

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

**COUNCIL CHAMBERS
CITY HALL**

FEBRUARY 20TH, 2006

6:42 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
R. Beachey, Deputy City Clerk
R. Wheeler, Economic Development Manager
J. Dewanker, Director, Environmental Services
G. Dart, Director, Human Resources
R. Barber, Fire Chief

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 Report HR-04-06 and By-Law #3 relating to CUPE as he is a member of CUPE. He refrained from all discussion and action relating to these matters.

MINUTES

Motion by Alderman Warden - Turvey:

THAT: The minutes of the meeting held on February 13th, 2006 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

Innovation Team - Appendix "A"

Motion by Alderman Turvey - Aarts:

THAT: Council receive Report CC-12-06 as information; and further,

THAT: The costs associated with the hosting of the Innovation Team be allocated within the 2006 Community Improvement Program Budget.

Carried.

BUSINESS CONCLUDED

CITY CLERK _____ CONFIRMED _____ MAYOR _____

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

Alderman Chapman, at the request of Alderman Turvey, remained in the Chair for this Committee.

UNFINISHED BUSINESS

NEW BUSINESS

By-Law for the Collection and Removal of Garbage and Refuse - Appendix "B"

Motion by Alderman Shackelton - Johnston:

THAT: Report CC-13-06 in regards to the By-law for the Collection and Removal of Garbage and Refuse be received; and further,

THAT: The updated garbage by-law be forwarded to the City Solicitor for approval.

Carried.

City Hall Brickwork

Alderman Shackelton requested that staff examine the brickwork in front of City Hall to check for loose brick and decaying mortar.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

C.U.P.E. Local 841.4 Collective Agreement Renewal (Crossing Guards) - Appendix "C"

Motion by Alderman Aarts - Turvey:

THAT: Council approve a by-law authorizing the Mayor and City Clerk to sign and affix the Corporate Seal to the Collective Agreement expiring December 31, 2007 between the Corporation of the City of St. Thomas and the Canadian Union of Public Employees and its Local 841.4 (Crossing Guards).

Carried.

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Corporate Credit Cards

The members discussed the use of the credit cards.

The members discussed the fact that they had the opportunity to review actual credit card expenditures that had been made in 2003. Further, while many questions had been answered, additional review on some transactions will be completed in those cases where time had not permitted.

The members discussed receiving information about the Mayor's budget accounts.

The Director of Finance & City Treasurer stated that a printout could be provided for each of the accounts for the Mayor's office.

CITY CLERK _____ CONFIRMED _____ MAYOR

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The members, by consensus, agreed to this format for the information.

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

Motion by Alderman Johnston - Warden:

THAT: The Treasurer provide members of Council with credit card statements for 2004/2005 and the Mayor's accounts for 2003/2004/2005.

Recorded Vote

Yeas

Mayor Kohler

Alderman B. Aarts

H. Chapman

C. Barwick

T. Johnston

T. Shackelton

D. Warden

Nays

Alderman M. Turvey

Carried.

NEW BUSINESS

Provincial Gas Tax Revenues - Letter of Agreement - Appendix "D"

Motion by Alderman Shackelton - Johnston:

THAT: Pursuant to Report TR 04-06, Council adopt a by-law authorizing the Mayor and Treasurer to execute a Letter of Agreement with the Province of Ontario for the transfer of Provincial gas tax revenues to the City.

Carried.

South Block Development Charges

Chairman Barwick stated that information relating to the South Block Development Charges would be brought to the members in March.

Monthly Cheque Register

The members discussed having a cheque register available for their review on a monthly basis.

The Director of Finance & City Treasurer stated that he could provide the monthly expenditure information and any supporting documentation to the members at an office in the Treasury Department.

The members, by consensus, agreed to this process of reviewing the information.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Elmina Street and Oak Street Intersection

CITY CLERK _____ CONFIRMED _____ MAYOR _____

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Captain Dennis A. Redman No.2 Fire Station

Request for "No Standing" Zone - Forest Park Walkway

Intersection of Redan Street and Woodworth Avenue

NEW BUSINESS

Police Services Report

Constable Tanya Calvert was in attendance to present the Police Services Report.

February 2006 Monthly Report - Captain Dennis A. Redman No. 2 Fire Station - Appendix "E"

Mr. David Murphy was in attendance to provide the members with an update relating to the construction progress of the Captain Dennis A. Redman No. 2 Fire Station. Mr. Murphy estimated that the project was about one and one-half weeks behind schedule, that he anticipated an approximate cost of \$9,000 - \$10,000 for removal of fill material on the site, and that the project should remain within budget given a \$25,000 credit within the stormwater management costs.

Motion by Mayor Kohler - Alderman Warden:

THAT: The February 2006 Monthly Report - Captain Dennis A. Redman No. 2 Fire Station be received for information.

Carried.

Animal Control Service 2005 - Appendix "F"

Motion by Alderman Chapman - Johnston:

THAT: Report CC-07-06 in regards to the operation of the Animal Control Service during 2005 be received as information.

Carried.

