

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

**COUNCIL CHAMBERS
CITY HALL**

JULY 18TH, 2005

5:00 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. Barber, Fire Chief
G. Dart, Director, Human Resources
M. Carroll, Valleyview Administrator
P. Keenan, Director Planning
C. Hinatsu, Director Ontario Works
D. White, Supervisor Roads & Transportation
M. Hoogstra, Purchasing Agent and Licensing Officer
J. Pallister, Constable, St. Thomas Police Department
E. Sebestyen, Housing Administrator
B. Clement, Manager Engineering

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 Shackelton declared a conflict of interest relating to matters being discussed in closed session relating to CUPE as he is a member of CUPE. He refrained from all discussion.

MINUTES

Motion by Alderman Warden - Turvey:

THAT: The minutes of the meeting held on June 20th, 2005 be confirmed.

Carried.

DEPUTATIONS

Aylmer Blues Senior AAA Hockey Club - Use of Memorial Arena

Mr. Tory Karlson, Aylmer Blues Senior AAA Hockey Club, was in attendance to discuss the use of Memorial Arena by the Aylmer Blues Hockey Club.

The members received a copy of a letter from Brian Clements, St. Thomas Stars Hockey Club regarding the Aylmer Club's proposed use of Memorial Arena.

Mr. Karlson informed Council that he felt St. Thomas was a great hockey town and that it would be a perfect spot for the Aylmer Club.

Alderman Warden stated that while he had no doubts about the quality of the hockey he stated that two conditions would have to be met if the Aylmer Blues came to St. Thomas. Firstly, that a letter was received from the St. Thomas Stars stating that they had no objections and secondly that the people of St. Thomas had first priority over the ice time.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 29th meeting of the 125th Council - 2

Alderman Barwick stated that perhaps the request was late in coming as there had been a lot of time spent in ice allocation.

Alderman Johnston inquired why the Aylmer Blues were leaving Aylmer.

Mr. Karlson stated that St. Thomas is a good hockey town that enjoyed watching hockey players that had developed their game.

Mr. Karlson stated that the Aylmer Blues would be open to meet with the St. Thomas Stars to discuss and address any concerns.

Alderman Johnston inquired if there were any outstanding bills in Aylmer.

Mr. Karlson stated that there were no outstanding bills.

Alderman Aarts expressed concern that this request was being made at this point in the year.

Alderman Shackelton inquired if there would be ice time available at the Memorial Arena.

The Manager of Culture and Recreation stated that all ice time had been booked.

Mayor Kohler stated that it had been difficult developing the schedules and that the City needed to take care of St. Thomas groups first.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Request for Street Naming - Draft Plan of Subdivision File#34T-05503 - West Side of Aldborough Avenue

Motion by Alderman Turvey - Aarts:

THAT: Street "A" in Draft Plan of Subdivision File #34T-05503 be named "Prespa Court".

Carried.

CIP Financial Incentive Applications: CIP Financial Incentive Program Loan Agreement - Appendix "A"

Motion by Alderman Shackelton - Mayor Kohler:

THAT: Report CC-27-05 be received by Council as information; and,

THAT: Council enter into a Residential Loan Agreement for the CIP project relating to Application 2005-030: 349 Talbot Street.

Carried.

Draft Plan of Subdivision File #34T-05505 - Block 4 Development Area - 2 Lots for Single Detached Dwellings and 18 Lots for Semi-Detached Dwelling Units - Doug Tarry Limited and Novi Construction Ltd. - Appendix "B"

Motion by Alderman Aarts - Turvey:

CITY CLERK _____ CONFIRMED _____ MAYOR

THAT: Council approve in principle the proposed Draft Plan of Subdivision File#34T-05505 (Residential Plan of Subdivision) of lands owned by Doug Tarry Limited and Novi Construction Ltd., which lands are legally described as part of Blocks 22 & 27, 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, Environmental Services that there is sufficient uncommitted reserve treatment capacity in the sanitary sewage system to service the proposed development;
- The developer entering into 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 6:45 p.m. on September 6th, 2005 in accordance with Ontario Regulation 196/96, as amended.

