

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

**COUNCIL CHAMBERS  
CITY HALL**

**APRIL 18TH, 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  
M. Turvey  
D. Warden

**Officials**

W. Graves, City Clerk  
I. Andersen, Manager of Operations & Compliance  
R. Barber, Fire Chief  
M. Carroll, Valleyview Administrator  
B. Clement, Manager of Engineering  
W. Day, Director of Finance & City Treasurer  
J. Dewancker, Director, Environmental Services  
P. Keenan, Director of Planning  
F. Lattanzio, Community Centres & Property Manager  
R. Wheeler, Economic Development Manager  
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**

Alderman Shackelton declared a conflict of interest relating to Report CC-23-06 and Report ES-43-06 as he is a member of CUPE. He refrained from all discussion and action relating to those matters.

**MINUTES**

Motion by Alderman Turvey - Shackelton:

THAT: The minutes of the meeting held on April 10th, 2006 be confirmed.

Carried.

**DEPUTATIONS**

**Redevelopment of Horton Street Market**

Mark Cosens, Chairman, Downtown Development Board, and Mr. Bob Chorney, Executive Director, Farmers' Market Ontario, were in attendance to update the members on the progress of the market rejuvenation project and to request that Council provide \$61,000 in immediate funding to ensure the market could be open this season.

Mr. Chorney presented an overview of an interim report that had been prepared for the market.

Mr. Cosens stated that \$50,000 was required for immediate repairs to the market, \$6000 to retain a consulting engineer and \$5000 to hire a manager for the market for 2006.

Mayor Kohler thanked Mr. Cosens and Mr. Chorney for their presentation and stated that the matter may be considered later in the meeting under new business in the Finance Committee.

**COMMITTEE OF THE WHOLE**

Council resolved itself into Committee of the Whole.

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

**PLANNING AND DEVELOPMENT COMMITTEE** - Chairman H. Chapman

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Municipality of Central Elgin - Notice of a Public Hearing for a Minor Variance - 133 St. George Street

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Notice was received from the Municipality of Central Elgin regarding a public hearing for a minor variance to permit a shed and stone wall and to recognize the existing location of a deck and basketball court at 133 St. George Street.

Official Plan and Zoning By-Law Amendment - 48 Stanley Street

Alderman Barwick inquired when Council could expect the Official Plan and Zoning By-Law amendments to be presented to Council and also if there were further submissions being presented relating to this matter.

The Planning Director stated that the Official Plan and Zoning By-Law amendments would be before Council on May 1st and further that the Planning Department was expecting a written submission from a planner who made a verbal submission at the public meeting.

**BUSINESS CONCLUDED**

**ENVIRONMENTAL SERVICES COMMITTEE** - Chairman M. Turvey

**UNFINISHED BUSINESS**

Move Ontario - Roads and Bridges Funding - Appendix "A"

The members discussed the list of projects that were being considered under the Move Ontario Funding.

Alderman Shackelton requested that the road section on Chestnut Street between First Avenue and Third Avenue be included.

The Director, Environmental Services stated that this road section could be included in the tender of the works as either an outright addition or as a provisional item with an estimated cost of \$40,000 - \$45,000.

The members, by consensus, agreed to have this road section included in the tender of the works.

Motion by Mayor Kohler - Alderman Aarts:

THAT: Report ES45-06 be received for information; and further,

THAT: Council approve the expenditure of \$1,412,434.00 from one-time grant monies already received under the Move Ontario funding initiative to implement the recommended list of municipal roads and bridges projects.

Carried.

Intersection of First Avenue and Edward Street

Intersection of Edward Street and Burwell Road

Intersection of Wellington Street and Highview Avenue

Mayor Kohler stated that he was in receipt of a petition relating to this intersection and that he would forward it to the City Clerk.

The Director, Environmental Services stated that he would review the petition and that a report

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would be brought back to Council.

**NEW BUSINESS**

2005 City of St. Thomas Waste Diversion Rates - Appendix "B"

Motion by Alderman Aarts - Johnston:

THAT: Report ES46-06 regarding the 2005 solid waste management diversion rates be received for information.

Carried.

Private Lane along CASO Lands - Queen Street to Metcalfe Street - Appendix "C"

The members discussed the matter of the City grading the lane, which is owned by CN and used by adjacent commercial businesses.

The Director, Environmental Services stated that the cost to the City to grade the lane is approximately \$60.00 - \$80.00.

The members, by consensus, agreed to have City equipment grade the lane.

