

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

**COUNCIL CHAMBERS  
CITY HALL**

**MARCH 7TH, 2005**

6:00 p.m. The meeting convened with His Worship, Mayor Jeff Kohler, presiding.

**ATTENDANCE**

**Members**

Mayor J. Kohler  
Alderman B. Aarts  
    C. Barwick  
    H. Chapman  
    T. Johnston  
    T. Shackelton  
    M. Turvey  
    D. Warden

**Officials**

W. Graves, City Clerk  
W. Day, City Treasurer & Director of Finance  
J. Dewancker, Director Environmental Services  
I. Andersen, Manager of Operations  
P. Hegler, Manager Engineering  
M. Sture, Supervisor Roads and Transportation  
G. Dart, Director Human Resources  
R. Lyons, Fire Chief  
R. Barber, Deputy Fire Chief  
P. Keenan, Planning Director  
M. Carroll, Valleyview Administrator

**THE LORD'S PRAYER**

**CLOSED SESSION**

The Closed Session was held in Committee Room #204 and the minutes are located at the end of Regular Open Council Business.

**DISCLOSURES OF INTEREST**

Nil.

**MINUTES**

Motion by Alderman Turvey - Shackelton:

THAT: The minutes of the meetings held on February 21st and 28th, 2005 be confirmed.

Carried.

**DEPUTATIONS**

**2005 BUDGET**

**County of Elgin Deputation Regarding Land Ambulance Costs**

Warden Jim McIntyre, Mark McDonald, Larysa Andrusiak, Linda Veger, and representatives from Thames EMS were in attendance.

Warden McIntyre stated that the County was not pleased with the sizable increases in ambulance costs and that the County had met several times with the Province and other Counties in order to pressure the Province into financial reforms. Warden McIntyre commended the relationship between Elgin and Middlesex Counties for the cross border service agreement.

Mark McDonald provided a power point presentation regarding the land ambulance costs and service.

Alderman Warden inquired about the percentage of emergency calls versus medical transfers.

A representative of Thames EMS stated that about 75% of calls were emergency calls and 25% were medical transfers.

Alderman Warden inquired about who supplied new ambulance units.

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

The 10<sup>th</sup> meeting of the 125<sup>th</sup> Council - 2

Larysa Andrusiak responded that there was a 54-month replacement program for the units and that the Province was no longer in the business of supplying the ambulances and that purchases were made from individual suppliers.

Alderman Barwick stated that unless substantial funding was received from the Province, in the future the residential taxpayer would only be funding police, fire and ambulance services.

St. Thomas- Elgin Tourist Association

Mr. Dave McAdams, President, St. Thomas-Elgin Tourist Association, was in attendance.

Mr. McAdams highlighted accomplishments of the Association including expanding brochure distribution and the visual heritage movie. Mr. McAdams stated that the Association hoped to provide a market readiness-training program for local businesses and further that the Association was looking for the same levels of funding as in 2004.

Mayor Kohler commended the Association for its work in 2004.

St. Thomas Elgin Public Art Centre

Kathryn Collier, President, and Debra Seabrook-Page, Executive Director, St. Thomas Elgin Public Art Centre were in attendance.

Ms. Collier presented an overview of the Centre's 2004 projects and work and stated that it was a roller coaster year with highs and lows including problems with the heating system and increased visitor attendance. Mrs. Collier stated that consistent, stable funding, from the City will be important.

Alderman Barwick commended the Art Centre and stated that it is an important asset and that it should be considered with the same importance as sports activities.

Downtown Development Board

Representatives from the Downtown Development Board will be in attendance at the March 14<sup>th</sup>, 2005 meeting.

**COMMITTEE OF THE WHOLE**

Council resolved itself into Committee of the Whole.

**PLANNING AND DEVELOPMENT COMMITTEE** - Chairman H. Chapman

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Draft Plan of Subdivision File #34T-04510 - Joe Ostojic & Son Ltd., Doug Tarry Limited, and Faith Baptist Church - Block 4 Area south of Southgate Parkway - 20 Lots for single detached dwellings and 14 lots for semi-detached dwellings (28 units) - Appendix "A"

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Motion by Alderman Shackelton - Turvey:

THAT: Council approve the Draft Plan of Subdivision File # 34T-04508 (Residential Plan of Subdivision) of lands owned by Joe Ostojic & Son Ltd., Doug Tarry Limited and Faith Baptist Church, which lands are legally described as Blocks 23, 25, 26, Registered Plan 11M-110; Part of Blocks 22, 24, 27, 29, Registered Plan 11M-110, and Part of Block 35, Registered Plan 11M-113, City of St. Thomas, County of Elgin, subject to the standard Municipal draft plan conditions including the requirement for the developer to enter into a subdivision agreement with the Corporation of the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other related matters.

