

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

**COUNCIL CHAMBERS
CITY HALL**

MAY 15TH, 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
R. Barber, Fire Chief
M. Carroll, Valleyview Administrator
B. Clement, Manager of Engineering
G. Dart, Director, Human Resources
S. Datars Bere, Director, Ontario Works
W. Day, Director of Finance & City Treasurer
J. Dewancker, Director, Environmental Services
G. Hodgson, St. Thomas Police Services
F. Lattanzio, Community Centres & Property Manager
R. Tucker, Parks Supervisor
D. White, Supervisor of Roads & Transportation

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 Warden declared a conflict of interest relating to correspondence received from the Municipal Accessibility Advisory Committee as he is employed at the Seniors' Centre.

MINUTES

Motion by Alderman Warden - Turvey:

THAT: The minutes of the meeting held on May 8th, 2006 be confirmed.

Carried.

DEPUTATIONS

Police Services Report

Constable G. Hodgson, St. Thomas Police Services, was in attendance to present the Police Services Report for the month of April 2006.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

Land Development - Part Lots 41 & 42 South of Bush Line

NEW BUSINESS

BUSINESS CONCLUDED

CITY CLERK _____ CONFIRMED _____ MAYOR _____

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

Intersection of First Avenue and Edward Street

Intersection of Edward Street and Burwell Road

Road and Sidewalk Reserve Fund

NEW BUSINESS

Tender Award - Four Wheel Drive Utility Tractors and Mowers - Appendix "A"

Motion by Alderman Shackelton - Johnston:

THAT: Report ES61-06 be received for information; and further,

THAT: Council accept the tender submitted by Ellis Farm Equipment - Option "A" in the amount of \$103,425.25 (including taxes and trade ins) for the purpose of two Four Wheel Drive Utility Tractors, two Pull Behind Rotary Mowers and one Zero Turn Mower; and further,

THAT: The trade-in amount from the sale of the equipment be transferred to the Capital Reserve account in accordance with the Purchasing By-Law No. 53-2001 (section 31); and further,

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

Carried.

Release of Municipal Interest - Portion of Closed Municipal Road Allowance - Rear of 48 Sunset Drive - Appendix "B"

Motion by Alderman Warden - Chapman:

THAT: Report ES64-06 be received for information; and further,

THAT: The Corporation of the City of St. Thomas release any municipal interest in a portion of the property located at 48 Sunset Drive and situated within a closed road allowance at the rear of the property.

Carried.

East Side Development Area - Servicing Master Plan and Class Environmental Assessment - Final Approval - Appendix "C"

Motion by Alderman Aarts - Mayor Kohler:

THAT: Report ES66-06 be received for information; and further,

THAT: The Servicing Master Plan and Class Environmental Assessment for the East Side Development Area, dated March 2003 as amended by the Supplementary letter report of May 9, 2006 by Dillon consulting and appended to ReportES66-06 be approved; and further,

THAT: A Notice of Completion of this Class Environmental Assessment Project be placed in the public record for a period of 30 days in accordance with the Municipal Class EA documents.

Carried.

Water and Sewer System Supervisory Control and Data Acquisition System (SCADA) Pre-Design and Design - Appendix "D"

Motion by Alderman Johnston - Chapman:

THAT: Report ES67-06 be received for information; and further,

THAT: Council retain Insyght Systems Inc. for the pre-design and design of a new SCADA (Supervisory Control and Data Acquisition) System for the City's Water System at an estimated cost of \$12,000.00 and for the City's Sewer System at an estimated cost of \$39,000.00 as outlined in Appendix "A"; and further,

THAT: The City Sewer SCADA System be funded by project 08-319 included in the approved 2006 Capital Budget and that the source of funding for the City Water SCADA System be the Water Reserve.

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

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

NEW BUSINESS

Horton Market Improvements - Community Transition Program - Appendix "E"

Motion by Alderman Shackelton - Chapman:

THAT: Report TR 28-06 relating to the Horton Street Market be received as information.

Carried.

Expense Comparison - Appendix "F"

Mayor Kohler provided the members with an overview of the Expense Comparison Report MO-02-06 stating that it was important to compare the City's expenses against other municipalities.

Motion by Alderman Warden - Turvey:

THAT: Report MO-02-06 relating to expense comparison of elected officials be received as information.

Carried.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming and Walk of Fame

Early Learning Centre

CITY CLERK _____ CONFIRMED _____ MAYOR

NEW BUSINESS

Tender Award - Janitorial Services at Valleyview Home - Appendix "G"

The members inquired if an analysis has been undertaken comparing the costs of doing the janitorial work in-house versus contracting it out.

The Valleyview Administrator stated that an analysis had been completed and that the information could be provided to the members.

Motion by Alderman Turvey - Chapman:

THAT: Council receive Report VV-005-06; and further,

THAT: Council accept the Tender submitted by Omni Facility Services Canada in the amount of \$336,557.76 (including GST) for Janitorial Services at the new Valleyview Home for a two year period beginning on June 1, 2006 and ending May 31, 2008; and further,

THAT: A by-law be prepared to authorize the Mayor and Clerk to sign an agreement with Omni Facility Services Canada for the contract award.

Carried.