Carried.

Zoning By-law Amendment - Removal of Holding Zone Symbol - Block 18 and Part of Block 15, Plan 11M-130 and Part of Block 62, Plan 11M-60 - Inn Services Inc. - Appendix "C"

Motion by Alderman Shackelton - Johnston:

THAT: The application by Inn Services Inc. for an amendment to the City of St. Thomas Zoning By-law 50-88 to remove the holding symbol from Block 18 and part of Block 15, Registered Plan 11M-130 and part of Block 62, Registered Plan 11M-60, City of St. Thomas, County of Elgin, be approved; and,

THAT: Direction be given to prepare the necessary amending by-law for Council approval and the notice of Council's intention to pass a by-law to remove the holding symbol be given pursuant to Ontario Regulation 199/96.

Carried.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

NEW BUSINESS

South Block Lands and Area of Dalewood - Updates to Servicing Plans in Support of Required Updates to Area Development Charges By-laws - Appendix "D"

Motion by Alderman Chapman - Johnston:

THAT: The firm of C.J. Demeyere Consulting Engineers be retained to prepare an update of the 1999 Servicing Master Plan for the Lands of Dalewood at an upset cost of \$4,000 to be funded by the Lands of Dalewood Area Development Charges Reserve Fund; and,

THAT: The firm of Cumming Cockburn/IBI Group Consulting Engineers be retained to prepare an update of the 1997 South Block Servicing and Utility Plan for the South block Development Area at an upset cost of \$20,195 to be funded by the South Block Area Development Charges Reserve Fund; and,

CITY CLERK _____ CONFIRMED _____ MAYOR _____

THAT: The firm C.N. Watson & Associates be retained to prepare the necessary Development Charges calculations and by-laws at an upset cost of \$20,000.00 to be funded by the respective area Development Charges Reserve Funds.

Carried.

Request for Driveway Access to Bill Martyn Parkway - Kielstra Property, 43320 Southdale Line
Appendix "E"

Motion by Alderman Aarts - Johnston:

THAT: The request by Mr. Henry Kielstra, owner of the property at 43320 Southdale Line, for permission to construct a driveway entrance off Martyn Parkway be approved subject to the conditions as outlined in Report PW70-05.

Carried.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

Student Hiring Policy - Appendix "F"

Alderman Turvey stated that she felt the relationship limits in the existing policy should be included in the new policy.

The Director, Human Resources informed Council about the lottery process that would be used stating that once returning students had been identified, the balance of qualified applicants would be placed in a hat and names would be drawn with students being hired in the order of the names drawn.

Alderman Aarts inquired if the use of the word resident in the policy should be changed to taxpayer.

The Director, Human Resources stated that the intent was for the policy to be as open as possible.

Motion by Alderman Shackelton - Johnston:

THAT: Council approve the revised policy #HR-02-14 on Student Hiring, as attached to Report HR-09-05.

Prior to the motion being dealt with, the following motions to amend were presented.

Motion by Alderman Turvey - Mayor Kohler:

THAT: The relationship limits of 20% in the former Student Policy be included in the new policy.

Motion Lost.

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

Motion by Alderman Aarts - Mayor Kohler:

THAT: Council change the wording in HR Policy HR-02-14 on page 2 paragraph 5 to read resident or taxpayer.

Recorded Vote

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

Motion Lost.

The main motion was dealt with as follows and a request was made for a recorded vote.

Motion by Alderman Shackelton - Johnston:

THAT: Council approve the revised policy #HR-02-14 on Student Hiring, as attached to Report HR-09-05.

Recorded Vote

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

Carried.

2005 Summer Hiring Summary Report - Appendix “G”

Motion by Alderman Aarts - Chapman:

THAT: Report HR-11-05 summarizing the 2005 Summer Student/Temporary Hiring be received and filed as information.

Carried.

MMAH Rural and Northern Advisory Panel on Building Code Reform - Appendix “H”

Alderman Johnston commended Mr. Bach for being asked to participate on this Panel.

