

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

**COUNCIL CHAMBERS
CITY HALL**

DECEMBER 12TH, 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
J. Dewancker, Director, Environmental Services
O. Jensen, Deputy Fire Chief
R. Beachey, Deputy City Clerk

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

MINUTES

Prior to the adoption of the minutes the members discussed the issue of bringing closed session matters into open session and the following motion was presented.

A request was made for a recorded vote.

Motion by Alderman Johnston - Turvey:

THAT: As a result of Alderman Aarts' comments being out of order, Alderman Aarts' reference to the City’s Workplace Discrimination and Harassment Policy and his reference to Alderman Warden be removed from the minutes.

Recorded Vote

Yeas

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

Nays

Mayor Kohler
Alderman B. Aarts
 M. Turvey

Carried.

The main motion was dealt with as follows:

Motion by Alderman Turvey - Shackelton:

THAT: The minutes of the meetings held on December 5th, 2005, as amended, be confirmed.

Carried.

DEPUTATIONS

St. Thomas Community Centre Capital Campaign

Hilary Vaughan, St. Thomas Community Centre Capital Campaign Committee, was in

CITY CLERK_____CONFIRMED_____MAYOR

The 50th meeting of the 125th Council - 2

attendance to provide an update to Council.

Mrs. Vaughan stated that \$2,492,077.50 had been raised to date and that \$703,821.00 has been deposited in the bank.

Mrs. Vaughan stated that the Committee was grateful for the donations that had been made to date and requested that the Committee have the opportunity for other donors to come forward before Council makes a decision on the final naming of the St. Thomas Community Centre.

Mayor Kohler thanked Mrs. Vaughan for the work of the Committee.

Thames Valley District School Board - Proposed School Closures

Linda Stevenson, Thames Valley District School Board, was in attendance to discuss a report relating to the repositioning/closing of schools.

Ms. Stevenson provided a brief overview of the recent CN Watson report that had been received by the Thames Valley District School Board and stated that the Thames Valley District School Board had not yet had any discussions regarding the report.

Ms. Stevenson stated that the Thames Valley District School Board would be evaluating the recent announcements made by the Minister of Education regarding rural and small schools.

The members thanked Ms. Stevenson for her presentation and stated that because this was such a large issue perhaps she could return again to Council to provide further updates.

“Solid Pension - Secure Future” - C.A.W. Local 1001

Mike Phillimore, C.A.W. Local 1001, was in attendance to discuss retirement income needs of people in the community and the Canadian Pension Charter.

The members thanked Mr. Phillimore for his presentation and stated that they would consider the information he presented at a later date.

Request for Letter of Tolerance - 10 Pol Court

Ronald Crow, 10 Pol Court, was in attendance requesting a Letter of Tolerance for 10 Pol Court.

Mr. Crow stated that he felt he had been misguided by the Environmental Services Department however he had nothing in writing.

The Director, Environmental Services, stated that the fence was on city property and that because this was a very basic matter, he was puzzled at Mr. Crow's statement of the advice he said he had received from the Environmental Services Department.

The members stated that they would be considering the Letter of Tolerance later in the meeting.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Notice of the Passing of a Zoning By-Law - Municipality of Central Elgin - 5830 Stone Church Road

Notice was received from the Municipality of Central Elgin regarding the passing of Zoning By-law No. 821 on November 28, 2005 to permit the new residence on the new lot, and to permit continued residential use of the retained lands located at 5830 Stone Church Road.

CITY CLERK_____CONFIRMED_____MAYOR

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

East Side Area Services

Municipal Woodlot Management Program - Catfish Creek Conservation Authority

NEW BUSINESS

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

St. Thomas-Elgin Tourist Association - Executive Director Position

A letter was received from S.J. Heffren, Manager of Administrative Services, County of Elgin, confirming County Council's commitment of \$36,000.00 per year for two years towards the salary of the contract position of Tourism Coordinator.

NEW BUSINESS

St. Thomas Professional Firefighters' Association - Collective Agreement - Appendix "A"

Motion by Alderman Shackelton - Turvey:

THAT: Council approve a drawdown in the amount of \$200,000 from the Working Reserve in recognition of the costs associated with the collective agreement between the City and the St. Thomas Professional Firefighters' Association.

Carried.

Parking Lot Permits - Request by Elections Canada - Appendix "B"

The members questioned why the City should be subsidizing Elections Canada.