Carried.

Draft Plan of Subdivision File #34T-05501 - Doug Tarry Limited - Block 4 Development Area Hagerman Crescent – 9 Lots for single detached dwellings - Appendix "B"

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CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

Motion by Alderman Johnston - Warden:

THAT: Council approve in principle the proposed Draft Plan of Subdivision File # 34T-05501 (Residential Plan of Subdivision) of lands owned by Doug Tarry Limited which lands are legally described as Blocks 24 & 26, Registered Plan 11M-143, Part of Block 38, Registered Plan 11M-113, and Part of Block 18, Registered Plan 11M-110, City of St. Thomas, County of Elgin and further that final approval be subject to:

- A final staff report following the review of comments/recommendations received from agencies and City departments upon completion of the circulation of the draft plan;
- Confirmation by the Director of Environmental Services that there is sufficient uncommitted reserve treatment capacity in the sanitary sewerage system to service the proposed development;
- A subdivision agreement satisfactory to the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other related matters.

AND THAT: A date for a public meeting be set for 6:50 p.m. on April 4th, 2005 in accordance with Ontario Regulations 196/96, as amended.

Carried.

Application 34CDM-04505 for approval of Phase III of Elgin Standard Condominium Plan No. 16 Dalewood Glen Ltd. - 87 Donker Drive - Appendix "C"

Motion by Mayor Kohler - Alderman Aarts:

THAT: Council approve the Draft Plan of Subdivision File # 34CDM-04505 being Phase III of Elgin Standard Condominium Plan No. 16 of lands owned by Dalewood Glen Ltd. which lands are legally described as Part of Block 64 Registered Plan 11M-60 in the City of St. Thomas, County of Elgin, subject to the standard draft plan conditions including the requirement for the developer to enter into a subdivision agreement with the Corporation of the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other related matters.

Carried.

Draft Plan of Subdivision File #34T-04507 - P. Kantor Construction Ltd. - Block 3 Development Area – 29 Lots for single detached dwellings- Appendix "D"

Motion by Alderman Aarts - Johnston:

THAT: Report PD 11-2005 of the Planning Director be received for information.

Carried.

Motion by Alderman Turvey - Johnston

THAT: Council approve the Draft Plan of Subdivision File # 34T-04507 (Residential Plan of Subdivision) of lands owned by P. Kantor Construction Ltd. which lands are legally described as Part of Block 29, Registered Plan 11M-67, City of St. Thomas, County of Elgin, subject to the standard draft plan conditions including the requirement for the developer to enter into a subdivision agreement with the Corporation of the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other related matters.

Carried.

Bailey Avenue Cul-de-sac

Alderman Turvey inquired if a cul-de-sac would be constructed on Bailey Ave.

The Director of Environmental Services stated that the new information received from Central Elgin indicating that the road would not be connected suggests that a temporary turn around should be installed.

Council allowed Mr. Kantor to comment on the turn around.

Mr. Kantor stated he was surprised to hear a turn around would be required as his previous discussion with the Director of Engineering indicated that one would not be required.

Alderman Warden inquired how this situation could change within the past three weeks.

The Director of Engineering stated that this requirement was based on the new information coming from Central Elgin.

Alderman Barwick stated that he felt there was a verbal understanding that a turn around would not be required and that it would be difficult to support it now.

Alderman Turvey stated that the turn around was based on the fact the Central Elgin would not be opening up the road and that the previous information was no longer valid.

Chairman Chapman requested by show of hands if a turn around should be required and Council indicated it would not be required.

**BUSINESS CONCLUDED**

**ENVIRONMENTAL SERVICES COMMITTEE** – Chairman M. Turvey

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Third Avenue Watermain Replacement and Road Restoration (Wellington to Chestnut) – Tender Results- Appendix “E”

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Motion by Mayor Kohler - Alderman Aarts:

THAT: The tender submitted by Pacheco Construction in the amount of \$302,505.48 be accepted; and

THAT: The project budget be augmented by \$50,000.00 and that such additional amount be funded by the water reserve, and

THAT: The contractor be authorized to proceed with the contract;

AND THAT: The Mayor and Clerk be authorized to sign the agreement.