Motion by Alderman Shackelton - Aarts:

THAT: Report ES47-06 regarding the renewed request by the Elgin Counselling and Mediation Centre at 19 Queen Street to the City of St. Thomas for drainage improvements along the private lane on the CASO property between Queen Street and Metcalfe Street be received as information.

Carried.

Hedges Court Subdivision Phase II - Wellington Street Extension between Phase I Limit and Centennial Avenue - Appendix "D"

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Motion by Alderman Aarts - Chapman:

THAT: The cost sharing arrangement and the associated development security requirements for the future construction of Wellington Street extension, between the east limit of the Hedges Court Phase I Subdivision Development and Centennial Avenue, as outlined in Report ES 48-06, be approved and be incorporated as a special condition in the subdivision agreement between the City of St. Thomas and the developer of the Hedges Court Phase II Subdivision development.

Carried.

**BUSINESS CONCLUDED**

**PERSONNEL AND LABOUR RELATIONS COMMITTEE** - Chairman D. Warden

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Contract Personnel - Appendix "E"

The members discussed the potential of this position becoming a full time position and that it could be shared within various departments but that the full details of the long term financial impacts were not known.

Motion by Alderman Chapman - Turvey:

THAT: Report CC-23-06 be received for information; and further,

CITY CLERK\_\_\_\_\_CONFIRMED\_\_\_\_\_MAYOR

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THAT: Council authorize the hiring of a contract position for the Clerk's Department as provided for in the 2006 Budget.

Carried.

Environmental Services Department Staffing Increase - Appendix "F"

Motion by Alderman Johnston - Turvey:

THAT: Council receive Report ES43-06 relating to increasing staffing within the Operations Division of the Environmental Services Department; and further,

THAT: Council approve the hiring of one full time staff member for the Road Operations section, a Medium Equipment Operator, and one full time staff member for the Transportation Operations section, a Transportation Technician for the department noting that both positions are included in the recently approved 2006 Operating Budget.

Carried.

**BUSINESS CONCLUDED**

**FINANCE AND ADMINISTRATION COMMITTEE** - Chairman C. Barwick

**UNFINISHED BUSINESS**

Corporate Credit Cards

South Block Development Charges Appendix "G"

Motion by Alderman Turvey - Shackelton:

THAT: Report TR 21-06 be received for information; and further,

THAT: Council approve the capital project listing set out in Table 4-3 of the Area-Specific Development Charge Background Study (as amended), dated April 5, 2006, subject to annual review during the capital budget process; and further,

THAT: The Area-Specific Development Charge Background Study (as amended), dated April 5, 2006, be received and approved; and further,

THAT: Council confirm no further public meeting is required; and further,

THAT: Council enact a by-law, adopting the recommended rates and policies provided within the Area-Specific Development Charges Background Study (as amended) dated April 5, 2006.

Carried.

Downtown Development Board - 2006 Budget - Appendix "H"

Motion by Alderman Chapman - Turvey:

THAT: Report CC-20-06 be received for information

Carried.

Junior B Stars Hockey Club - 2006-2007 Facility Rental Permit

**NEW BUSINESS**

Legends Lease Agreement - Appendix "I"

Motion by Alderman Aarts - Turvey:

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR \_\_\_\_\_

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THAT: Report TR-22-06 be received for information; and further,

THAT: Council authorize the execution of an agreement with 1412651 Ontario Limited (Legends Tavern) for lease of 0.742 acres of City owned land described as Parts 4, 5, 6, and 7 on Plan 11R-3679, for a one year term with an overholding clause allowing for the tenant to continue to occupy the lands without a further written agreement.

Carried.

Municipal Election 2006 - Appendix “J”

Motion by Alderman Chapman - Aarts:

THAT: Report CC-21-06 be received for information.

Carried.

Summer Meeting Schedule - Appendix “K”

The members discussed a summer meeting schedule and agreed, by consensus, that this matter be postponed so that potential dates could be considered.

Disposal of Lands - Valleyview Home, 29 Elysian Street

Motion by Alderman Aarts - Shackelton:

THAT: The Economic Development Corporation be requested to proceed with the disposal of the Valleyview property at 29 Elysian Street together with the adjacent parking lot on West Pearl Street; and further,

THAT: The property be offered for sale for \$723,000.

Carried.

Redevelopment of Horton Street Market

The members discussed the request of the Downtown Development Board for funding for the Horton Street Market.

