

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

**COUNCIL CHAMBERS
CITY HALL**

MAY 9TH, 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
D. Morgan, Manager of Culture and Recreation
J. Dewancker, Director, Environmental Services
I. Andersen, Manager of Operations & Compliance
R. Tucker, Parks Supervisor
R. Wheeler, Economic Development Manager
R. Barber, Fire Chief
T. Johnson, Accounting Manager

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 Shackelton - Warden:

THAT: The minutes of the meetings held on May 2nd, 2005 be confirmed.

Carried.

DEPUTATIONS

The Caring Cupboard - 3rd Annual Curbside Food Drive - June 13th to 17th, 2005

Mr. James Miller, President, Board of Directors, The Caring Cupboard, was in attendance and discussed the curbside food drive for the Caring Cupboard being held from June 13th to 17th, 2005. Mr. Miller thanked the community for their support in the past and asked if they would place their donation at the curb by 9:00 am.

Daisy of Hope Campaign - May 27th & May 28th, 2005

Ms. Chris Smith and Ms. Peggie McArthur, Co-Chairs, Daisy of Hope Campaign, were in attendance and discussed the Daisy of Hope Campaign, which is aimed at raising awareness of women abuse. This year will be the fourth year of the Daisy of Hope Campaign and a goal of \$7,500.00 has been established. The community is encouraged to support this campaign and purchase a daisy from one of many businesses in the community.

Sewer and Road Improvements - Talbot Street East

Mr. Don Ferguson, Mr. Dean Locke, and Mr. Jack Ferriman, were in attendance and requested Council to move forward with sewer and road improvements along Talbot Street East of Manor Road.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 23rd meeting of the 125th Council - 2

Mr. Ferguson stated this project has been under consideration since 1990 and that septic problems continue to be amplified. Businesses in the area want to expand; however, the fact that they are on septic systems creates a barrier to any expansion plans.

The Director, Environmental Services stated that any sewer works will be based on Council's pending approval of the East Side Master Plan which in turn requires a cost sharing agreement with the Municipality of Central Elgin.

Alderman Johnston inquired if there was anything that could be done to speed up the process.

Mayor Kohler stated that a process was currently underway with the Municipality of Central Elgin with an anticipated timeline for completion of January 1, 2006.

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

Ms. Brenda Langille, Royal Canadian Legion, was in attendance and presented a petition to Council and a letter, which identified a number of concerns relating to By-Law 89-2004.

Council received the information and took no action.

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

Removal of Three Norway Maples at 32 Thompson Avenue - Appendix "A"

Alderman Shackelton inquired if there was a program to inspect trees.

The Parks Supervisor responded there was a program, which identified a pruning cycle, and once Council has dealt with this report tonight, the trees on Thompson Ave would be pruned.

Motion by Alderman Chapman - Aarts:

THAT: The request to remove three Norway Maple trees located in the roadway boulevard area at 32 Thompson Avenue be denied.

Carried.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

CITY CLERK _____ CONFIRMED _____ MAYOR _____

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

NEW BUSINESS

Council Remuneration and Expenses - Appendix "B"

Alderman Aarts expressed concern regarding a recent report in the St. Thomas Times Journal and stated that any conference that Council members attended were pre approved by Council.

Motion by Alderman Shackelton - Turvey:

THAT: Report TR 19-05 regarding Council Remuneration and Expenses be received for information.

Carried.

Junior B Stars Hockey Club - 2005-2006 Facility Rental Permit - Appendix "C"

Alderman Warden asked Alderman Aarts for clarification regarding any direct involvement he may personally have with the Junior B Stars Hockey Club.

Alderman Aarts stated that he was a spectator only.

Alderman Warden expressed concern regarding the rental agreement due to the fact that he feels all users should be treated the same.

The Director of Finance & City Treasurer stated that the Junior B Stars Hockey Club prefers to play at the new complex and that the rental agreement reflects the same arrangement that they currently have with the City for use of Memorial Arena.

Mayor Kohler stated that he believed that the Junior B Stars Hockey Club were the only group that shared revenue with the City.

Alderman Shackelton stated that he was surprised that the Junior B Stars Hockey Club wanted to move to the new complex because the seating had been redone a few years ago to accommodate them at Memorial Arena. Alderman Shackelton asked if there was a plan in place to replace the ice time at Memorial Arena that the Junior B Stars Hockey Club has used.

Alderman Aarts stated that staff is looking at the time usage in all facilities.

Alderman Chapman expressed concern in waiving the first and last month's rent.

Alderman Barwick expressed concern with the \$25,000 in outstanding debt and the fact that waiving fees was now being contemplated. Alderman Barwick would like to see the debt addressed in the contract with the Junior B Stars Hockey Club.

Mr. Brian Clements of the Junior B Stars Hockey Club was in attendance and was invited to provide comments to Council.

Mr. Clements thanked Council for their support and stated that the debt had been reduced from \$38,000 to \$24,000 and based on pending financial statements, which will be presented at the upcoming annual meeting, additional payments may be forthcoming.

The Director of Finance & City Treasurer stated that the City would have to be careful how it looks at the debt because at this time last year the debt was \$25,000 and that it had really remained the same.

Motion by Mayor Kohler - Alderman Chapman:

THAT: Council authorize administration to issue the 2005-2006 Facility Rental Permit associated with the St. Thomas Junior B Stars Hockey Club use of the St. Thomas-Elgin Community Centre Complex/Twin Pad Arena.

