

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

**COUNCIL CHAMBERS
CITY HALL**

MARCH 20TH, 2006

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
D. Warden

Absent

Alderman M. Turvey

Officials

W. Graves, City Clerk
I. Andersen, Manager of Operations & Compliance
B. Clement, Manager of Engineering
G. Dart, Director, Human Resources
W. Day, Director of Finance & City Treasurer
J. Dewancker, Director, Environmental Services
O. Jensen, Deputy Fire Chief
P. Keenan, Director of Planning
F. Lattanzio, Community Centres & Property Manager
D. White, Supervisor of Roads & Transportation
Constable T. Calvert, St. Thomas Police Department

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 Warden - Aarts:

THAT: The minutes of the meeting held on March 13th, 2006 be confirmed.

Carried.

DEPUTATIONS

Intersection of Elmina Street and Oak Street

Mr. Orland Hartford was in attendance to discuss concerns regarding the intersection of Elmina and Oak Streets. Mr. Hartford stated that he had the opportunity to meet with the Supervisor of Roads and Transportation. Mr. Hartford requested the members to reconsider the motion to place all way stop signs at the intersection of Elmina Street and Oak Street.

The Mayor thanked Mr. Hartford for his information and stated that the matter would be considered 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

CITY CLERK _____ CONFIRMED _____ MAYOR _____

Amendment to Tariff of Fees By-Law - Appendix "A"

Motion by Alderman Johnston - Shackelton:

THAT: The Tariff of Fees By-Law 9-93, as amended, be further amended to incorporate increases to zoning and official plan amendment application fees and to establish fees for the processing of requests to remove part lot control as set out in Report PD 06-2006.

Carried.

Delegation of Certain Authority under the Planning Act - Appendix "B"

Motion by Alderman Aarts - Shackelton:

THAT: By-Law 27-94 be amended to replace the City Administrator with the Mayor as the appointed alternate for the Director of Planning for the purpose of exercising approval authority with respect to plans of subdivision and condominium in the absence of the Director of Planning or if the position of Director of Planning is vacant.

Carried.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

Alderman Chapman chaired this committee in the absence of Alderman Turvey.

UNFINISHED BUSINESS

NEW BUSINESS

2006 Annual Watermain Rehabilitation - Tender Award - Appendix "C"

Motion by Alderman Johnston - Warden:

THAT: The tender submitted by Fer-Pal Construction Limited in the amount of \$821,537.98 including GST, for the Annual Watermain Rehabilitation project be accepted; and further,

THAT: A by-law be prepared to authorize this tender award.

Carried.

Mammoet Machinery Transport for Presstran Industries - Appendix "D"

Motion by Alderman Shackelton - Aarts:

THAT: Report ES35-06 of the Manager of Engineering be received for information; and further,

THAT: A by-law be prepared to authorize the Clerk and Mayor to sign the agreement once finalized.

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

Corporate Credit Cards

South Block Development Charges

Downtown Development Board - 2006 Budget

NEW BUSINESS

Municipal Act S.O. 2001, c. 25, Section 284 (1) Reporting - Appendix "E"

Alderman Warden - Johnston:

THAT: Report TR-11-06 of the Manager of Accounting be received for information.

Carried.

Catfish Creek Conservation Authority - 2006 Budget

The Director of Finance & City Treasurer stated that all groups who would be approved for funding from the City, following budget approval, would be notified that their payments would be made in monthly installments.

Motion by Mayor Kohler - Alderman Warden:

THAT: The City pay to the Catfish Creek Conservation Authority 4/12ths of the 2006 levy in April followed by 1/12th payments each month beginning on the 1st of May.

Carried.

2006 Budget Presentation

Chairman Barwick stated that the Finance and Administration Committee would meet at 6:00 p.m. on March 28th, 2006 to discuss the proposed budget and that this meeting would be followed by the Council meeting.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

NEW BUSINESS

City Hall - Condition of Brickwork - Appendix "F"

The members discussed the condition of the brickwork on the clock tower and directed that the Community Centres and Property Manager obtain quotes for the repair work for consideration at the budget meeting on March 28th, 2006.

Motion by Mayor Kohler - Alderman Warden:

THAT: Report TR-10-06 of the Manager of Facilities and Property be received for information.

Carried.

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

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 for the month of February 2006.

March 2006 Monthly Report - Captain Dennis A. Redman No. 2 Fire Station - Appendix "G"

Mr. David Murphy was in attendance and provided an overview of the status of the project. Mr. Murphy stated that while the project was about 11 days behind schedule, the steel roof structure was in place, the majority of the walls were in place, plumbing was roughed in and heat was on in the building.

Motion by Alderman Aarts - Chapman:

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

Carried.

Iron Horse Festival - 2006 - Appendix "H"

Mr. Bob Hamilton was in attendance and advised the members of awards that the Iron Horse Festival had received from Festivals and Events Ontario including best event poster and event apparel. Further, Mr. Hamilton stated that the Iron Horse Festival is always looking for volunteers.

