

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

**COUNCIL CHAMBERS
CITY HALL**

APRIL 18TH, 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, Director of Finance & City Treasurer
F. Lattanzio, Community Centres & Property Manager
J. Dewancker, Director, Environmental Services
I. Andersen, Manager of Operations & Compliance
P. Hegler, Manager Engineering
G. Dart, Director, Human Resources
D. Arndt, Airport Superintendent
C. Hinatsu, Ontario Works Director
R. Barber, Deputy Fire Chief
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

Alderman Johnston declared a conflict of interest relating to the Third Report of the Site Plan Control Committee as he has a business relationship with Box-N-Lock Self Storage Limited. He refrained from all discussion and action regarding this matter.

MINUTES

Motion by Alderman Warden - Turvey:

THAT: The minutes of the meeting held on April 11th, 2005 be confirmed.

Carried.

DEPUTATIONS

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

NEW BUSINESS

CITY CLERK_____CONFIRMED_____MAYOR

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St. Thomas Water Pollution Control Plant - 2004 Performance Report - Appendix “A”

Motion by Mayor Kohler - Alderman Chapman:

THAT: The 2004 Annual Performance Report for the St. Thomas Water Pollution Control Plant be received; and,

THAT: The calculation of the uncommitted reserve treatment capacity of the City’s Water Pollution Control Plant be updated for report to the Environmental Services Committee of Council.

Carried.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

NEW BUSINESS

Annual Watermain Rehabilitation -Tender Award - Appendix “B”

Motion by Alderman Aarts - Shackelton:

THAT: The tender submitted by Fer-Pal Construction Ltd. in the amount of \$1,265,098.46 including GST, for the Annual Watermain Rehabilitation project be accepted; and,

THAT: The contractor be authorized to proceed with the work; and,

THAT: The Mayor and City Clerk be authorized to sign the agreement; and,

THAT: The sources of funding as shown in this report be approved.

Carried.

Ontario Fire Services Grant - Appendix “C”

Motion by Alderman Shackelton - Turvey:

THAT: Council authorize the creation of a Fire Reserve and that the Ontario Fire Services Grant received from the Ministry of Community Safety and Correctional Services in the amount of \$155,000.00 be deposited into such Reserve; and,

THAT: Council utilize the Reserve to fund Fire Department operations or capital initiatives for the purpose of strengthening the delivery of municipal fire protection services.

Carried.

Provincial Unconditional Grant Program - Appendix “D”

The Director of Finance & City Treasurer provided an overview of the impacts of the new Provincial funding formula and stated that the Province’s decrease in funding to the City would be \$1.4 million over a number of years.

CITY CLERK_____CONFIRMED_____MAYOR

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The Director of Finance & City Treasurer recommended averaging out the one time funding grant of \$1.3 million, which will be received this year, in subsequent years and applying approximately \$450,000 each year to the City's budget to offset the Province's reduction.

Mayor Kohler recommended, and Council agreed by consensus, that a letter should be sent to the Province indicating the City's disapproval of the funding reduction.

Motion by Alderman Turvey - Johnston:

THAT: Council authorize the creation of an Unconditional Grant Stabilization Reserve and that the one-time grant payment amount to be received from the Province in 2005 totaling \$1,301,871.00 be deposited into such Reserve; and,

THAT: Council utilize the Reserve to mitigate the future impact of reductions to the existing Unconditional Grant; it being noted that following a series of phase-in reductions over the next several years, the City may be required to absorb an ongoing reduction to the Grant of over \$1.4 annually commencing in 2009.

Carried.

RED Program (Rural Economic Development) - Appendix "E"

Motion by Alderman Shackelton - Turvey:

THAT: Council authorize staff to apply for funds through the Ministry of Municipal Affairs Rural Economic Development (RED) Program to access funds for revitalization of the commercial core area.

Carried.

Addition of Council (Alderman) Position - Appendix "F"

Alderman Warden stated that while he had originally voted in favor of adding a new position, perhaps eliminating a position may be considered and that he would have more comments when the by-law comes before Council.

Mayor Kohler stated that others may have similar comments that may come out at the public meeting.

Motion by Alderman Aarts - Shackelton:

THAT: A public meeting be scheduled for 6:45 p.m. on Monday, May 9, 2005 in accordance with the Municipal Act, for the addition of a new Council (Alderman) position; and,

THAT: Staff be directed to prepare the necessary By-law to add the new position to Council in accordance with the Municipal Act.