Carried.

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

Motion by Mayor Kohler - Alderman Chapman:

THAT: Council authorize administration to waive the requirement for the St. Thomas Junior B Stars Hockey Club to provide a deposit to the City for the first and last month’s rental cost of the City facilities for the 2005-2006 season.

Recorded Vote

<u>Yeas</u>	<u>Nays</u>
Alderman B. Aarts	Mayor Kohler
T. Shackelton	Alderman C. Barwick
	H. Chapman
	T. Johnston
	M. Turvey
	D. Warden

Motion Lost.

Replacement of Pickup Truck 2-56 - Appendix “D”

Motion by Alderman Turvey - Johnston:

THAT: The City replace the Road Foreman’s pickup truck 2-56 and use the newly established Vehicle and Equipment Replacement Reserve as a source of funding for the replacement cost.

Carried.

Future Use of Northside Arena Property - Appendix “E”

Alderman Shackelton inquired if there was anyone interested in purchasing the building.

The Director of Finance & City Treasurer stated that he was not aware of any offers.

Alderman Barwick stated that he would like to see the property offered for sale before putting the proposed plan in place.

Alderman Turvey expressed her support of the report and suggested that the material coming out of the building could be advertised for sale.

Alderman Warden stated that Council could offer the property but in the end did not have to accept a proposal if Council did not like any of the submissions.

Mayor Kohler expressed support for the report and feels it reflects the most prudent course of action.

Motion by Alderman Johnston - Shackelton:

THAT: Report TR-21-05 relating to Northside Arena be postponed.

Carried.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

Alderman Barwick remained in the Chair for this Committee.

UNFINISHED BUSINESS

NEW BUSINESS

Seniors' Picnic in the Park - Appendix "F"

Motion by Alderman Shackelton - Chapman:

THAT: The City of St. Thomas endorse and support the Seniors' in the Park event to be held on July 13, 2005 by providing free St. Thomas Transit Service to all seniors within the City on that date.

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

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 Aarts - Turvey:

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

UNFINISHED BUSINESS

Proclamations - Appendix “G”

Motion by Alderman Chapman - Turvey:

THAT: Report CC-19-05 regarding Proclamations be received for information.

Carried.

Alderman Turvey raised the point that communities around St. Thomas are no longer issuing proclamations and that St. Thomas should refrain as well. Should a group wish to promote their event they could appear as a delegation in front of Council.

Alderman Shackelton stated he could not support the motion because he was concerned about the exposure for community groups.

Alderman Warden stated he felt there was not a lot of difference between a group appearing as a deputation versus Council issuing a proclamation.

Mayor Kohler stated that when Council declares a proclamation, Council is endorsing the group whereas when a group comes as a deputation they are representing themselves.

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

Motion by Alderman Turvey - Aarts:

THAT: Council discontinue the practice of issuing proclamations including flag raisings; and,

THAT: Tag Days be managed through the Special Events Committee.

Recorded Vote

Yeas

Mayor Kohler
Alderman B. Aarts
M. Turvey

Nays

Alderman C. Barwick
H. Chapman
T. Johnston
T. Shackelton
D. Warden

Motion Lost.

NEW BUSINESS

Appointment of Fire Chief

Alderman Johnston congratulated Chief Robert Barber on his appointment as Fire Chief.

Amino North America Corporation

Alderman Warden congratulated the Amino North America Corporation for their recent grand opening and stated that St. Thomas should be proud of the Manufacturer.

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

Alderman Shackelton stated although Council was in receipt of the petition from Ms. Langille, he felt that Council would not be revisiting its previous decision and therefore no motion for reconsideration had been brought forward.

Rotary Club - Tour of Homes

Alderman Turvey acknowledged receipt of a letter from the Rotary Club and directed the letter to staff for review.

BY-LAWS

Motion by Alderman Turvey - Aarts:

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 9th day of May, 2005.
2. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Blocks 6, 8, and 9, Plan 11M-130 - H.J. Hayhoe Limited)
3. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (8 Single Detached Dwelling Units in Condominium Ownership - Lots 34 and 35, Plan 11M-129 - Inn Services Inc.)
4. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Top of Bank and Geotechnical Setback Limits - Part Block 6, Plan 11M-105, Part Lot 5, Conc. 7, former Yarmouth Township - Doug Tarry Ltd.)

Carried.

First and Second Readings

Motion by Alderman Turvey - Aarts:

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 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 - Aarts:

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 9th day of May, 2005. (B/L 63-2005)
2. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Blocks 6, 8, and 9, Plan 11M-130 - H.J. Hayhoe Limited) (B/L 64-2005)

CITY CLERK_____CONFIRMED_____MAYOR

3. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (8 Single Detached Dwelling Units in Condominium Ownership - Lots 34 and 35, Plan 11M-129 - Inn Services Inc.) (B/L 65-2005)

4. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Top of Bank and Geotechnical Setback Limits - Part Block 6, Plan 11M-105, Part Lot 5, Conc. 7, former Yarmouth Township - Doug Tarry Ltd.) (B/L 66-2005)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Turvey - Barwick:

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

Carried.

OPEN SESSION

Motion by Alderman Aarts - Turvey:

THAT: We do now rise from Closed Session 6:07 P.M.

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (9:12 P.M.)

Carried.