BUSINESS CONCLUDED

REPORTS PENDING

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

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

DRIVEWAY RECONSTRUCTION – MAPLE STREET - J. Dewancker

REVIEW OF CITY BUS ROUTES - J. Dewancker

FOREST AVENUE SIDEWALK - J. Dewancker

YWCA - FREE ICE TIME FOR LOCAL SCHOOLS - D. Morgan

NO PARKING SIGNAGE - MILLER STREET - J. Dewancker

REDEVELOPMENT OF HORTON STREET MARKET - W. Day

COUNCIL

Council reconvened into regular session.

REPORT OF COMMITTEE OF THE WHOLE

CITY CLERK_____CONFIRMED_____MAYOR

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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 - 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

Union Gas - Rates for 2007

A letter was received from Bryan Goulden, Manager, Regulatory Applications, Union Gas, advising that a notice of application had been submitted to the Ontario Energy Board for an order to increase delivery rates of natural gas by 2.4% to 2.6%, as of Jan. 1, 2007.

Red Cross Month - Proclamation and Flag Raising - Month of March

Motion by Alderman Aarts - Shackelton:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the month of March as "Red Cross Month" in the City of St. Thomas; and,

THAT: The Canadian Red Cross flag be flown at City Hall the week of March 6th to 12th, 2006.

Carried.

South Western Ontario District - Canadian Power and Sails Squadrons - City Pins

Motion by Alderman Turvey - Shackelton:

THAT: Council provide 125 St. Thomas city pins to the Canadian Power and Sails Squadrons for the annual general meeting of the Southwestern Ontario District of Canadian Power and Sail Squadrons to be held from April 21st to 23rd, 2006 in St. Thomas.

Carried.

UNFINISHED BUSINESS

"Solid Pension - Secure Future" - C.A.W. Local 1001

Request for Letter of Tolerance - Fence Encroachment onto Road Boulevard Area - 10 Pol Court

NEW BUSINESS

Municipal Heritage Committee - Replacement Appointment

Motion by Alderman Barwick - Chapman:

CITY CLERK_____CONFIRMED_____MAYOR

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THAT: The following person be appointed to the Municipal Heritage Committee for the remaining term of Council:

Dave Fournier.

Carried.

Easter Seal Society - Easter Seals Month

Motion by Alderman Shackelton - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the month of March 2006 as "Easter Seals Month" in the City of St. Thomas.

Carried.

St. Thomas Stars Junior B Hockey Club

Alderman Johnston inquired if a business plan had been received from the St. Thomas Stars Junior B Hockey Club.

The Director of Finance & City Treasurer stated that the business plan had not been received.

The members, by consensus, agreed that a letter should be sent to the St. Thomas Stars Junior B Hockey Club requesting that a business plan be submitted.

City of St. Thomas 125th Anniversary

Mayor Kohler reminded the members that this year the City will be celebrating its 125th anniversary and that the actual anniversary date was March 4th. Further, he stated that activities are being planned in conjunction with the Communities In Bloom event to celebrate the anniversary.

Mayor Kohler asked the members to inform his office if they wished the bells on the clock tower to be rung 125 times at midnight on March 3rd, as had been done when the City celebrated its 100th birthday.

BY-LAWS

Motion by Alderman Shackelton - Warden:

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 20th day of February, 2006.
2. A by-law to authorize the Mayor and Treasurer to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation for the Province (Provincial Gas Tax Revenues - Letter of Agreement)
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 The Canadian Union of Public Employees and its Local 841.4 (Crossing Guards). (Collective agreement - Local 841.4 - January 1st, 2005 - December 31st, 2007)
4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Daniel King Funeral Home Ltd. (SPC 13-05 - 31 Elgin Street)

Carried.

CITY CLERK_____CONFIRMED_____MAYOR

First and Second Readings

Motion by Alderman Shackelton - Warden:

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 B. Aarts 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 - Warden:

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 20th day of February, 2006. (B/L 18-2006)

2. A by-law to authorize the Mayor and Treasurer to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation for the Province (Provincial Gas Tax Revenues - Letter of Agreement) (B/L 19-2006) (A/G 8-2006)

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 The Canadian Union of Public Employees and its Local 841.4 (Crossing Guards). (Collective agreement - Local 841.4 - January 1st, 2005 - December 31st, 2007) (B/L 20-2006) (A/G 9-2006)

4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Daniel King Funeral Home Ltd. (SPC 13-05 - 31 Elgin Street) (B/L 21-2006) (A/G 10-2006)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Warden - Johnston:

THAT: This meeting be closed to deal with proposed or pending acquisition or disposition of land and a matter protected under the Municipal Freedom of Information and Protection of Privacy Act. (6:42 p.m.)

Carried.

OPEN SESSION

Motion by Alderman Turvey - Johnston:

THAT: We do now rise from Closed Session. (6:55 p.m.)

Carried.

CLOSED SESSION

Motion by Alderman Johnston - Turvey:

THAT: This meeting be closed to deal with a matter protected under the Municipal Freedom of Information and Protection of Privacy Act. (7:57 p.m.)

Carried.

OPEN SESSION

Motion by Alderman Johnston - Aarts:

THAT: We do now rise from Closed Session. (8:43 p.m.)

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (8:43 p.m.)

Carried.