Carried.

**Moore Street Reconstruction Tender Results- Appendix “F”**

Motion by Alderman Shackelton - Chapman:

THAT: The tender as submitted by Terra Infrastructure in the amount of \$532,000.00 be accepted; and

THAT: The contractor be authorized to proceed with the contract;

AND THAT: The Mayor and the Clerk be authorized to sign the agreement.

Carried.

**BUSINESS CONCLUDED**

**PERSONNEL AND LABOUR RELATIONS COMMITTEE** - Chairman D. Warden

**UNFINISHED BUSINESS**

**NEW BUSINESS**

The 10<sup>th</sup> meeting of the 125<sup>th</sup> Council - 5

Approval to Fill Vacancies Policy - Appendix "G"

Motion by Alderman Johnston - Chapman:

THAT: Council approve Corporate Policy #HR-02-03, Approve to Fill Vacancies, as attached to Report HR-04-05 of the Director of Human Resources.

Carried.

Recruitment Policy - Appendix "H"

Motion by Alderman Aarts – Mayor Kohler:

THAT: Council approve Corporate Policy #HR-02-12, Recruitment Process, as attached to Report HR-03-05 of the Director of Human Resources.

Carried.

Christmas Shut Down Policy HR-03-08 - Appendix "I"

Motion by Mayor Kohler - Alderman Turvey:

THAT: Council approve Corporate Policy #HR-03-08, Christmas Shut-Down, as attached to Report HR-05-05 of the Director of Human Resources.

Carried.

**BUSINESS CONCLUDED**

**FINANCE AND ADMINISTRATION COMMITTEE** - Chairman C. Barwick

**UNFINISHED BUSINESS**

**NEW BUSINESS**

159<sup>th</sup> Annual Aylmer Fair – Grant Request

Motion by Alderman Chapman – Johnston:

THAT: The request of the Aylmer Fair be referred to 2005 Budget deliberation.

Carried.

Animal Aide – Grant Request

Motion by Alderman Shackelton - Aarts:

THAT: The grant request of Animal Aide be referred to 2005 Budget deliberation.

Carried.

Long Term Financing – Capital Projects

Mayor Kohler inquired about the status of long term financing and if it had been secured for capital projects.

The Director of Finance stated that the financing would be secured in July/August for the St. Thomas-Elgin Community Complex/Twin Pad Arena and in early 2006 for Valleyview. The Director of Finance stated that the financing would be sought when the funds were required.

2005 Budget and Development Charges

Chairman Barwick reminded Council and the public about the dates relating to the budget and development charges.

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Development Charges Public Meeting – March 21, 2005 at 5:00 p.m.

Budget Presentation to Council – March 21, 2005 at 7:00 p.m.

Development Charges By-law Adoption – March 29, 2005

Final Budget Adoption – March 29, 2005

**BUSINESS CONCLUDED**

**COMMUNITY AND SOCIAL SERVICES COMMITTEE** - Chairman B. Aarts

**UNFINISHED BUSINESS**

2005/06 Ice Rental Rates

**NEW BUSINESS**

Valleyview Replacement - Commercial Building Incentive Program - Appendix "J"

Motion by Alderman Warden - Johnston:

THAT: Report VV-005-05 outlining the results of the Commercial Building Incentive Program application be received and filed as information.

Carried.

The Valleyview Administrator stated that the City was eligible for a grant in the amount of \$46,000 and that the new Valleyview would be approximately 37% more energy efficient.

St. Thomas-Elgin Community Centre/Twin Pad Arena

Alderman Warden inquired about if Council would be receiving an update from the St. Thomas-Elgin Community Centre Fund Raising Committee.

Alderman Aarts stated he would ask for an update from the Committee.

2005 Baseball Rates

Alderman Johnston inquired about the status of ball rates for 2005.

Alderman Aarts stated that he hoped to have the report for the next meeting.