Motion by Alderman Aarts - Mayor Kohler:

THAT: Council declare the Iron Horse Festival as a Community Festival; and further,

THAT: The following Iron Horse Festival road closures be approved by Council:

1. Talbot Street be closed from 5:00 p.m., on Wednesday, August 23rd, 2006, to 12:00 midnight, Sunday, August 27th, 2006, from St. Catharine Street to Elgin Street, and;
2. White Street be closed from 5:00 p.m., Tuesday, August 22nd, 2006 to 12:00 midnight Sunday, August 27th, 2006 from Talbot Street to Centre Street, and;
3. Mondamin Street, be closed from 8:00 a.m., Wednesday, August 23rd, 2006 to 12:00 midnight Sunday, August 27th, 2006 from Talbot Street to Curtis Street, and;
4. Mary Street from Talbot Street north to the laneway entrance be closed and that Hincks Street from Talbot Street south to the laneway entrance be closed from 5:00 p.m., on Tuesday, August 22nd, 2006, to 12:00 midnight, Sunday, August 27th, 2006; and further,

THAT: The Iron Horse Festival Committee be permitted to extend the street closure on Talbot Street from Elgin Street to St. George Street for the Friday Night Classic - Cruise-In Car Show, for Friday August 25th, 2006 evening only from 5:00 p.m. until 11:00 p.m.; and further,

THAT: The following Iron Horse Festival parking lot closures be approved by Council:

1. One half of Hepburn Parking Lot be closed from 5:00 p.m., Tuesday August 22nd, 2006 to 12:00 midnight, Sunday August 27th, 2006, and;
2. The White Street Parking Lot be closed from 5:00 p.m., Tuesday August 22nd, 2006 to 12:00 midnight Sunday, August 27th, 2006 for a portion of the midway; and further,

THAT: The Iron Horse Festival Committee be permitted to hold the Iron Horse Festival on the closed portion of Talbot Street, White Street, Mondamin Street and the Hepburn and White Street Parking Lots providing that all the concerns of the Fire Dept., Environmental Services Dept, Police Services, Treasury Dept. (Recreational Services Section), and the St. Thomas - Elgin Health Unit are addressed.

Carried.

741 Air Cadet Annual Ceremonial Review - St. Thomas Municipal Airport - Appendix "I"

Alderman Warden asked that the request from the 741 Air Cadets be forwarded to the Special Events Committee.

Motion by Alderman Barwick - Johnston:

THAT: City Council authorize the use of a portion of an airport area at the St. Thomas Municipal Airport by the 741 Air Cadets to host their Annual Ceremonial Review on Saturday, May 27, 2006 from 0800hrs to 1800hrs, subject to the following conditions:

1. All arrangements are to be confirmed with the Airport Superintendent.
2. The use of the leased airport lands and facilities must be arranged with tenants involved and will be subject to City Council's approval.
3. A certificate of public liability and property damage insurance with covering limits of minimum of \$5,000,000. 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.
4. The 741 Air Cadets to be responsible for the provision of temporary toilet facilities, hand rinse, and that clean safe water is supplied for participating cadets and parents and guests during the event.
5. An individual with proper first aid training be available for the duration of the event.
6. No open fire/flame be permitted within or on subject area.
7. No discharge of any firearm or air rifle.
8. The City of St. Thomas shall not assume any liability for any claims 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.
9. Submission of a \$200.00 deposit with the Airport Superintendent at least 48 hours prior to the commencement of the event, which will be refunded if the grounds are left in a clean and tidy condition to the satisfaction of the Airport Superintendent.
10. Submission of the non-profit group use daily rate of \$246.00 to the Corporation of the City of St. Thomas at least 48 hours prior to the commencement of the event, this fee will not be refunded.

Carried.

Intersection of Elmina Street and Oak Street

The members discussed a reconsideration of the motion previously made regarding the intersection of Elmina Street and Oak Street.

The Supervisor of Roads and Transportation stated that a replacement mirror could be investigated and he further stated that ripple strips would not be recommended in this residential area due to the noise they create.

Motion by Mayor Kohler - Alderman Chapman:

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 9th meeting of the 126th Council - 6

THAT: Council reconsider the motion passed on March 13th, 2006 relating to the intersection of Elmina Street and Oak Street.

Carried.

Motion by Alderman Barwick - Warden:

THAT: Report ES 25-06 be received; and further,

THAT: Traffic By-Law 45-89 Schedule IV, Schedule IVA and Schedule IX be amended as required; and,

THAT: In lieu of reconstruction/realignment of the intersection of Elmina Street and Oak Street an All-Way Stop Condition be installed as soon as possible; and,

THAT: The existing traffic mirror located east of Elmina Street and Oak Street be removed; and,

THAT: The advance warning sign for the intersection be revised in accordance with MTO Traffic Manual Book 6; and further,

THAT: The overhead flashing beacon be revised to indicate flashing red in all directions.

Motion Lost.

Motion by Alderman Barwick - Aarts:

THAT: Report ES 25-06 be received; and further,

THAT: Item # 3 in the report be approved.