Motion by Alderman Aarts - Johnston:

THAT: Leon Bach, Building Official, be granted permission to participate as a member of the MMAH Rural and Northern Advisory Panel on recent amendments to the Ontario Building Code Regulatory System.

Carried.

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

NEW BUSINESS

The 29th meeting of the 125th Council - 6

2004 Audited Financial Statements- Appendix “I”

The Director of Finance & City Treasurer stated that he had previously reported on the audit figures during the process to establish the City’s budget.

Motion by Alderman Shackelton - Turvey:

THAT: Council approve the 2004 Audited Financial Statements, as attached to Report TR 34-05.

Carried.

Request for Proposal Award - Architectural Services for the Design and Construction of Fire Department Substation No. 2 - Appendix “J”

Motion by Alderman Shackelton - Johnston:

THAT: Council authorize the Mayor and Clerk to execute an agreement with Murphy and Murphy Architect Inc. for the design, preparation of construction tender documents and project management services for the new Fire Substation No. 2 to be located on Burwell Road.

Carried.

2005 Sewer Lining and Spot Repair - Tender Award - Appendix “K”

Motion by Alderman Turvey - Chapman:

THAT: The tender submitted by SARP Sewer-matic Inc. in the amount of \$178,240, excluding GST, for the construction of the 2005 Sewer Lining and Spot Repair Program be accepted; and

THAT: The City Clerk and Mayor be authorized to execute the contract; and

THAT: The contractor be authorized to proceed with the work.

Carried.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Request for Staff - Child Care Supervisor

Douglas J. Tarry Sports Complex and Burwell Park

NEW BUSINESS

Valleyview Report (January-May 2005) - Appendix “L”

Alderman Aarts commended the volunteers who helped with the Meals on Wheels Program and he also thanked Val Postans for her years of service.

Motion by Alderman Warden - Mayor Kohler:

THAT: Report VV-010-05 of the Valleyview Administrator be received and filed as information.

Carried.

Valleyview Replacement - Monthly Report - Appendix “M”

The Valleyview Administrator reported that the project was moving according to schedule.

CITY CLERK_____CONFIRMED_____MAYOR

Alderman Shackelton stated that he had received many comments from City residents stating how pleased they were with the way the project was taking shape.

Motion by Alderman Johnston - Turvey:

THAT: The Valleyview Replacement Report VV-008-05 of the Valleyview Administrator, for the month ending May 31st, 2005, be received and filed as information.

Carried.

2005-06 Non-Ice Facility Rates at Memorial Arena and the St. Thomas-Elgin Community Centre Complex/Twin Pad Arena - Appendix "N"

Mayor Kohler stated that he could accept everything in the report except for the charge relating to the running/walking track.

Alderman Aarts stated that it would be hard to police people using the track.

Alderman Shackelton inquired if the user groups were aware that there would be fees associated with storage space.

The Manager of Culture and Recreation stated that the user groups understood that there would be rental fees.

Motion by Alderman Turvey - Johnston:

THAT: Report TR-36-05 of the Manager of Culture and Recreation be received; and,

THAT: Council approve the proposed 2005/06 non-ice fee structure for Memorial Arena and the new St. Thomas-Elgin Community Centre Complex/Twin Pad Arena effective September 1, 2005; and,

THAT: All recreation facility fees be reviewed on an annual basis with an associated report presented to Council in November of each year. Outdoor fees (ball diamonds, soccer fields, picnic pavilions, outdoor programs etc.) to be in effect as of January 1 of the following year, and indoor fees (ice and non-ice facilities and indoor programs, etc.) to be in effect as of September 1 of the following year.

Prior to the motion being dealt with, a motion to amend was presented.

Motion by Mayor Kohler - Alderman Turvey:

THAT: The charge for the running/walking track be removed from the fee schedule as identified in Report TR-36-05.

Carried.