**BUSINESS CONCLUDED**

**PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE** - Chairman T. Shackelton

**UNFINISHED BUSINESS**

Woodland Road "No Parking" Request

**NEW BUSINESS**

Lions Club Autofest – Classic Car Display on Talbot Street - 2005 - Appendix "K"

Motion by Alderman Aarts - Warden:

THAT: Council declare the Lions Club Autofest as a Community Festival; and

THAT: Talbot Street be closed between Ross Street and Inkerman Street from 5:00 p.m. to 11:00 p.m. on Saturday June 18<sup>th</sup>, 2005;

AND THAT: The Lions Club Autofest Committee be permitted to hold the Autofest Car Show on the closed portion of Talbot Street, providing that all concerns of the Fire Dept., Environmental Services Dept., Police Services, Treasury Dept., and the St. Thomas – Elgin Health Unit as outlined in this report are addressed.

Carried.

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

The 10<sup>th</sup> meeting of the 125<sup>th</sup> Council - 7

Alderman Shackelton stipulated that the usual certificate of public liability and property damage insurance with a covering limit of \$5,000,000.00 needs to be provided by Lions Club Autofest Committee, certifying that the City of St. Thomas has been named as an additional insured for this event only, and that it should be submitted to the City Clerk prior to the start of the event.

Iron Horse Festival - 2005 - Appendix "L"

Motion by Alderman Johnston - Chapman:

THAT: Council declare the Iron Horse Festival as a Community Festival;

1. Talbot Street be closed from 5:00 p.m. on Wednesday August 24<sup>th</sup>, 2005 to 12:00 midnight Sunday August 28<sup>th</sup>, 2005 from St. Catharine Street to Elgin Street; and
2. White Street be closed from 8:00 a.m. Wednesday August 24<sup>th</sup>, 2005 to 12:00 midnight Sunday August 28<sup>th</sup>, 2005 from Talbot Street to Centre Street; and
3. Mondamin Street be closed from 8:00 a.m. Wednesday August 24<sup>th</sup>, 2005 to 12:00 midnight Sunday August 28<sup>th</sup>, 2005 from Talbot Street to Curtis Street; and
4. One-half of Hepburn Parking Lot be closed from 12:00 noon Tuesday August 23<sup>rd</sup>, 2005 to 12:00 midnight Sunday August 28<sup>th</sup>, 2005; and
5. The White Street Parking Lot be closed from 5:00 p.m. Tuesday August 23<sup>rd</sup>, 2005 to 12:00 midnight Sunday August 28<sup>th</sup>, 2005 for a portion of the midway; and
6. Talbot Street, between Elgin Street and St. George Street/Queen Street be closed on Friday August 26<sup>th</sup>, 2005 from 6:00 p.m. to 10:00 p.m.;

AND THAT: The Iron Horse Festival Committee be permitted to hold the Iron Horse Festival on the closed portion of Talbot Street, White Street, Mondamin Street and the Hepburn and White Street Parking Lots, providing that all concerns of the Fire Dept., Environmental Services Dept., Police Services, Treasury Dept.(Recreational Services Section) , and the St. Thomas – Elgin Health Unit, as outlined in Report PW 16-05, are addressed.

Carried.

Alderman Shackelton stipulated that the usual certificate of public liability and property damage insurance with a covering limit of \$5,000,000.00 be provided by Iron Horse Festival, certifying that the City of St. Thomas has been named as an additional insured for this event only and that it be submitted to the City Clerk prior to the start of the event.

Left Turn Restrictions – First Pro Developments - Appendix "M"

Motion by Alderman Turvey - Chapman:

THAT: The Traffic By-law 45-89 be amended to restrict left turns to and from First Avenue at the right-in right-out driveway immediately to the north of Redan Street, and to restrict left turns to and from Talbot Street at the right-in right-out driveway immediately east of the primary First Pro Development driveway.

Carried.

Fire Department - Tanker Replacement - Appendix "N"

Motion by Mayor Kohler - Alderman Barwick:

THAT: Council authorize the purchase of a used Tanker, from Dobson Mechanical, at a cost of \$46,500.00, plus GST for the Fire Department.

Carried.

Alderman Johnston inquired about the warranty of a new tanker.  
Chief Lyons stated that the new tanker would have a better, complete manufacturer's warranty.

Alderman Turvey stated that she understood the company that would supply the used equipment to be very reputable.

Alderman Barwick stated that Council would have to be replacing a pumper within a short period of time in addition to the tanker purchase.

