT CHARGES RESERVE FUNDS

<table>
<thead>
<tr>
<th></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$3,577,082</td>
<td>$6,466,500*</td>
</tr>
<tr>
<td>Development Charges Reserve Fund</td>
<td>$6,207,381</td>
<td>NIL</td>
</tr>
<tr>
<td>Total</td>
<td>$9,784,463</td>
<td>$6,466,500</td>
</tr>
</tbody>
</table>

Note:

(1) ESTIMATED REVENUES FROM DEVELOPMENT AND URBAN WORKS CHARGES ARE BASED ON JANUARY 2000 SCHED. 'A' RATES. (UPDATED JUNE 19, 2000)

(2) THIS INFORMATION IS REPORTED IN ACCORDANCE WITH THE DEVELOPMENT CHARGES AND URBAN WORKS FUNDS BY-LAWS IE. C.P.-1413-214 & 1414-215, AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1413-214 AND AS APPROVED BY THE CITY ENGINEER.

(3) IT IS NOTED THAT THE CLAIMS SUBSTANTIALLY EXCEED THE U.W.R.F. REVENUE ASSOCIATED WITH THIS SITE. THE CLAIMS ARE BASED ON A ROUGH ESTIMATE, SINCE NO DETAILED DESIGN WORK HAS BEEN COMPLETED AT THIS TIME. THE CLAIM AMOUNTS MAY VARY WHEN THE DETAILED DESIGN IS COMPLETE.

THE SUBSTANTIAL IMBALANCE BETWEEN THE REVENUE AND CLAIMS IS EXPECTED TO BECOME POSITIVELY BALANCED IN TIME, SINCE THESE CLAIMABLE WORKS WILL SERVE ADDITIONAL LANDS WHICH CAN DEVELOP WITH A POSITIVE REVENUE/CLAIMS BALANCE. THE OVERALL REVENUE AND CLAIMS BALANCE FOR THE COMMUNITY AREA PLAN WAS DEALT WITH THROUGH THE FINANCIAL COMPONENT OF THE COMMUNITY PLAN.

(4) THE ESTIMATED CLAIMS CONTAIN A SWM COMPONENT OF APPROXIMATELY $2,983,000.00. RESTRICTIONS IN THE UWRF BY-LAW LIMIT SWM CLAIMS TO A MAXIMUM OF $250,000 PER 12 MONTH PERIOD.

(c) EFFECT ON CAPITAL WORKS BUDGET

Estimated claims against the City’s CAPITAL WORKS BUDGET for the construction of Street "A" where it abuts land outside the subdivision:

- Estimated year of construction 2001
- Estimated year of impact on CWB 2002
- Estimated claim projected in 2001 costs $37,000.00

(2007-D26-05)
Councillor Baechler moves that clauses 5 to 13, inclusive, be adopted. CARRIED

Clauses 5 to 13, inclusive, read as follows:

5. That the following actions be taken with respect to the joint session of the Planning Committee and the Community and Protective Services Committee regarding by-law enforcement coordination and consolidation:

(a) the report from the General Manager of Planning and Development, BE RECEIVED for information; it being noted that the report identifies a range of strategies for improvements to the delivery of by-law enforcement services, some of which are completed or in progress with the balance to be implemented over the short term (up to one year) or long term (up to five years); and

(b) the Civic Administration BE REQUESTED to provide a further report within one year, in conjunction with the 311 customer service initiative or after the 311 customer service initiative, containing a detailed review of the consolidated enforcement approach including: a comprehensive organizational plan, associated costs, savings, benefits and drawbacks, space needs, location issues, geographic enforcement, after hours issues, issues concerning chronic violators, staff training needs, job descriptions and collective bargaining implications as well as the receipt and tracking of complaints and referrals from outside agencies; it being noted that there is a need for municipal by-law enforcement to be more proactive and not just complaint driven. (2007-P07-00)