Carried.

Development Charges By-law

Mayor Kohler stated that he had a meeting regarding the development of the RONA site and advised that at the time this development proposal was in progress, the development charges came into effect and asked if staff could review this matter.

Chairman Barwick, with the consensus of Council, asked that the Director of Finance & City Treasurer report back to Council regarding this matter.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

CITY CLERK _____ CONFIRMED _____ MAYOR _____

UNFINISHED BUSINESS

Request for Staff - Child Care Supervisor

NEW BUSINESS

Monthly Report St. Thomas-Elgin Community Centre/ Twin Pad Arena - Appendix “G”

Mr. Lucas Smith provided a summary of the monthly activities and highlighted the following information: the winter allowance may be exceeded by \$30,000; the contract documents with Norlon Builders would be available for approval at the next Council meeting; the contractor was committed to having the building ready for September 1st; and, that the largest cost risk at this time was the unit grade work in the parking lot.

Alderman Johnston inquired about the status of the MOEE approvals and site ownership.

The Director of Environmental Services stated that everything was on schedule and that the City’s Solicitor was ensuring all of the conditions in the Offer to Purchase were being satisfied.

Motion by Alderman Turvey - Mayor Kohler:

THAT: The March 2005 Monthly report for the St. Thomas-Elgin Community Centre/Twin Pad Arena be received for information.

Carried.

Report for the months of January, February and March 2005 - Appendix “H”

Motion by Alderman Warden - Turvey:

THAT: Report CR-05-02 of the Director of Ontario Works for the months of January, February and March 2005 be received and filed for information.

Carried.

Valleyview Replacement - Monthly Report - Appendix “I”

The Valleyview Administrator reported to Council that names had been selected for the five resident areas within Valleyview as a result of names being submitted by staff and residents.

Alderman Aarts reported that the areas would be named Chesapeake Way, Wabash Line, CP Place, Grand Trunk Trail and CN Crossing.

Motion by Alderman Shackelton - Chapman:

THAT: The Valleyview Replacement report for the month ending February 28th, 2005 be received and filed for information.

Carried.

St. Thomas-Elgin Community Centre/Twin Pad Arena - Grand Opening Committee

Motion by Alderman Shackelton - Turvey:

THAT: A select committee be established to organize the Grand Opening of the St. Thomas-Elgin Community Centre consisting of Alderman Turvey, Alderman Shackelton and Alderman Aarts plus staff members.

Carried.

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Community Safety Zone - Fairview Avenue - Appendix “J”

Motion by Alderman Turvey - Mayor Kohler:

THAT: The Thames Valley School Board be encouraged to relocate their school bus pick-up/drop-off location to better suit the demands; and,

THAT: The posted speed limit be reduced from 60 km/h to 50 km/h on Fairview Avenue between Bill Martyn Parkway/Southgate Parkway and Leger Avenue; and,

THAT: Input be received by the City Police Service in respect to the need for a Community Safety Zone on Fairview Avenue between Southdale Line and Airey Avenue.

Carried.

NEW BUSINESS

Police Services Report

Constable Glenn Hodgson was in attendance and presented the Police Services Report for the month of March 2005.

Airport Use Quarterly Report - January 1st to March 30th, 2005 - Appendix “K”

Motion by Alderman Aarts - Turvey:

THAT: The Airport Use Quarterly Report for January 1st to March 31st, 2005 be received and filed for information.

Carried.

Bonus Transit Funding - Appendix “L”

Motion by Alderman Chapman - Barwick:

THAT: Report ES46-05 from the Manager of Operations & Compliance regarding Bonus Transfer Funding be received for information.

Carried.

Fire Department Quarterly Report - Appendix “M”

Motion by Alderman Warden - Johnston:

THAT: The Quarterly Report of the St. Thomas Fire Department be received for information.

Carried.

BUSINESS CONCLUDED

REPORTS PENDING

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

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

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

CITY CLERK _____ CONFIRMED _____ MAYOR

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SAFETY ISSUES AND INTERSECTION CONCERNS - Supervisor Roads & Transportation

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES - J. Dewancker

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

The Third Report of the Site Plan Control Committee - Appendix “N”

Motion by Alderman Shackelton - Turvey:

THAT: Clauses 1, 2, 3 and 4 of the Third Report of the Site Plan Control Committee be adopted.