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

The 10<sup>th</sup> meeting of the 125<sup>th</sup> Council - 8

Community Safety Zone – Fairview Ave

Mayor Kohler requested that the Environmental Services Department review the placement of a Community Safety Zone on Fairview Ave from Aldborough Avenue to Southdale Line.

The members concurred and directed the Environmental Services Department to review the safety zone.

Speed Limits – Wellington Road and Sandymount Hill Areas

Alderman Aarts inquired if the Environmental Services Department could look at the speed limits in the Wellington Road and Sandymount Hill area.

The Committee directed the Environmental Services Department to review this area.

By-Law 89-2004, A by-law to establish smoke free public places and workplaces

Alderman Johnston inquired about the implementation of the Smoking By-Law

The Clerk stated that the first week had gone very well and that businesses should be commended. The Clerk stated that over 50 businesses had been visited and that no tickets had been issued.

**BUSINESS CONCLUDED**

**REPORTS PENDING**

**COUNCIL**

Council reconvened 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

Motion by Alderman Turvey - Aarts:

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.

Carried.

**REPORTS OF COMMITTEES**

**PETITIONS AND COMMUNICATIONS**

Wayside Dining Lounge, Talbotville - Request to Dump Wastewater

Motion by Alderman Aarts – Turvey:

THAT: The request from the Wayside Dining Lounge regarding the dumping of wastewater be referred to the Environmental Services Department for a response.

Carried.

The 10<sup>th</sup> meeting of the 125<sup>th</sup> Council - 9

Tag Day – 741 Air Cadet Squadron

Motion by Alderman Shackelton - Warden:

THAT: We authorize the conducting of a Tag Day by 741 Air Cadet Squadron on April 8th, 2005 and April 9th, 2005.

Carried.

Youth Science Month – March 2005

Motion by Alderman Johnston - Chapman:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the month of March 2005 as “Youth Science Month” in the City of St. Thomas.

Carried.

**UNFINISHED BUSINESS**

Deputy Mayor Position

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

**NEW BUSINESS**

St. Thomas Holding Inc. - Annual General Meeting Recommendations

Motion by Alderman Shackelton - Aarts:

THAT: The minutes of the Annual General Shareholders Meeting held March 29, 2004 be confirmed as correct as printed.

Carried.

Motion by Alderman Turvey - Chapman:

THAT: The audited financial statements for St. Thomas Holding Inc. to December 31, 2004, as prepared by Graham Scott Enns, Chartered Accountants, dated February 11, 2005 are received.

Carried.

Motion by Alderman Shackelton - Turvey:

THAT: The audited financial statements for St. Thomas Energy Services Inc. to December 31, 2004, as prepared by Graham Scott Enns, Chartered Accountants, are received as having formed the Consolidated Financial Statements for St. Thomas Holding Inc., dated February 11, 2005.

Carried.

Motion by Alderman Shackelton - Turvey:

THAT: The audited financial statements for St. Thomas Energy Inc. to December 31, 2004, as prepared by Graham Scott Enns, Chartered Accountants, are received as having formed the Consolidated Financial Statements for St. Thomas Holding Inc., dated February 11, 2005.

Carried.

A request was made to deal with the following resolution by recorded vote.

Motion by Alderman Aarts - Barwick:

WHEREAS the City of St. Thomas adopted By-law No. 22-2001, as the Shareholder Directives of St. Thomas Holding Inc., on February 5, 2001,

AND WHEREAS Clause 5.2 of By-Law 22-2001 stipulates matters requiring Shareholder approval, more specifically detailed as follows:

"q) incorporate any Subsidiary;  
u) enter into any partnership, joint venture, arrangement or alliance for the sharing of profits with any Person;"

AND WHEREAS St. Thomas Holding Inc. has investigated certain partnership opportunities with other local distribution entities, which when analyzed recognize significant financial and operational benefits to the Company and Shareholder,

AND WHEREAS this contemplated partnership will require the creation of an Incorporated Entity, partially owned by St. Thomas Holding Inc.,

NOW THEREFORE, THE SHAREHOLDER OF ST. THOMAS HOLDING INC. (The City of St. Thomas) APPROVES AS FOLLOWS:

1. That St. Thomas Holding Inc. is granted approval, as contemplated in City of St. Thomas By-Law 22-2001, Clause 5.2, to negotiate and enter into a partnership agreement with Erie Thames Power Corporation and Essex Power Corporation. This partnership arrangement will result in the creation of a jointly owned Incorporated Company for the purposes of delivering shared Asset Management and other services for the three entities.
2. That the shares of this new corporation be held by St. Thomas Holding Inc., to the benefit of the Shareholder.
3. That the Shareholders direct that a dispute resolution process be part of the partnership agreements.
4. That the Shareholders direct that an exit protocol be part of the partnership agreements.