The main motion as amended was dealt with as follows:

Motion by Alderman Turvey - Johnston:

THAT: Report TR-36-05 of the Manager of Culture and Recreation be received; and,

THAT: Council approve the proposed 2005/06 non-ice fee structure for Memorial Arena and the new St. Thomas-Elgin Community Centre Complex/Twin Pad Arena effective September 1, 2005; and,

THAT: All recreation facility fees be reviewed on an annual basis with an associated report presented to Council in November of each year. Outdoor fees (ball diamonds, soccer fields, picnic pavilions, outdoor programs etc.) to be in effect as of January 1 of the following year, and indoor fees (ice and non-ice facilities and indoor programs, etc.) to be in effect as of September 1 of the following year; and,

The 29th meeting of the 125th Council - 8

THAT: The charge for the running/walking track be removed from the fee schedule as identified in Report TR-36-05.

Carried.

2005/06 Fall -Winter Ice Facility Permit - Appendix "O"

Alderman Shackelton inquired about who would decide if ice time would be cancelled due to inclement weather.

The Manager of Culture and Recreation stated that while this does not happen very often it has never been a problem and that such requests had been honored.

Alderman Turvey stated that the policy should make reference to the City's alcohol policy.

Motion by Alderman Shackelton - Johnston:

THAT: Report TR-37-05 of the Manager of Culture and Recreation be received; and,

THAT: Council approve the Draft 2005/06 Fall-Winter Ice Facility Permit, as attached to Report TR-37-05.

Carried.

Monthly Report St. Thomas-Elgin Community Centre Complex/Twin Pad Arena
Appendix "P"

Mr. Lucas Smith provided an overview of the project progress stating that the project was on budget and on schedule.

Alderman Johnston inquired about the list of changes.

Mr. Smith stated that they referred to the south parking lot and a supply of mechanical parts such as filters and lubricants for the equipment.

Motion by Mayor Kohler - Alderman Chapman:

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

Carried.

Future Use of Valleyview Property - Elysian Street

Alderman Chapman stated that is was good timing to consider future uses for Valleyview with the new affordable housing funding being available soon.

Motion by Alderman Chapman - Shackelton:

THAT: Council grant permission to the Director of Ontario Works and the Housing Administrator to investigate possible future social housing uses for the Valleyview property on Elysian Street, and to report back to Council on possible options for Council's consideration.

Carried.

Aylmer Blues AAA Hockey Club - Use of Memorial Arena

Alderman Aarts stated that the request from the Aylmer Blues AAA Hockey Club could possibly be considered next spring.

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

CITY CLERK_____CONFIRMED_____MAYOR

UNFINISHED BUSINESS

Speed Limits - Sandymount Hill Areas - Speed Zone - Sunset Drive, Major Line to Wellington Road - Posted Speed Issue - Appendix “Q”

Alderman Warden stated that he could not support this motion as the speed limit was being increased.

Alderman Turvey stated she had received phone calls from area residents concerned about the proposed speed limit increase.

Alderman Barwick stated that he was concerned about some of the driveways being hidden.

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

Motion by Alderman Aarts - Johnston:

THAT: The Traffic By-law 45-89 be amended to permit a posted speed zone of 70 km/h on Sunset Drive between Major Line and Wellington Road; and,

THAT : Staff review the operating speed on Sunset Drive between Major Line and Wellington Road during the spring of 2006.

Recorded Vote

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

Motion Lost.

Burwell Road - Request for Stop Signs - Burwell Road, South Edgeware Road to Ron McNeil Line - Traffic Speed Issue - Appendix “R”

Alderman Chapman stated she was concerned about the speed limit being increased.

Motion by Alderman Barwick - Turvey:

THAT: Burwell Road remain a through (arterial) highway at the intersections of Donker Drive and McGregor Court; and,

THAT: The Traffic By-law 45-89 be amended to permit a posted speed zone of 60 km/h on Burwell Road between South Edgeware Road and Ron McNeil Line.

Motion Lost.

Manor Road and Chestnut Street - Four Way Stop

NEW BUSINESS

Police Services Report

Constable Jeff Pallister was in attendance and presented the Police Services Report for the month of June 2005.