6. That, on the recommendation of the General Manager of Planning and Development, based on the application of London Forks Ltd. relating to the properties located at 70 York Street and 350 Ridout Street North, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 5, 2007 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning to extend the existing Temporary (T-48) Zone on the subject lands to permit a surface commercial parking lot for a further three year period or until Phase 3 of the anticipated development (The Renaissance/Tri-Car) is initiated;

it being noted that when the subject property redevelops, some archaeological assessment may be required during the excavation of the property;

it being pointed out that at there were no oral submissions made at the public participation meeting associated with this matter. (2007-D11-05)

7. That, on the recommendation of the General Manager of Planning and Development, based on the application of the City of London relating to the property located at 575-605 Proudfoot Lane, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 5, 2007 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM an Open Space (OSI) Zone which permits conservation works for flood and erosion control, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, and recreational uses and facilities associated with conservation lands and public parks, TO an Open Space (OS5) Zone to permit conservation lands, conservation works for flood and erosion control, and recreational uses and facilities for the enjoyment of a natural area associated with conservation lands;

it being noted that the Planning Committee noted and filed the correspondence dated February 19, 2007 and February 20, 2007 respectively, received from Susan Sizer, representing the Board of Directors of the Middlesex Condominium Corporation No. 248, and from Shelagh Gordon, both in support of the open space zoning, as well as a Municipal Council resolution from its session held on February 19, 2007 with respect to this matter;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2007-D11-02)

8. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Fisher Topsoil & Landscape Supplies relating to the property located at 2350 Dundas Street:

(a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on March 5, 2007 to amend the Official Plan to change the land use designation on Schedule "A" FROM "Restricted Service Commercial"
and “General Industrial” to “Restricted/Highway Service Commercial” to permit a range of commercial uses; and

(b) the proposed by-law attached hereto as Appendix “B” BE INTRODUCED at the Municipal Council meeting on March 5, 2007 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the subject property FROM a Restricted Service Commercial (RSCI/RSC5) Zone which permits a range of moderate intensity commercial and trade service uses, and a Holding General Industrial (H*Gl) Zone which permits a broad range of industrial activities, including automobile body shops, building or contracting establishments, manufacturing and assembly industries, transport terminals, and warehouse establishments, TO a Holding Highway Service Commercial/Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone to permit a range of commercial and service uses which cater to the needs of the travelling public including automotive uses, convenience stores, financial institutions, restaurants, and hotels, and a range of moderate intensity commercial and trade service uses, automobile repair garages, automobile sales and service establishments, home and auto supply stores, service and repair establishments, building or contracting establishments, manufacturing and assembly industries with related sales, nursery and garden stores, support offices, and warehouse establishments; it being noted that the “h” holding provision will address adequate servicing for the site;

it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- S. Cornwall, Zelinka Priamo Ltd. - representing the applicant and expressing support for the staff recommendation. (2007-D11-03)

9. That, on the recommendation of the General Manager of Planning and Development, the application of ADIP INC. for a variance from the regulations of the Sign and Canopy By-law to maintain an existing 15.4 sq. metre ground sign located partly on the road allowance and less than 1.5 metres from the municipal sidewalk BE APPROVED, SUBJECT TO the owner entering in and complying with the City’s standard form of Licensing Agreement for a sign on a road allowance and payment of annual fees. (2007-D24-00)

10. That, on the recommendation of the General Manager of Planning and Development the following actions be taken with respect to new notice practices and procedures for Planning Act applications:

(a) the report from the General Manager of Planning and Development relating to new notice procedures for Planning Act applications BE RECEIVED for information; it being noted that the proposed signage shown in Appendix B is to be amended by moving item 6 to the position immediately after item 4, then renumbering the items accordingly and by deleting the hyphen and all the words after the hyphen within item 7;

(b) staff BE DIRECTED to:

(i) advise the London Development Institute, London Area Planning Consultants and the Urban League of these new notice practices and procedures required under the amended Planning Act;