The Director of Finance & City Treasurer stated that if Council deemed this to be a high priority project, \$56,000 could be funded from capital reserves and the \$5,000 funding requested to hire a market manager could be included in the June 30th operational budget performance.

Motion by Alderman Warden - Chapman:

THAT: Council approve the expenditure of \$61,000 for the Horton Street Market.

Carried.

Petty Cash

Alderman Turvey stated that in light of the discussion about the use of petty cash at the last meeting, clarification was needed to state that in 2003, petty cash was used for any expenses under \$100. Therefore, the petty cash used was \$18,000. Now, with the use of cheques and purchase cards \$1700 in petty cash is used.

Dennis Road Infrastructure

Mayor Kohler requested that the members consider the financing of the Dennis Road Infrastructure in light of the decision of the St. Thomas Economic Development Corporation declining the recommendation for the St. Thomas Economic Development Corporation to fund the project and further that it was important to have serviced land available for potential clients.

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The members discussed this matter, including the fact that the correspondence had not been received from the St. Thomas Economic Development Corporation about its decision, and that the Treasury Department had not had the opportunity to consider how the project could be funded.

The members discussed the use of reserve funds for the project.

The Director of Finance & City Treasurer expressed concern regarding the approval of this expenditure in addition to the funding for the Horton Street Market only 3 weeks after the budget had been passed.

Motion by Mayor Kohler - Alderman Turvey:

THAT: Council fund the servicing of Dennis Road at an estimated cost of \$1.4 million to be funded from reserves; and further,

THAT: The reserve funds be replenished with all funds from the sale of lands.

**Recorded Vote**

Yeas

Mayor Kohler

Alderman B. Aarts

C. Barwick

H. Chapman

T. Shackelton

M. Turvey

D. Warden

Nays

Alderman T. Johnston

Carried.

**BUSINESS CONCLUDED**

**COMMUNITY AND SOCIAL SERVICES COMMITTEE** - Chairman B. Aarts

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Valleyview Replacement - Monthly Report - Appendix "L"

The Valleyview Administrator provided the members with an update on the proposed moving of the residents into the new facility on April 24th and that the Ministry review of the new building had been very successful.

Motion by Alderman Turvey - Chapman:

THAT: Report VV-004-06 for the month ending March 31, 2006 be received for information.

Carried.

Parks Pavilion Renaming and Walk of Fame

The members discussed the fact that a report was pending relating to the naming of parks pavilions.

Alderman Shackelton expressed disappointment that the walk of fame project was not being considered as part of this report.

Early Learning Centre

Alderman Johnston inquired if there was any progress with the request of the Early Learning Centre.

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Chairman Aarts stated that the new Director, Ontario Works, had been contacted and that the matter would be reviewed when the Director, Ontario Works arrived in May.

**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 T. Calvert was in attendance to present the Police Services Report for the month of March 2006.

Renewal of Dispatch Contracts - Appendix "M"

Motion by Alderman Aarts - Turvey:

THAT: The Corporation of the City of St. Thomas renew all contracts for dispatch services for Elgin County Fire Departments for a further three (3) years, on their anniversary dates, with increases of 5% per year of their current contract fees.

Carried.

April 2006 Monthly Report - Captain Dennis A. Redman No. 2 Fire Station - Appendix "N"

Mr. David Murphy, Murphy and Murphy Architects was in attendance to provide the members with an update relating to the construction status stating that the superstructure was complete and that the building was watertight. The next phase of the construction would see the skin of the building being installed and that the timeline for completion was June 15th.

Motion by Alderman Johnston - Warden:

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

Carried.

Honours and Awards Banquet

Mayor Kohler inquired if Para Transit service could be provided on the evening of the Honours and Awards Banquet.

The Director, Environmental Services stated that the service could be arranged.

**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

CITY CLERK \_\_\_\_\_ CONFIRMED \_\_\_\_\_ MAYOR

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REVIEW OF CITY BUS ROUTES - J. Dewancker

FOREST AVENUE SIDEWALK - 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

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 Warden - Turvey:

THAT: The recommendations, directions and actions of Council in Committee of the Whole as recorded in the minutes of this date be confirmed, ratified and adopted.

Carried.

## **REPORTS OF COMMITTEES**

## **PETITIONS AND COMMUNICATIONS**

Railway Nostalgia Day - May 7th, 2006 and Railway Heritage Days - August 26th and 27th,  
2006 - Proclamation

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Motion by Alderman Shackelton - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas proclaim May 7th, 2006 as “Railway Nostalgia Day” and August 26th and 27th, 2006 as “Railway Heritage Days” in the City of St. Thomas.