Airport Use Quarterly Report - April 1st to June 30th, 2005 - Appendix “S”

Motion by Alderman Turvey - Warden:

The 29th meeting of the 125th Council - 10

THAT: The Airport Use Quarterly Report for April 1st to June 30th 2005 be received and filed as information.

Carried.

Lease of Airport Lands - St. Thomas Municipal Airport - Appendix "T"

Motion by Alderman Johnston - Chapman:

THAT: Council concur with the assignment of lease of airport lands (Part 6, Reference Plan 11R-1602) at the St. Thomas Municipal Airport from Penhale Farms Limited to Mr. Robert J. Gowman.

Carried.

Canadian Owners and Pilots Association Flight 75 - Annual Fly In - September 11th , 2005
Appendix "U"

Motion by Alderman Aarts - Turvey:

THAT: Council authorize the use of the St. Thomas Municipal Airport by St. Thomas Flightline, for its annual fly-in and drive-in breakfast on Sunday, September 11th, 2005; and,

THAT: All arrangements are to be confirmed with the Airport Superintendent; and,

THAT: The City of St. Thomas shall not assume any liability for any claim of damages, loss of income, or injury of any nature whatsoever arising out of the use of the St. Thomas Municipal Airport for the purpose stated; and,

THAT: A certificate of public liability and property damage insurance with a covering limit of \$5,000,000.00, provided by St. Thomas Flightline, certifying that the City of St. Thomas has been named as an additional insured for this event only, to be submitted to the City Clerk prior to the start of the event; and,

THAT: St. Thomas Flightline, be responsible for the provisions of temporary toilet facilities, restoration of grassed area, control of participants and compliance with the general requirements of the Airport; and,

THAT: St. Thomas Flightline, be responsible for all costs associated with the fly-in breakfast flight and any other expenses incurred in providing ground support for the demonstration.

Carried.

South Edgeware Road - Canadian Pacific Railway Crossing Rehabilitation - Appendix "V"

Motion by Mayor Kohler - Alderman Johnston:

THAT: Council approve an expenditure estimated at \$6,000.00 to purchase rubber flanges to accommodate the future widening of South Edgeware Road at the Canadian Pacific Railway crossing.

Carried.

Temporary Road Closures for Canadian Pacific Railway Road Crossing Rebuild - Appendix "W"

Alderman Aarts inquired if there were concerns from emergency services relating to these road closures.

The Fire Chief stated that there were no concerns as long as proper notification was given and further that the road closures would be monitored every day.

Motion by Alderman Turvey - Aarts:

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 29th meeting of the 125th Council - 11

THAT: The temporary road closures of South Edgeware Road, Harwill Road to Progress Drive, Edward Street, Burwell Road to Gaylord Road and Burwell Road, Talbot Street to Edward Street be approved at these locations to permit Canadian Pacific Railway, in conjunction with the City of St. Thomas, to rehabilitate the CP railway road crossings; and,

THAT: The proposed detours as shown on the map attached to Report PW 66-05 be approved and be in effect for the duration of the subject railway road crossing works.

Carried.

Request for Traffic Control - Fairview Avenue, north of Southdale Line

Mayor Kohler stated he supported this request and hoped the Community Safety Zones could be revisited for this area.

Motion by Alderman Johnston - Barwick:

THAT: Council direct the letter from Dr. W.E. Coleman regarding traffic control measures along Fairview Avenue, north of Southdale Line to Environmental Services for review.

Carried.

City Bus Routes

Alderman Warden inquired when Council would be receiving a report regarding bus routes.

Alderman Shackelton stated that he hoped the report would be available for August.

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 - D. White

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

CITY CLERK _____ CONFIRMED _____ MAYOR

The 29th meeting of the 125th Council - 12

Protective Services and Transportation Committee - Chairman T. Shackelton

Motion by Alderman Turvey - Chapman:

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

Ontario Parks Association - 53rd Annual Educational Conference - July 19th - 21st, 2005

An invitation was received from Bruce Hay, President, Ontario Parks Association, to the “Groundwork for Success” conference being held in Brampton from July 19th to 21st, 2005. Registration Deadline was June 28th, 2005.