Motion by Alderman Turvey - Chapman:

THAT: City Council authorize the issuance of the following parking permits at no cost to Elections Canada for use in City parking lots in the vicinity of 449 Talbot Street Between December 13, 2005, and January 27, 2006:

15 monthly parking permits for Elections Canada Staff
500 daily parking lot permits for Elections Canada training purposes; and further,

THAT: Elections Canada be requested to include a budget for parking as part of the organization of future elections.

Motion Lost.

BUSINESS CONCLUDED

The 50th meeting of the 125th Council - 4

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

Alderman Barwick, at the request of Alderman Shackelton, remained in the Chair.

UNFINISHED BUSINESS

Elmina Street and Oak Street Intersection

Captain Dennis A. Redman No. 2 Fire Station

NEW BUSINESS

Animal Control and By-law Activity - Appendix "C"

Motion by Alderman Johnston - Aarts:

THAT: Report CC-48-05 regarding Animal Control and By-Law Activity 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

DRIVEWAY RECONSTRUCTION - MAPLE STREET - J. Dewancker

FUTURE USE OF VALLEYVIEW PROPERTY - ELYSIAN STREET - E. Sebestyen

COMMUNITY SAFETY ZONE REVIEW - D. White

DENNIS ROAD INFRASTRUCTURE COSTS - 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

CITY CLERK _____ CONFIRMED _____ MAYOR

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.

APPOINTMENT OF VARIOUS STANDING COMMITTEES, BOARDS AND OTHER PUBLIC BODIES

Motion by Alderman Warden - Turvey:

THAT: The following be appointed to the various Committees, Boards and Public Bodies for 2006 or the term indicated:

Personnel Negotiating Committee (One year term) Council Decision	- Alderman D. Warden - Graham Dart
Select Committee on Honours & Awards (One year term, 8 persons to be appointed) Council Decision	- Alderman H. Chapman - Alderman T. Johnston - Carol Ewaskiw - Lori Baldwin-Sands - Ed McLachlan - Douglas Pooley - Robert Broadbent - J. (Dan) Neill - Judy Upsdell - Catherine Topping
Municipal Heritage Committee (formerly LACAC) (For the term of Council - 9 members of which at least 1 must be a member of Council) Council By-Law	- Alderman H. Chapman - George McNally - Jim Miller - Jerry Morgan - Dean Paddon - Donna Rupert - Gloria Scoyne - Angus Walton - Susan Fortin-Smith
Elgin-St. Thomas Health Unit (One year term) Three Members Required By Health and Protection & Promotion Act.	- Alderman T. Johnston - Alderman T. Shackelton - Alderman M. Turvey
St. Thomas-Elgin General Hospital (One year term) Council Decision	- Alderman M. Turvey
St. Thomas Chamber of Commerce (One year term) Council Decision	- Wendell Graves
Central Elgin Planning Advisory Committee (One year term) By Agreement with Participating Municipalities	- Alderman H. Chapman
Committee of Adjustment (For Term of Council - 3 persons to be appointed) Council Decision	- Jim Miller - Angus Walton - Dan Weagant

CITY CLERK CONFIRMED MAYOR

The 50th meeting of the 125th Council - 7

St. Thomas Seniors - Centre Board of Directors
(9 members - 5 seniors elected by the membership
- 2 Council members - 2 citizens at large to be
appointed by Council) (Staggered Two year terms)

- Mayor J. Kohler (2005-2006)
- Alderman B. Aarts (2005-2006)
- Kevin Sanda (2006-2007)
- Peter Olver (2005-2006)

Emergency Measures Committee

Council Decision

- Alderman M. Turvey
- Wendell Graves
- Robert Barber

Special Events Committee

(One year term)

Council Decision

- Alderman D. Warden
- Alderman T. Johnston (Alternate)

- Representative of the Police Department
- Representative of the Fire Department
- Representative of the Elgin - St. Thomas Emergency Medical Services
- Representative of the Works Department
- Representative of the Recreation Services Department
- Representative of the Environmental Services Department
- Representative of the Property Maintenance Department
- Representative of the Purchasing & Licensing Department
- Representative of the Elgin-St. Thomas Health Unit
- Representative of the St. Thomas-Elgin Tourist Association
- Representative of the Downtown Development Board
- Representative of the Chamber of Commerce

Board of Management - Elgin Area Primary
Water Supply System

Provincial Transfer Order

- Alderman T. Johnston
- Alderman D. Warden
- Alderman M. Turvey (Alternate)
- Alderman T. Shackelton (Alternate)