Carried.

Volunteer Canada - National Volunteer Week - Proclamation and City Pins

Motion by Alderman Aarts - Turvey:

THAT: Council provide 750 city pins to Volunteer Canada, for a celebration to take place for Elgin County volunteers on April 26th, 2006.

Carried.

Motion by Alderman Warden - Aarts:

CITY CLERK\_\_\_\_\_CONFIRMED\_\_\_\_\_MAYOR



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THAT: The Council of the Corporation of the City of St. Thomas proclaim the week of April 24th to 28th, 2006 as the “National Volunteer Week” in the City of St. Thomas; and further,

THAT: The Volunteer Elgin flag be flown at City Hall on April 24th, 2006.

Carried.

### St. Thomas Psychiatric Hospital Volunteer Association - Name Change

Motion by Alderman Aarts - Turvey:

THAT: The Council of the Corporation of the City of St. Thomas grants permission to the St. Thomas Psychiatric Hospital Volunteer Association to use the name “St. Thomas” in its name change to Volunteer Association Regional Mental Health Care, St. Thomas.

Carried.

### St. Thomas Police Association Dinner and Dance

Alderman Johnston informed the members that the St. Thomas Police Association dinner and dance would be taking place on April 28th at St. Anne’s Centre.

### Rogers Television

Alderman Turvey thanked the volunteers from Rogers for the broadcasts of the Council meetings.

### Corporate Credit Cards

Mayor Kohler provided clarification regarding recent comments in the St. Thomas Times-Journal regarding the use of corporate credit cards and the supporting documentation for some purchases.

## **UNFINISHED BUSINESS**

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

### City of St. Thomas 125th Anniversary

### Minimum Maintenance Standards for Heritage Properties

## **NEW BUSINESS**

### **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 18th day of April, 2006.
2. 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, John Paul Dorscht and Can-Du Air Ltd. (Assignment of lease - St. Thomas Municipal Airport - Part 2, Reference Plan 11R-4001)
3. A by-law to establish development charges for the Corporation of the City of St. Thomas. (South Block Area)
4. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Blocks 10, 11, 12 & 13 & Part of Blocks 9 & 14, Plan 11M-110 - Doug. Tarry Limited & Walter Ostojic & Sons Limited - 34T-05506)

CITY CLERK\_\_\_\_\_CONFIRMED\_\_\_\_\_MAYOR

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5. A by-law to remove certain lands from Part Lot Control (Lots 1-6 and 9-20, Plan 11M160 - Barrett Crescent - semi detached lots - H.J. Hayhoe Ltd.)

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 D. Warden was appointed Chairman of Council in Committee of the Whole and conducted the second reading of the by-laws.

On motion duly moved and seconded, the Chairman was ordered to report on the passing of the by-laws. The Chairman reported as ordered and the Mayor resumed the Chair.

**Third Reading**

Motion by Alderman 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 18th day of April, 2006. (B/L 42-2006)

2. 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, John Paul Dorscht and Can-Du Air Ltd. (Assignment of lease - St. Thomas Municipal Airport - Part 2, Reference Plan 11R-4001) (B/L 43-2006) (A/G 20-2006)

3. A by-law to establish development charges for the Corporation of the City of St. Thomas. (South Block Area) (B/L 44-2006)

4. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Blocks 10, 11, 12 & 13 & Part of Blocks 9 & 14, Plan 11M-110 - Doug. Tarry Limited & Walter Ostojic & Sons Limited - 34T-05506) (B/L 45-2006)

5. A by-law to remove certain lands from Part Lot Control (Lots 1-6 and 9-20, Plan 11M160 - Barrett Crescent - semi detached lots - H.J. Hayhoe Ltd.) (B/L 46-2006)

Carried.

**PUBLIC NOTICE**

**NOTICES OF MOTION**

**CLOSED SESSION**

Motion by Alderman Johnston - Chapman:

THAT: This meeting be closed to deal with a proposed or pending disposition of land.

Carried.

CITY CLERK\_\_\_\_\_CONFIRMED\_\_\_\_\_MAYOR

**OPEN SESSION**

Motion by Alderman Johnston - Turvey:

THAT: We do now rise from Closed Session. (6:12 p.m.)

Carried.

**ADJOURNMENT**

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (10:03 p.m.)

Carried.