Council took no action regarding this matter.

Elgin County Railway Museum - “Day Out With Thomas” - Proclamation - July 22nd to 24th and July 29th to 31st, 2005

Motion by Alderman Aarts - Warden:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the weekends of July 22 - 24, 2005 and July 29 - 31, 2005 as “Day Out With Thomas” Days.

Carried.

Bella Jack’s Mexican Cantina - Temporary Patio Liquor Licence Extension - Iron Horse Festival

Motion by Alderman Chapman - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas has no objections to the proposed extended liquor licensed area for Bella Jack’s Mexican Cantina Temporary Outdoor Patio to be operated during the 2005 Iron Horse Community Festival.

Carried.

Northwestern Ontario Municipal Association - Forest Sector Competitiveness Report

Motion by Alderman Warden - Turvey:

THAT: Council support the implementation of the Minister’s Council on Forest Sector Competitiveness Report in its entirety.

Carried.

Ontario Medal for Good Citizenship

A letter was received from the Honourable Dr. Marie Bountrogianni, Minister, Ministry of Citizenship and Immigration, inviting nominations for the Ontario Medal for Good Citizenship.

Council took no action regarding this matter.

Accessibility Standards Advisory Council - Ontario

Motion by Alderman Johnston - Chapman:

CITY CLERK_____CONFIRMED_____MAYOR

The 29th meeting of the 125th Council - 13

THAT: The following individuals be nominated for the position of

Chair of the Accessibility Standards Advisory Council:

Alderman Terry Shackelton.

Vice-Chair of the Accessibility Standards Advisory Council:

Alderman Terry Shackelton.

AND THAT: The following individuals may apply for membership to the Accessibility Standards Advisory Council:

Alderman Terry Shackelton.

Carried.

Senior Achievement Award - 2005

A letter was received from The Honourable John Gerretson, Minister Responsible for Seniors, inviting nominations for the 2005 Senior Achievement Award.

Council took no action regarding this matter.

St. Anne's Festival

A letter of thanks was received from Father Rick Dales, Pastor, St. Anne's Church, for Council's co-operation during the 2005 St. Anne's Festival.

Card of Thanks

A card of thanks was received from Alderman Johnston and family thanking the Mayor and members of Council for the plant arrangement, kind words and support during their recent bereavement.

Jumbo Tourist Caboose

Motion by Alderman Aarts - Turvey:

THAT: Council acknowledge the continuance of the agreement with the St. Thomas-Elgin Tourist Association for a minimum of a five year period, in support of the application of the St. Thomas-Elgin Tourist Association to the Trillium Foundation for the purposes of upgrading the Jumbo Tourist Caboose.

Carried.

St. Thomas Professional Fire Fighters – Fire Muster Days – September 2nd, 3rd and 4th, 2005

Motion by Alderman Shackelton - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas has no objections to the “St. Thomas Fire Muster Days” taking place; and

THAT: The Council authorizes the St. Thomas Fire Muster Days to be held from September 2nd to September 4th, 2005 in Pinafore Park; and,

THAT: The St. Thomas Fire Muster Days be declared a Community Festival; and,

THAT: The usual certificate of public liability and property damage insurance with a covering limit of \$5,000,000.00 to be provided by the affiliated organizations, certifying that the City of St. Thomas has been named as an additional insured for this event only, be submitted to the City Clerk prior to the start of the event; and,

CITY CLERK_____CONFIRMED_____MAYOR

THAT: All other necessary requirements are fulfilled to the satisfaction of the Corporation of the City of St. Thomas.

Carried.

UNFINISHED BUSINESS

NEW BUSINESS

Semi-Annual Attendance for Council for the period of January 1st, 2005 to June 30th, 2005
Appendix “X”

Motion by Alderman Turvey - Aarts:

THAT: Report CC-26-05 regarding the Semi-Annual Attendance for Council and Committee of the Whole for the period of January 1st, 2005 to June 30th, 2005 be received and filed for information.