(ii) advise the public, through a notice in the “Living in the City” section of the London Free Press, of these new notice practices and procedures;

(iii) establish a new web page on the City of London web site, devoted to notice for Planning Act applications; and

(iv) bring forward, as soon as possible, a report outlining draft Official Plan policies and guidelines which would establish the framework for complete applications relating to Official Plan and Zoning By-law amendments;

(c) the General Manager of Planning and Development, in liaison with Corporate Communications, BE REQUESTED to report on any additional costs associated with providing notice under these new requirements; and
(d) the communication dated February 23, 2007 from D. Sheppard, Chair of the Environmental and Ecological Planning Advisory Committee, relating to the new notice practices and procedures for Planning Act applications BE REFERRED to the General Manager of Planning and Development for review. (2007-D14-00 / 2007-L18-00)

11. That a demolition permit BE ISSUED to E. Billisics to demolish the residential building located at 675 Wharncliffe Road South. (2007-D10-00)

12. That Councillor Joni Baechler BE APPOINTED to the Creative City Committee for the term ending November 30, 2007.

13. That the monthly report of the Building Division for January 2007 BE NOTED AND FILED. (2007-D06-00)

The Chair directs that clauses 14 to 19, inclusive, of Section II be noted. Clauses 14 to 19, inclusive, read as follows:

14. That the Planning Committee received and noted a report from the General Manager of Planning and Development with respect to the Ontario Municipal Board Decision regarding property located at 216 Bernard Avenue. (2007-D09-00)

15. That the Planning Committee received and noted a report from the General Manager of Planning and Development with respect to the Town and Gown Conference being held in London, Ontario on May 10-11, 2007. (2007-M09-00)

16. That the Planning Committee received a communication dated February 12, 2007 from Councillor Lonc and received a communication dated February 9, 2007 and heard a delegation from Willie Kammerer, 1571 Coronation Drive and Mary Bloom, 1571 Coronation Drive with respect to concerns over public use of the private roadway located at 1571 Coronation Drive. The Planning Committee referred the matter to staff for review. (2007-D08-00)

17. That the Planning Committee received a communication dated January 22, 2007 and heard a delegation from Matt Farrell, 244 Edinburgh Street concerning the use of clothesline bans within selected subdivisions. The Planning Committee requested the Civic Administration to refer this matter to the London Development Institute and to the London Home Builders' Association for response; it being noted that the Civic Administration was directed not to enforce the existing imposed clothesline restrictions. (2007-D26-00)

18. That the communication dated February 22, 2007 from M. Jarabek with respect to proposed changes to London's Tree Conservation By-law was received and referred to staff for review.

19. That the Planning Committee received and noted its Deferred Matters List.

6TH REPORT OF THE ENVIRONMENT AND TRANSPORTATION COMMITTEE

Councillor Usher presents the 6th Report of the Environment and Transportation Committee.

Councillor Usher moves that clauses 1 to 10, inclusive, be adopted. CARRIED Clauses 1 to 10 read as follows:

1. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the ongoing Municipal Class Environmental Assessment (EA) Study for Storm/Drainage and Stormwater Management (SWM) servicing works within the Stoney Creek Community Area Plan for undeveloped lands:

   (a) the consulting fees, revised to an upset limit of $305,000 excluding G.S.T., BE APPROVED; it being noted they are based upon the Suggested Schedule of Fees for Engineering Projects, recommended by Professional Engineers Ontario, and in accordance with Council Policy 7(9A), Clause (e);

   (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix 'B';
(c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project, and

(d) the report dated February 26, 2007 from the Director, Wastewater and Treatment outlining the progress to date on this project **BE RECEIVED** for information. (2007-W10-02)

2. That, on the recommendation of the General Manager of Environmental and Engineering Services and City Engineer, the following projects be approved with additional road rehabilitation funding of $1.2M proposed in the 2007 Capital Works Budget:

(a) asphalt rehabilitation at an estimated cost of $320,000 **BE APPROVED** for Oxford Street West, Hyde Park Road to Sanatorium Road;

(b) asphalt rehabilitation at an estimated cost of $250,000 **BE APPROVED** for Commissioners Road West, Wonderland Road to west of Cranbrook Road;

(c) a temporary sidewalk with an integral curb for safety at an estimated cost of $100,000, and asphalt improvements at an estimated cost of $100,000 **BE APPROVED** for Western Road, from Windermere Road to Richmond Street; and

(d) asphalt rehabilitation at an estimated cost of $430,000 **BE APPROVED** for Commissioners Road East, Jackson Road to the City Limit. (2007-S08-00)

3. That, on the recommendation of the Director of Water, Environment and Customer Relations, the Mayor **BE AUTHORIZED** to execute the agreement with the Ministry of the Environment on behalf of The Corporation of the City of London with respect to securing funding from the Provincial Government for technical studies related to groundwater protection. (2007-W13-00)

4. That, on the recommendation of the Director of Water, Environment and Customer Relations, the proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on March 5, 2007 for the purpose of amending the Glanworth Water Servicing Area Rate By-law, WM-20, related to the supply of City water into the Glanworth area and assessed charges to benefiting property owners **SUBJECT TO** the City Solicitor advising the Municipal Council, at its meeting held on March 5, 2007, whether or not an implementation date of March 22, 2007 as the last date for the residents to hook up to the City of London pipeline can be included as part of the proposed By-law. (2007-W13-00)

5. That, on the recommendation of the Director of Water, Environment and Customer Relations, the comments and discussion in the Director of Water, Environment and Customer Relations' report dated February 26, 2007, **BE ENDORSED** and submitted by City staff to the Ministry of the Environment's Environmental Bill of Rights (EBR) Registry posting (#RA006E0018) dealing with the proposed Waste Management Projects Regulation and accompanying guideline document. (2007-W11-00)

6. That, on the recommendation of the Director of Water, Environment and Customer Relations, the following actions be taken with respect to the construction of Curb and Gutter as part of the Local Improvement Program, on initiation, for the following streets:

Chelsea Avenue - from Springbank Drive to Malcolm Street, both sides

(a) the attached Local Improvement Report (Appendix "A") dated November 10, 2006 for the construction, on initiation, of Curb and Gutter at the said location **BE ADOPTED**;

(b) the City Clerk **BE AUTHORIZED** to proceed under the provisions of The Municipal Act, 2001, Ontario Regulation 119/03 with the publishing and the serving of Notice of Municipal Council's intention to undertake these works in accordance with the following:

<table>
<thead>
<tr>
<th>Location</th>
<th>Owners' Share</th>
<th>Corporation's Share</th>
<th>Gross Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chelsea Avenue</td>
<td>$ 19,078.00</td>
<td>$ 7,330.00</td>
<td>$26,408.00</td>
</tr>
</tbody>
</table>
(c) all administrative acts necessary for the implementation of this project **BE AUTHORIZED** subject to approval of financing where required; and

(d) the Ward Councillor **BE PROVIDED** with a copy of all correspondence sent to the homeowners. (2007-S03-00)

7. That, on the recommendation of the Director of Water, Environment and Customer Relations, the following actions be taken with respect to the construction of Curb and Gutter as part of the Local Improvement Program, on initiation, for the following streets:

**Wildwood Avenue** - from Springbank Drive to Forest Hill Avenue, both sides

(a) the attached Local Improvement Report (Appendix "A") dated November 10, 2006 for the construction, on initiation, of Curb and Gutter at the said location **BE ADOPTED**;

(b) the City Clerk **BE AUTHORIZED** to proceed under the provisions of The Municipal Act, 2001, Ontario Regulation 119/03 with the publishing and the serving of Notice of Municipal Council’s intention to undertake these works in accordance with the following:

<table>
<thead>
<tr>
<th>Location</th>
<th>Owners' Share</th>
<th>Corporation's Share</th>
<th>Gross Cost</th>
</tr>
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<tr>
<td>Wildwood Avenue</td>
<td>$25,164.00</td>
<td>$11,049.00</td>
<td>$36,213.00</td>
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</tbody>
</table>

(c) all administrative acts necessary for the implementation of this project **BE AUTHORIZED** subject to approval of financing where required; and

(d) the Ward Councillor **BE PROVIDED** with a copy of all correspondence sent to the homeowners. (2007-S03-00)

8. That, on the recommendation of the Director of Administration and Development Services, and further to clause 17 of the 8th Report of the Planning Committee adopted by Municipal Council at their meeting held on March 6th, 2006, a By-law **BE INTRODUCED** to close all of the unnamed roadway on Registered Plan 91(C) in the City of London. (2007-S06-00)

9. That, on the recommendation of the Advisory Committee on the Environment, a Networking Forum entitled "Budding Opportunities" **BE HELD** at City Hall on Saturday, April 28, 2007 for the purpose of meeting with interested public and community groups to discuss and share new opportunities for working together; it being noted that the Advisory Committee on the Environment participated in the Networking Forum last year;

it being further noted that the Environment and Transportation Committee heard a verbal presentation from S. Turner, Chair, Advisory Committee on the Environment with respect to this matter.

10. That the Advisory Committee on the Environment (ACE) **BE ASKED** to report back to the Environment and Transportation Committee with a reduced list of priorities.

Councillor Usher moves that clause 11 be adopted.

Councillor Usher moves, seconded by Councillor Baechler, that clause 11(c) be amended by adding thereto at the end of part (c) the words "; it being noted that Councillor Usher will be the Environment and Transportation Committee's representative on the Creative City Committee". CARRIED

The motion to adopt clause 11, as amended, is put and CARRIED. Clause 11, as amended, reads as follows:

11. **That the following matters be NOTED AND FILED:**

(a) the 2nd Report of the Transportation Advisory Committee from its meeting held on February 6, 2007 (See Report attached)
(b) clauses 2 to 5, inclusive, of the 2nd Report of the Advisory Committee on the Environment (ACE) from its meeting held on February 7, 2007; it being noted that cars idling at a drive through is not a priority on the ACE list of strategic priorities (See Report attached.); and

(c) a Municipal Council resolution adopted at its meeting held on February 19, 2007 with respect to the composition of the Creative City Committee; it being noted that Councillor Usher will be the Environment and Transportation Committee’s representative on the Creative City Committee.

The Chair directs that clauses 12 to 14, inclusive, of Section II be noted. Clauses 12 to 14 read as follows:

12. That the Environment and Transportation Committee (ETC) recessed and convened as the Committee of Appeals to hear an appeal with respect to the Notice of Muzzle a Dog issued to M. Costello, 9 Harrison Crescent. Pursuant to City of London By-law No. PH-4, a decision was made to uphold the dog muzzling order and to request Ms. Costello follow the leash requirements outlined in By-law No. PH-4. (2007-P04-00)

13. That the Environment and Transportation Committee (ETC) received an enquiry from Councillor Hubert regarding the possible effects that the reconstruction of the Springbank Dam is having on the Thames River, as well as the types of testing that are performed upstream, downstream and at the Dam. The ETC referred this matter to the General Manager of Environmental & Engineering Services & City Engineer to report back with the water quality information and an update from the Upper Thames River Conservation Authority.