**Recorded Vote**

Yeas

Mayor J. Kohler  
Alderman B. Aarts  
C. Barwick  
H. Chapman  
T. Johnston  
T. Shackelton  
M. Turvey  
D. Warden

Nays

Carried.

Motion by Alderman Shackelton - Warden:

THAT: The firm of Graham, Scott, Enns, Chartered Accountants be appointed as Auditors for the 2005 business year.

Carried.

**BY-LAWS**

Motion by Alderman Turvey - Shackelton:

THAT: Leave be granted to bring in the following by-laws:

1. A by-law to confirm the proceedings of the Council meeting held on the 7th day of March, 2005.
2. A by-law to authorize the Mayor and Clerk to sign the 2003 Long Term Care Facility Annual Report. (Valleyview Home for the Aged)

3. 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 Her Majesty the Queen in Right of Canada as represented by the Minister of Natural Resources. (Valleyview Replacement - Commercial Building Incentive Program)

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 McDonald's Restaurants of Canada (SPC 10-02 - 955 Talbot Street)

5. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and Terra Infrastructure Inc. (Moore Street Reconstruction - \$532,000.00)

Carried.

### **First and Second Readings**

Motion by Alderman Turvey - Shackelton:

THAT: The by-laws be now read a first time, referred to Council in Committee of the Whole and read a second time.

Carried.

Alderman D. Warden was appointed Chairman of Council in Committee of the Whole and conducted the second reading of the by-laws.

On motion duly moved and seconded, the Chairman was ordered to report on the passing of the by-laws. The Chairman reported as ordered and the Mayor resumed the Chair.

### **Third Reading**

Motion by Alderman Turvey - Shackelton:

THAT: The report of Council in Committee of the Whole on the following by-laws be received and adopted, the same be read a third time, engrossed, signed by the Mayor and Clerk, sealed and numbered.

1. A by-law to confirm the proceedings of the Council meeting held on the 7th day of March, 2005. (B/L 30-2005) (A/G 9-2005)

2. A by-law to authorize the Mayor and Clerk to sign the 2003 Long Term Care Facility Annual Report. (Valleyview Home for the Aged) (B/L 31-2005)

3. 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 Her Majesty the Queen in Right of Canada as represented by the Minister of Natural Resources. (Valleyview Replacement - Commercial Building Incentive Program) (B/L 32-2005) (A/G 10-2005)

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 McDonald's Restaurants of Canada (SPC 10-02 - 955 Talbot Street) (B/L 33-2005) (A/G 11-2005)

5. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and Terra Infrastructure Inc. (Moore Street Reconstruction - \$532,000.00) (B/L 34-2005) (CON 4-2005)

Carried.

### **PUBLIC NOTICE**

### **NOTICES OF MOTION**

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By-law 110-82 – Council’s Procedural By-law

Alderman Turvey put forward the following Notice of Motion.

Motion by Alderman Turvey:

THAT: Section 9, Rules of Conduct and Debate, of By-law 110-82, being a By-law to provide for Rules governing the Order and Proceedings of Council, be amended to include a Section which defines that no member of Council shall use tactics of bullying or intimidation of other members during any meeting and further that if such action takes place, the Head of Council or Presiding Officer may exclude the member from the meeting.

**CLOSED SESSION**

Motion by Alderman Johnston - Shackelton:

THAT: This meeting be closed to deal with a labour relations matter and a matter protected under the Municipal Freedom of Information and Protection of Privacy Act.

Carried.

Alderman Warden informed Council he had two additional personal matters about identifiable individuals and Alderman Shackelton stated he had one matter relating to labour relations.

**OPEN SESSION**

Motion by Alderman Johnston - Chapman:

THAT: Council now rise from Closed Session at (6:53 P.M).

Carried.

**ADJOURNMENT**

Motion by Alderman Johnston - Turvey:

THAT: We do now rise and adjourn. (9:02 P.M.)

Carried.

**CLOSING PRAYER**