Carried.

Downtown Development Board Appointment

Alderman Warden inquired if the members of the Downtown Development Board were aware of this opening.

Alderman Chapman stated that it had been dealt with at the last meeting and that it had been identified on the agenda.

Motion by Alderman Barwick - Chapman:

THAT: The following individual be appointed to the Board of Directors of the St. Thomas Downtown Development Board for the term of Council:

Terry Ranta-Hall.

Carried.

CASO Lands

The City Clerk advised the public that Council had passed the following resolution authorizing the preparation of a document to establish the basis for a future agreement with CN/CP relating to a possible purchase of the CASO lands.

"Motion by Alderman Aarts - Chapman:

THAT: A City of St. Thomas budget of \$68,000.00 be established to undertake the City's due diligence work in regards to a purchase by the City of CASO lands, as shown on the maps attached to this report. (\$38,000.00 for ESA work, \$20,000.00 for legal advice, and \$10,000.00 for appraisal work) and that this budget include \$26,289.00 from the Railway Action Team II Reserve and that the balance of the required funds (\$41,711.00) be approved by Council as an unbudgeted expenditure and be included in the June 30 budget monitoring report; and,

THAT: A document be prepared to establish the bases for the preparation of a future Agreement of Purchase and Sale between the City of St. Thomas and CN/CP involving these CASO lands.

Recorded Vote

Yeas

Mayor Kohler

Alderman B. Aarts

H. Chapman

T. Shackelton

M. Turvey

Nays

Alderman C. Barwick

T. Johnston

D. Warden

Carried."

The 29th meeting of the 125th Council - 15

Downtown Development Area Sidewalk Days - July 21st to 24th, 2005

Alderman Chapman reminded the community about the sidewalk days to be held this week in the downtown area.

A Day Out With Thomas

Alderman Turvey reminded the community about the visit of Thomas the Tank Engine this weekend and next weekend.

Aaron Walpole: Canadian Idol Competition

Alderman Aarts commended Aaron Walpole for his continued success in the Canadian Idol competition.

Emily Morgan: Transplant Games

Alderman Aarts commended Emily Morgan for achieving a silver medal at the Transplant Games.

Minor Baseball Diamonds

Alderman Warden stated that it was great to see the opening of new baseball diamonds.

2005 Canadian Fast Ball Championships

Alderman Warden reminded the community about the upcoming 2005 Canadian Fastball Championships.

Canada Day Celebrations

Alderman Warden commended all those who were involved in the Canada Day events and stated that an editorial had appeared in the London Free Press praising the City for the day.

Valleyview Carnival

Alderman Warden commended the organizers of the Valleyview Carnival for a great event.

BY-LAWS

Motion by Alderman Aarts - Chapman:

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 July, 2005.
2. A by-law to designate Pinafore Park, 95 Elm Street, as a property of cultural heritage value or interest.
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 Cosburn Giberson Landscape Architects. (Trails and Parks Master Plan)
4. A by-law to authorize the borrowing of money for the St. Thomas-Elgin Community Centre Complex/Twin Pad Arena. (\$8,000,000.00)
5. A by-law to appoint a Building Inspector and By-Law Officer. (Jamie Yolkowskie)
6. A by-law to appoint Alderman Bill Aarts as Acting Mayor from August 1st to 5th, 2005.

CITY CLERK_____CONFIRMED_____MAYOR

7. 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 Rogers Cable Communication Inc. (Installation and Provision of Cable Services - Valleyview Home - 350 Burwell Road)

8. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Reduction in minimum rear yard depth to 7 metres - Lots 8 to 11, File #34T-05503 - Prespa Sales and Rentals Ltd.)