Carried.

PETITIONS AND COMMUNICATIONS

Beta Sigma Phi Sorority Proclamation & Flag Raising

Motion by Alderman Shackelton - Chapman:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the week of April 24th - 30th, 2005, as “Beta Sigma Phi” week in the City of St. Thomas and that their flag be raised on April 25th, 2005 at 11:00 am.

Carried.

Request for City Pins

Motion by Alderman Aarts - Shackelton:

THAT: The Corporation of the City of St. Thomas authorize 100 pins to Ms. Nuria Garza, 96 Hemlock Street, for an upcoming trip to visit several schools in Mexico.

Carried.

UNFINISHED BUSINESS

CITY CLERK _____ CONFIRMED _____ MAYOR

NEW BUSINESS

Downtown Development Board Appointment

Motion by Alderman Aarts - Turvey:

THAT: Brent Spilak be appointed to the Board of Directors of the St. Thomas Downtown Development Board for the remainder of the term of Council.

Carried.

Elgin County Museum

Alderman Turvey requested, and Council concurred, that a letter be sent to the County requesting an opportunity for County and City Officials to meet and talk about the direction of the museum.

Canadale Nurseries 50th Anniversary

Alderman Warden commended Canadale Nurseries for their 50th Anniversary of serving the community.

Downtown Development Board

Alderman Warden inquired about the eligibility of appointed members of Council to vote at meetings; if the Board could commit to \$150,000 over ten years for the complex; if an individual member could opt out of the Board; and what services were being provided to members on side streets.

Alderman Chapman responded that the appointed Council members could vote at the Board meetings; that the Board planned on providing \$15,000 per year to the complex but that annually the Board would have to vote on this; that a business in the Board area cannot opt out; and that the Board was looking to fulfill its mandate on the side streets.

BY-LAWS

Motion by Alderman Johnston - Turvey:

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 18th day of April, 2005.
2. A by-law to provide for the adoption of the tax rates for the Business Improvement Area for 2005 and interest on payments of levies in default.

Carried.

First and Second Readings

Motion by Alderman Johnston - Turvey:

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 T. Shackelton was appointed Chairman of Council in Committee of the Whole and conducted the second reading of the by-laws.

Business Improvement Area Levy

Several members of the Downtown Development Board area were in attendance and Council allowed a spokesperson to speak regarding the proposed levy by-law.

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Mr. Stan Beleutz represented a number of merchants and submitted a petition to Council opposing the Board's 2005 budget.

Mr. Beleutz expressed concern regarding the \$150,000 commitment being made to the new complex. While not opposed to the complex, he felt the Board could not go into debt for this commitment and that this expenditure did not fit with the Board's mandate. Mr. Beleutz also expressed concern that not all members of the Board area were aware of the budget. Further, Mr. Beleutz was concerned that Council members had a vote at the Board and he did not feel this was proper.

Mayor Kohler stated that the concerns of the members should be taken to the Downtown Development Board first for discussion and the proper process should be followed.

Mr. Mark Cosens, Chairman of the Downtown Development Board stated that the meetings of the Board had been publicized. Mr. Cosens also stated the Board had to promote itself outside of the Board area and that was the purpose of the funding to the complex where an advertising wall would be created.

Alderman Warden inquired about the naming opportunities process for the complex.

Mayor Kohler stated that he would see that the members received a package from the Capital Campaign office.

Chairman Shackelton stated that both the Board members and the Board itself should be scheduled as a deputation at Council after the parties have met and that written information should be circulated to Council ahead of the deputations.

Alderman Barwick stated that additional information was required before the levy by-law is passed and recommended postponement of By-Law number 2.

Motion by Alderman Barwick - Johnston:

THAT: The By-law for the Business Improvement Area be postponed until further information is received from business owners.

Carried.

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

Third Reading

Motion by Alderman Johnston - Turvey:

THAT: The report of Council in Committee of the Whole on the following by-law 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 18th day of April, 2005.

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Johnston - Aarts:

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THAT: This meeting be closed to deal with a matter of potential litigation affecting the municipality; a personal matter about an identifiable individual; and a proposed or pending disposition of land by the municipality.

Carried.

OPEN SESSION

Motion by Alderman Barwick - Johnston:

THAT: We do now rise from Closed Session at 6:12 P.M.

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Turvey:

THAT: We do now adjourn. (8:56 P.M.)

Carried.