Board of Management - St. Thomas Area
Secondary Water System
(One year term)

Provincial Transfer Order

- Alderman T. Johnston
- Alderman D. Warden
- Alderman M. Turvey (Alternate)
- Alderman T. Shackelton (Alternate)

St. Thomas Municipal Accessibility Advisory Committee
(Staggered 2 yr Terms)

Provincial Order

- Alderman T. Shackelton (Dec.31/06)
- Lesley Buchanan-Cairns (Dec.31/06)
- Claire Jackson (Dec.31/06)
- Ed McLachlan (Dec.31/06)
- Peter Yurek (Dec.31/06)
- Michelle Sylvester (Dec.31/07)

Green Lane Landfill Public Liaison Committee

Ministry Certificate of Approval

- Alderman T. Shackelton

Elgin Trans Canada Trail

Council Decision

- Alderman M. Turvey

Valleyview Replacement Project Team

Council Decision

- Mayor J. Kohler
- Alderman B. Aarts
- Alderman M. Turvey

Elgin-St. Thomas Archives Association

Council Decision

- Alderman C. Barwick

Eastside Development Area Study Steering Committee

Council Decision

- Mayor J. Kohler
- Alderman H. Chapman
- Alderman M. Turvey
- Wendell Graves
- John Dewancker
- Pat Keenan
- Robert Wheeler
- Bill Day

Green Lane Community Trust Fund

Joint City/County Council Decision

- Mayor J. Kohler

Airport Noise, Zoning and Master Plan

Council Decision

- Alderman T. Shackelton
- John Dewancker
- Pat Keenan
- Dale Arndt
- Central Elgin Council Rep
- Coordinator of Planning and
Development Central Elgin

Art Gallery St. Thomas-Elgin

Council Decision

- Alderman M. Turvey

Communities in Bloom

Council Decision

- Mayor J. Kohler
- Alderman B. Aarts
- Alderman M. Turvey

Board of Directors of the St. Thomas

Hydro Holding Company

(Staggered 2 yr Terms) **Council Decision**

- Mayor J. Kohler (Term of Council)
- Alderman T. Shackelton (Term of Council)
- John Lavery (Dec.31/07)
- Bruce H. Smith (Dec.31/07)
- Paul Smith (Dec.31/06)
- Orland Hartford (Dec.31/06)

Board of Directors of St. Thomas Energy Inc.

(App't. made by Hydro Holding Co. in January 2006 and confirmed by Council at a later date)

Council Decision

Board of Directors of St. Thomas Energy Services Inc.

(App't. made by Hydro Holding Co. in January 2006 and confirmed by Council at a later date)

Council Decision

Commercial Development Reviews

Council Decision

- William Day
- Pat Keenan
- John Dewancker
- Robert Wheeler
- Wendell Graves

First Avenue Corridor Improvement Study

Council Decision

- Alderman C. Barwick
- Alderman T. Shackelton
- Alderman M. Turvey

St. Thomas & Labour Council Health Care Committee

Council Decision

- Alderman T. Shackelton

Elgin & St. Thomas Housing Corporation

Council Decision

- Alderman B. Aarts
- Alderman C. Barwick
- Peter Thornton (Aug 16/07)
- Hugo Keusch (Oct 20/06)
- Bruce Watson (Oct 20/06)

Development Charge Study Review Team

Council Decision

- Alderman C. Barwick
- Alderman H. Chapman
- Alderman M. Turvey

City Management Board

Council Decision

- City Clerk
- City Treasurer
- Director of Planning
- Director, Environmental Services
- Fire Chief
- Valleyview Administrator
- Director of Ontario Works

	<ul style="list-style-type: none">- Economic Development Manager- Director of Human Resources- Mayor, ex-officio
Elgin-St. Thomas Connects Committee	<ul style="list-style-type: none">- Alderman B. Aarts
RAILS Committee	<ul style="list-style-type: none">- Alderman M. Turvey
Fire Substation Committee	<ul style="list-style-type: none">- Alderman Shackelton- Alderman Barwick- Alderman Johnston
Council Decision	
Renaming of Park Pavilions Committee	<ul style="list-style-type: none">- Alderman Turvey- Alderman Chapman- Alderman Aarts
Trails and Parks Master Plan Study	<ul style="list-style-type: none">- Alderman Turvey- Alderman Johnson
Urban Design Committee	<ul style="list-style-type: none">- Alderman Turvey- Alderman Chapman- two members of the Downtown Development Board- two members of the Municipal Heritage Committee
Innovation Team	<ul style="list-style-type: none">- A representative of the North American Railway Hall of Fame,- A representative of the Downtown Development Board,- A representative of Fanshawe College,- And the following Members of Council - Alderman Turvey- Alderman Chapman- Alderman Shackelton

Carried.