14. That the Environment and Transportation Committee (ETC) received an enquiry from Councillor Miller regarding amending By-law PS-111, the Traffic and Parking By-law, to provide for on-street parking between 3:00 a.m. and 5:00 a.m. for the months of June, July and August. The ETC referred this matter to the General Manager of Environmental & Engineering Services & City Engineer to report back at a future meeting of the ETC. (2006-S04-00)

1ST REPORT OF THE AUDIT COMMITTEE


The Chair directs that clauses 1 to 9, inclusive, of Section I be noted. Clauses 1 to 9, read as follows:

1. That the Audit Committee elected Councillor Van Meerbergen as its Chair for the term ending November 30, 2007.

2. That the Audit Committee elected Controller Polhill as its Vice Chair for the term ending November 30, 2007.

3. That the Audit Committee (AC) received and noted the 3rd Report of the Audit Committee from its meeting held on September 25, 2006.

4. That the Audit Committee (AC) received and noted a Municipal Council resolution from its session held on December 4, 2006 with respect to appointments to the Audit Committee for the term ending November 30, 2010.

5. That the Audit Committee (AC) received and noted a Municipal Council resolution from its session held on November 4, 2006 with respect to appointments to Advisory Committees, Boards and Commissions for the Council term commencing December 1, 2006.

6. That the Audit Committee (AC) received and noted an information report and heard a verbal overview from the City Treasurer with respect to an update on the Tangible Capital Assets Project.

7. That the Audit Committee (AC) heard a verbal overview from T.A. Johnson and received the attached information with respect to the mandate of Management Support and Audit Services and its relationship to the AC; it being noted that the draft 2007 Audit Plan for Management Support and Audit Services should be available for review by the AC by April 2007.
8. That the Audit Committee heard a delegation from K. Davies, I. Jeffreys and S. Rack of KPMG with respect to KPMG's 2006 Audit Planning Report. The Members were also provided with copies of the Audit Committee Institute's "Canadian Audit Committee Update, Fall 2006" and "Shaping the Canadian Audit Committee Agenda", for their information.

9. That in response to an inquiry by the Chair, the Audit Committee was advised by KPMG that the existing audit structure at The Corporation of the City of London is such that an Office of the Auditor General is likely unnecessary at this time.

9TH REPORT OF THE COMMITTEE OF THE WHOLE

98. Deputy Mayor Gosnell presents the 9th Report of the Committee of the Whole.

Deputy Mayor Gosnell moves that clauses 1 and 2 be adopted. CARRIED Clauses 1 and 2 read as follows:

1. That the Civic Administration BE REQUESTED to review the feasibility of introducing separate by-laws for the major services currently included within the Urban Works Reserve Fund.

2. That the City Solicitor BE REQUESTED to prepare a report on the relationship between development approvals and claims against the Urban Works Reserve Fund and that the report address potential issues of prematurity.

The Chair directs that clauses 3 to 5, inclusive, of Section II be noted. Clauses 3 to 5 read as follows:

3. That the Committee of the Whole received a presentation from Lyn Townsend, Townsend Rogers LLP, with respect to the Blue Ribbon Panel Report on its Review of the City of London's Urban Works Reserve Fund.

4. That the Committee of the Whole received an information report from the Chief Administrative Officer with respect to the implementation strategy in connection with the Blue Ribbon Panel's recommendations regarding the Urban Works Reserve Fund.

5. That the Committee of the Whole (CW) received a copy of a report from the General Manager of Environmental and Engineering Services & City Engineer with respect to Fanshawe Park Road East and a policy for pacing development which was referred to the CW by the Board of Control for information.

Councillor Winninger moves, seconded by Councillor Caranci, that the Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

(a) a matter pertaining to labour relations or employee negotiations and advice that is subject to solicitor-client privilege including communications necessary for that purpose respecting the engagement of temporary, part time office assistance for members of Council; and

(b) a matter pertaining to the proposed acquisition of land by the municipality. CARRIED

The Council rises and goes into the Committee of the Whole, in camera, at 6:40 p.m. with Deputy Mayor Gosnell in the Chair and all Members present except Councillors Hubert, Miller and Winninger.

The Committee rises and Council resumes in regular session at 6:42 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Councillors Miller and Winninger.