9. 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 SARP Sewer-matic Inc. (\$178,240.00, plus gst - 2005 Sewer Lining and Spot Repair)

10. 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 Prespa Sales and Rentals Limited. (West side of Aldborough Road - File #34T-05503 – 14 Lots for single detached dwelling units)

11. 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 Elgin Cooperative Services. (SPC 04-05 - 101 Edward Street – Rona - development of a lumber and material sales facility)

12. 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 Loblaw Properties Limited. (SPC 07-05 - 1063 Talbot Street - gas bar)

13. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Removal of holding zone provision – Block 24 & 26, Registered Plan 11M-143, Part of Block 38, Registered Plan 11M-113 and Part of Block 18, Plan 11M-110)

14. 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 Lindmar Holdings Inc. (349 Talbot Street -\$18,000 loan – Community Improvement Plan)

15. A by-law to assume certain lands as part of the public highway. (Part 2 on Reference Plan 11R-2231 - South Edgeware Road)

Carried.

First and Second Readings

Motion by Alderman Aarts - Chapman:

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 Shackelton 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 Aarts - Chapman:

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.

CITY CLERK_____CONFIRMED_____MAYOR

The 29th meeting of the 125th Council - 17

1. A by-law to confirm the proceedings of the Council meeting held on the 18th day of July, 2005. (B/L 95-2005)
2. A by-law to designate Pinafore Park, 95 Elm Street, as a property of cultural heritage value or interest. (B/L 96-2005)
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 Cosburn Giberson Landscape Architects. (Trails and Parks Master Plan) (B/L 97-2005) (A/G 33-2005)
4. A by-law to authorize the borrowing of money for the St. Thomas-Elgin Community Centre Complex/Twin Pad Arena. (\$8,000,000.00) (B/L 98-2005)
5. A by-law to appoint a Building Inspector and By-Law Officer. (Jamie Yolkowskie) (B/L 99-2005)
6. A by-law to appoint Alderman Bill Aarts as Acting Mayor from August 1st to 5th, 2005. (B/L 100-2005)
7. 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 Rogers Cable Communication Inc. (Installation and Provision of Cable Services - Valleyview Home - 350 Burwell Road) (B/L 101-2005) (A/G 34-2005)
8. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Reduction in minimum rear yard depth to 7 metres - Lots 8 to 11, File #34T-05503 - Prespa Sales and Rentals Ltd.) (B/L 102-2005)
9. 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 SARP Sewer-matic Inc. (\$178,240.00, plus gst - 2005 Sewer Lining and Spot Repair) (B/L 103-2005) (CON 9-2005)
10. 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 Prespa Sales and Rentals Limited. (West side of Aldborough Road - File #34T-05503 – 14 Lots for single detached dwelling units) (B/L 104-2005) (A/G 35-2005)
11. 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 Elgin Cooperative Services. (SPC 04-05 - 101 Edward Street – Rona - development of a lumber and material sales facility) (B/L 105-2005) (A/G 36-2005)
12. 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 Loblaw Properties Limited. (SPC 07-05 - 1063 Talbot Street - gas bar) (B/L 106-2005) (A/G 37-2005)
13. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Removal of holding zone provision – Block 24 & 26, Registered Plan 11M-143, Part of Block 38, Registered Plan 11M-113 and Part of Block 18, Plan 11M-110) (B/L 107-2005)
14. 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 Lindmar Holdings Inc. (349 Talbot Street - \$18,000 loan – Community Improvement Plan) (B/L 108-2005) (A/G 38-2005)
15. A by-law to assume certain lands as part of the public highway. (Part 2 on Reference Plan 11R-2231 - South Edgeware Road) (B/L 109-2005)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CITY CLERK _____ CONFIRMED _____ MAYOR _____

Reduction of Council (Alderman) Position

A Notice of Motion was received from Mayor Kohler to reduce the size of Council by one Aldermanic position.

CLOSED SESSION

Motion by Alderman Turvey - Aarts:

THAT: This meeting be closed to deal with a matter regarding the proposed or pending acquisition or disposition of lands by the municipality; a matter regarding labour relations or employee negotiations; and a personal matter about an identifiable individual.

Carried.

OPEN SESSION

Motion by Alderman Aarts - Turvey:

THAT: We do now rise from Closed Session 6:59 P.M.

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Turvey :

THAT: We do now adjourn. (8:50 P.M.)

Carried.