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

NO PARKING SIGNAGE - MILLER STREET - J. Dewancker

REDEVELOPMENT OF HORTON STREET MARKET - W. Day

ALMA COLLEGE - Management Board

SCHOOL AREA REVIEW PROCEDURES - FOR ELEMENTARY SCHOOL CHILDREN - D. White

COUNCIL

Council reconvened into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

CITY CLERK_____CONFIRMED_____MAYOR

The 9th meeting of the 126th Council - 7

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 - Shackelton:

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 Medicine Act Amendment - Resolution

Motion by Alderman Warden - Aarts:

THAT: The resolution from the Township of Malahide requesting that the Minister of Health and Long Term Care amend the Ontario Medicine Act to permit the granting of licences to recognized physicians be endorsed.

Carried.

Canadian Strategic Infrastructure Fund - Resolution

Alderman Johnston advised the members that a letter should be sent to the Hon J. Flaherty, the Hon L. Cannon, Joe Preston, MP, Steve Peters, MPP, and Peter Steblin, CAO, Elgin Area Primary Water System.

Motion by Alderman Johnston - Aarts:

THAT: Whereas the City of St. Thomas has previously indicated support for the Regional Water Quality, Capacity and Green Power Initiative, and where, through discussions with Infrastructure Canada for the Federal Government, the Public Infrastructure Renewal Ministry of the Province of Ontario and the efforts of Joint Water Board staff, this project has been restructured under the HELP Clean Water title; the City of St. Thomas re-confirms its support for this initiative as a high priority candidate for funding under the Canadian Strategic Infrastructure Fund (CSIF) and urges the Federal Government to re-new funding for the CSIF program.

Carried.

Child Find Ontario - Proclamation - May 2006

Motion by Alderman Shackelton - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the month of May 2006 as “Green Ribbon of Hope Month” in the City of St. Thomas.

Carried.

Motion by Alderman Shackelton - Warden:

CITY CLERK _____ CONFIRMED _____ MAYOR _____

The 9th meeting of the 126th Council - 8

THAT: The Council of the Corporation of the City of St. Thomas proclaim May 25th, 2006 as “National Missing Children’s Day” in the City of St. Thomas.

Carried.

Canada Post Office and Plant Closures

A request was received from Deborah Bourque, President, Canadian Union of Postal Workers, to once again support the union in its opposition to Canada Post’s plans for office and plant closures.

The City Clerk advised the members that a motion of support had been endorsed earlier in the year.

The members took no further action relating to this matter.

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

The members stated that they would review this matter at the next regular meeting.

City of St. Thomas 125th Anniversary

Minimum Maintenance Standards for Heritage Properties

NEW BUSINESS

Sign By-law

Alderman Barwick stated that a meeting should take place with staff and sign company owners in order to review and simplify the process relating to the placement of portable signs.

The members, by consensus, directed that staff arrange a meeting.

Honours and Awards Banquet

Alderman Chapman reminded the members and the community that nominations for the Honours and Awards Banquet, to be held April 27th, 2006, are due this Friday.

BY-LAWS

Motion by Alderman Shackelton - 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 20th day of March, 2006.
2. A by-law to amend By-Law No. 9-93, being a by-law to prescribe a tariff of fees for applications made in respect of planning matters.
3. A by-law to amend By-Law No. 27-94, being a by-law to delegate certain authority under The Planning Act. (Mayor as the alternate for the Director of Planning)
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 Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation. (Authorized Requester - Municipal Parking Tag Program)

Carried.

CITY CLERK_____CONFIRMED_____MAYOR

First and Second Readings

Motion by Alderman Shackelton - 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 T. Johnston 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 - 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.

1. A by-law to confirm the proceedings of the Council meeting held on the 20th day of March, 2006. (B/L 26-2006)

2. A by-law to amend By-Law No. 9-93, being a by-law to prescribe a tariff of fees for applications made in respect of planning matters. (B/L 27-2006)

3. A by-law to amend By-Law No. 27-94, being a by-law to delegate certain authority under The Planning Act. (Mayor as the alternate for the Director of Planning) (B/L 28-2006)

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 Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation. (Authorized Requester - Municipal Parking Tag Program) (B/L 29-2006) (A/G 13-2006)

Carried.

PUBLIC NOTICE

2006 Budget

The City Clerk announced that Council will deal with the 2006 Budget on March 28, 2006.

NOTICES OF MOTION

Proposed Four-Year Term of Office for Municipal Elected Officials

A notice of motion was received from Alderman C. Barwick regarding opposition to the proposed four-year term of office for municipal elected officials.

CLOSED SESSION

Motion by Alderman Chapman - Johnston:

THAT: This meeting be closed to deal with a labour relations matter.

Carried.

OPEN SESSION

Motion by Alderman Johnston - Chapman:

CITY CLERK_____CONFIRMED_____MAYOR

THAT: We do now rise from Closed Session. (6:34 p.m.)

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Warden:

THAT: We do now adjourn. (8:36 p.m.)

Carried.