REPORTS OF COMMITTEES

Report of the Special Events Committee - Appendix "D"

Motion by Alderman Shackelton - Warden:

THAT: The Special Events Policy & Procedure Manual dated December 6, 2005 be received.

Carried.

PETITIONS AND COMMUNICATIONS

Kings Buffet - 1063 Talbot Street

The members received notification that an application was made to the Alcohol and Gaming Commission of Ontario, by Kings Buffet for a liquor licence for its indoor area at 1063 Talbot Street, St. Thomas.

Dairy Egg and Poultry Farmers - Resolution

Motion by Alderman Turvey - Aarts:

THAT: The City of St. Thomas supports the preservation of supply management for Canada's dairy, poultry and egg farmers, processors, consumers and other Canadians who depend on a vibrant farm economy; and further,

The 50th meeting of the 125th Council - 10

THAT: This resolution be forwarded to the Honourable Andy Mitchell, Honourable Jim Peterson and Prime Minister Paul Martin requesting that they preserve supply management at the World Trade Organization's trade talks being held in China December 13-18, 2005.

Carried.

Letter of Tolerance - 284 Wellington Street

Motion by Alderman Shackelton - Turvey:

THAT: A Letter of Tolerance be issued for the existing encroachment of a ramp onto the municipal road right-of-way at 284 Wellington Street.

Carried.

UNFINISHED BUSINESS

Recognition of John Street - 2005 Year of the Veteran - Appendix "E"

Motion by Alderman Aarts - Shackelton:

THAT: Council approve the purchase and placement of 2 signs for John Street recognizing the street as "Veterans' Way" in honour of the Year of the Veteran at a cost of \$195.00 plus taxes each.

Carried.

Municipal Accessibility Action Plan - Management Board

NEW BUSINESS

Christmas Care

Alderman Barwick informed the members and the community that Christmas Care was in need of gifts for kids ages 9 - 12 and also that items such as jams, peanut butter and puddings would be appreciated.

Naming of St. Thomas Community Centre

Prior to consideration of Alderman Johnston's motion, the members considered a motion to rescind a motion made on October 3, 2005 relating to the naming of the St. Thomas Community Centre.

Mr. Al Riddell was in attendance and provided an overview of the contribution of Timken, through the Maple Leaf Foundation within its 60-year history in the community. Mr. Riddell stated that in Council's consideration of a name for the new arena, thought should be given that the name is larger than the arena itself.

The members considered the information presented by Hilary Vaughan and also discussed the fact that they recognized the contribution of Timken over the years.

Motion by Alderman Barwick - Johnston:

THAT: The motion naming the St. Thomas Community Centre dated October 3, 2005 be rescinded.

Recorded Vote

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

Motion Lost.

As a result of the reconsideration motion being lost, the members did not consider Alderman Johnston’s motion.

Request for Letter of Tolerance - 10 Pol Court

Motion by Alderman Aarts - Warden:

THAT: A Letter of Tolerance be issued for the existing encroachment of a fence onto the municipal road right-of-way at 10 Pol Court.

Motion Lost.

BY-LAWS

Motion by Alderman Shackelton - 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 12th day of December, 2005.
2. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Additional permitted uses - 235-239 Wellington Street)
3. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Permit Apartment Use with maximum of 8 dwelling units - 2 Wood Street)

Carried.

First and Second Readings

Motion by Alderman Shackelton - 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 H. Chapman 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 Shackelton - 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 12th day of December, 2005. (B/L 169-2005)

The 50th meeting of the 125th Council - 12

2. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas.
(Additional permitted uses - 235-239 Wellington Street) (B/L 170-2005)

3. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas.
(Permit Apartment Use with maximum of 8 dwelling units - 2 Wood Street) (B/L 171-2005)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Aarts - Johnston:

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 Johnston - Chapman:

THAT: We do now rise from Closed Session. (6:50 P.M.)

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Turvey:

THAT: We do now adjourn. (9:13 P.M.)

Carried.