10TH REPORT OF THE COMMITTEE OF THE WHOLE


I

YOUR COMMITTEE OF THE WHOLE REPORTS:

1. That the Committee of the Whole met, in camera, for the purpose of considering the following:

   (a) a matter pertaining to labour relations or employee negotiations and advice that is subject to solicitor-client privilege including communications necessary for that purpose respecting the engagement of temporary, part time office assistance for members of Council; and

   (b) a matter pertaining to the proposed acquisition of land by the municipality.

Deputy Mayor Gosnell presents the 10th Report of the Committee of the Whole.

The Chair directs that clause 1 of Section I be noted.

BY-LAWS

99. Councillor Caranci moves, seconded by Controller Polhill, that the following Bills be introduced:

   Bill No. 103
   By-law No. A.-6077-55
   A by-law to approve the Amending Agreement between The Corporation of the City of London and the Garden Club of London; and to authorize the Mayor and Clerk to execute the Amending Agreement. (5/6/CPSC)

   Bill No. 104
   By-law No. A.-6078-56
   A By-law to approve the Agreement with The London Cross-Cultural Learner Centre for administration of the Website Portal to Assist New Immigrants; and to authorize the Mayor and the City Clerk to execute the Agreement. (11/11/BC)

   Bill No. 105
   By-law No. A.-6079-57
   A By-law to approve the standard form for Recreation and Leisure Program Purchase of Service Agreements and to authorize the General Manager of Community Services, or designate, to execute agreements which employ this form. (2/6/CPSC)

   Bill No. 106
   By-law No. A.-6080-58
   A by-law to approve an agreement between The Corporation of the City of London (the City) and the Minister of Municipal Affairs and Housing for the City to administer the Homeownership component of the Canada-Ontario New Affordable Housing Program; and to authorize the Mayor and the City Clerk to execute the agreement. (8/6/CPSC)

   Bill No. 107
   By-law No. A.-6081-59
   A by-law to delete Council Policy 13(2)(h) related to the enforcement of the Vital Services By-law as it relates to non-payment of vital services. (6/6/CPSC)

   Bill No. 108
   By-law No. A.-6082-60
   A by-law to amend Council Policy 19(34A) related to Disposition of School Sites Policy. (2/7/PC)

   Bill No. 109
   By-law No. C.P.-1284(nx)-61
   A by-law to amend the Official Plan for the City of London, 1989. (relating to 2350 Dundas Street) (8/7/PC)

   Bill No. 110
   By-law No. C.P.-1440(e)-62
   A by-law to amend By-law No. C.P.-1140-167 entitled, "A by-law respecting development charges. (13/11/BC)

   Bill No. 111
   By-law No. L-7
   A by-law to provide for licensing the business of a pawnbroker. (14/11/BC)
A by-law to amend By-law PW-4, as amended, entitled, "A By-law to provide for the Regulation of Prohibition of Unusual Noises." (3/6/CPSC)

A by-law to stop up and close part of Roadway on Registered Plan 91(C) in the City of London, County of Middlesex. (8/6/ETC)

A by-law to amend By-law WM-20 entitled, "A by-law to designate an area to which the Glanworth Water Services shall be extended and to establish rates to recover the cost of said works." (4/6/ETC)

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located on a portion of 610 & 620 Beaverbrook Avenue. (3/7/PC)

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 70 York Street and 350 Ridout Street North. (6/7/PC)

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 575-605 Proudfoot Lane. (7/7/PC)

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2350 Dundas Street. (8/7/PC)

CARRIED

First Reading:

Councillor Caranci moves, seconded by Councillor Eagle, that Bill No.'s 98 to 118, inclusive, be read a first time. CARRIED

Second Reading:

Controller Polhill moves, seconded by Councillor Caranci, that Bill No.'s 98 to 118, inclusive, be read a second time. CARRIED

Third Reading:

Councillor Usher moves, seconded by Controller Barber, that Bill No.'s 98 to 118, inclusive, be read a third time and be finally passed and enacted as by-laws of The Corporation of the City of London, namely:

A by-law to confirm the proceedings of the Council Meeting held on the 5th day of March, 2007 (City Clerk)

A by-law to amend By-law PS-111 entitled, "A by-law to regulate the traffic and parking of motor vehicles in the City of London." (Director of Roads and Transportation)

A by-law to assume certain works and services in the City of London. (Upland Hills 5 Subdivision, 33M-522; and Upland Hills 4 Subdivision, 33M-479) (General Manager of Environmental and Engineering Services and City Engineer)

A by-law to name and declare as public highway, but not assume for maintenance purposes, land in the City of London to be known as Sugarcreek Trail. (Chief Surveyor)

A by-law to authorize the construction of a sanitary sewer as local improvement under the provisions of the Ontario Regulation 119/03 under the Municipal Act, 2001." (5/15/BC-2006)

A by-law to approve the Amending Agreement between The Corporation of the City of London and the Garden
Club of London; and to authorize the Mayor and Clerk to execute the Amending Agreement. (5/6/CPSC)

Bill No. 104
By-law No. A.-6078-56
A By-law to approve the Agreement with The London Cross-Cultural Learner Centre for administration of the Website Portal to Assist New Immigrants; and to authorize the Mayor and the City Clerk to execute the Agreement. (11/11/BC)

Bill No. 105
By-law No. A.-6079-57
A By-law to approve the standard form for Recreation and Leisure Program Purchase of Service Agreements and to authorize the General Manager of Community Services, or designate, to execute agreements which employ this form. (2/6/CPSC)

Bill No. 106
By-law No. A.-6080-58
A by-law to approve an agreement between The Corporation of the City of London (the City) and the Minister of Municipal Affairs and Housing for the City to administer the Homeownership component of the Canada-Ontario New Affordable Housing Program; and to authorize the Mayor and the City Clerk to execute the agreement. (9/6/CPSC)

Bill No. 107
By-law No. A.-6081-59
A by-law to delete Council Policy 13(2)(h) related to the enforcement of the Vital Services By-law as it relates to non-payment of vital services. (6/6/CPSC)

Bill No. 108
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A by-law to amend By-law No. C.P.-1140-167 entitled, “A by-law respecting development charges.” (13/11/BC)

Bill No. 111
By-law No. L-7
A by-law to provide for licensing the business of a pawnbroker. (14/11/BC)

Bill No. 112
By-law No. PW-4-07005
A by-law to amend By-law PW-4, as amended, entitled, “A By-law to provide for the Regulation of Prohibition of Unusual Noises.” (3/6/CPSC)

Bill No. 113
By-law No. S.-5030-63
A by-law to stop up and close part of roadway on Registered Plan 91(C) in the City of London, County of Middlesex. (8/6/ETC)

Bill No. 114
By-law No. WM-20-07001
A By-law to amend By-law WM-20 entitled, “A by-law to designate an area to which the Glanworth Water Services shall be extended and to establish rates to recover the cost of said works.” (4/6/ETC)

Bill No. 115
By-law No. Z.-1-071615
A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located on a portion of 610 & 620 Beaverbrook Avenue. (3/7/PC)

Bill No. 116
By-law No. Z.-1-071616
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 70 York Street and 350 Ridout Street North. (6/7/PC)

Bill No. 117
By-law No. Z.-1-071617
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 575-605 Proudfoot Lane. (7/7/PC)

Bill No. 118
By-law No. Z.-1-071618
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2350 Dundas Street. (8/7/PC)

CARRIED
ADJOURNMENT

100. Councillor Caranci moves, seconded by Councillor Usher, that the Meeting adjourn. CARRIED

The Meeting adjourns at 6:44 p.m.

Anne Marie DeCicco-Best, Mayor

Kevin Bain, City Clerk