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Intersection of Redan Street and Woodworth Avenue

Intersection of Manor Road and Chestnut Street

NEW BUSINESS

May 2006 Monthly Report - Captain Dennis A. Redman No. 2 Fire Station - Appendix "H"

Mr. David Murphy, Murphy and Murphy Architects, was in attendance to provide an overview of the status of the construction of the Captain Dennis A Redman No. 2 Fire Station. Mr. Murphy stated that the façade should be complete by the end of next week, that the floor would be poured for the apparatus area, and that the ceiling finishes should be complete within the next 2 weeks.

Mr. Murphy stated that the project should be completed by the middle of June or the first of July.

Motion by Alderman Johnston - Chapman:

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

Carried.

Wellington Street/Stokes Road Intersection - Proposed Intersection Pedestrian Signal
Appendix "I"

The members discussed the proposed pedestrian crossing at Wellington Street and Stokes Road and the desire to have a fully signalized intersection at this location.

The Director, Environmental Services stated that a fully signalized intersection was typically used to manage vehicular traffic and that the timing to accommodate pedestrians would need to be very long.

The Director, Environmental Services stated that the signals could be programmed to allow for a longer crossing time for pedestrians, once the cross walk function was activated. Further, he

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stated that all efforts would be made to ensure the road markings are enhanced as much as possible to provide for the visually impaired.

Motion by Mayor Kohler - Alderman Warden:

THAT: Council receive Report ES63-06; and further,

THAT: A full intersection traffic control signal be installed at the intersection of Wellington Street and Stokes Road; and further,

THAT: The traffic control signal include provision for hearing and sight impaired; and further,

THAT: A sidewalk be constructed at the entrance of Elgin Mall.

Carried.

Reports Pending - Transportation and Traffic Issues - Appendix "J"

Motion by Alderman Chapman - Turvey:

THAT: Report ES-62-06 regarding the transportation and traffic issues in Reports Pending of Council Agenda be received for information.

Carried.

Leash Free Dog Park - Appendix "K"

The members discussed the fact that other municipalities have leash free parks and that they should be contacted to determine how they manage these areas, including liability issues.

Motion by Alderman Turvey - Warden:

THAT: Council receive Report ES-51-06 relating to Leash Free Dog Parks.

Carried.

Motion by Alderman Turvey - Chapman:

THAT: The creation of a Leash Free Dog Park be pursued by the City of St. Thomas.

Prior to the motion being dealt with, a motion to postpone was brought forward.

Motion by Alderman Barwick - Mayor Kohler:

THAT: The matter relating to the creation of a leash free dog park be postponed.

Carried.

Request for Street Closure - Talbot Street, Princess Avenue to Mondamin Street - Business After Five Street Festival

Motion by Alderman Turvey - Chapman:

THAT: Council authorize the closure of Talbot Street from Princess Avenue to Mondamin Street on Wednesday July 20th, 2006 from 5:00 p.m. to 8:00 p.m. for the Business After Five Street Festival, subject to all of the concerns of the Fire Dept., Environmental Services Dept., Police Services and the St. Thomas-Elgin Health Unit being met.

Carried.

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Intersection of Chant Street and Lawrence Avenue

Mayor Kohler inquired if staff could review the placement of stop signs at the intersection of Chant Street and Lawrence Avenue.

The Director, Environmental Services stated that the intersection would be reviewed and that a report would be brought back to Council.

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

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 Turvey - Aarts:

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

St. Thomas Seniors' Centre - Accessibility

A letter was received from Ed MacLachlan, Chairman, Municipal Accessibility Advisory Committee regarding the use of the accessible washrooms, change rooms and showers at the St. Thomas Seniors' Centre.

The members discussed the fact that this was not the first time that this issue had been raised and that it should have been addressed.

CITY CLERK_____CONFIRMED_____MAYOR

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Alderman Aarts stated that there was a Seniors' Centre Board meeting this week and that this concern would be taken to the meeting and further that Council would be informed of the outcome.

St. Thomas Community Centre - Accessibility Issues

The members discussed the fact that there appeared to be several uncompleted issues arising from the Municipal Accessibility Advisory Committee relating to the St. Thomas Community Centre.

Alderman Aarts stated that he would request staff to provide an updated list of the completed and outstanding issues.

Rogers Television - Broadcast of Council Meetings

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

City Hall

Alderman Warden inquired if the ivy growing on City Hall created problems for the brickwork.

The Parks Supervisor stated that while there was no danger for the brickwork the ivy would be removed from the window areas.

PETITIONS AND COMMUNICATIONS

Falun Dafa - Proclamation - Month of May 2006

A letter was received from Alice Huynh, Falun Dafa Association of Canada, requesting that Council proclaim the month of May 2006 as "Falun Dafa Month" in the City of St. Thomas.

The members took no action regarding this matter.

Municipality of Central Elgin - Sunset Drive Area Sanitary Sewage Servicing Study

A notice was received from the Municipality of Central Elgin regarding a Public Information Centre to be held on May 23, 2006, from 6:00 p.m. to 9:00 p.m. at 450 Sunset Drive Lower Level, regarding the Sunset Drive Area Sanitary Sewage Servicing Study.

Northshore Challenge Cup Spring AAA Hockey Tournament - Request for City Pins

Motion by Alderman Aarts - Chapman:

THAT: Council provide 320 St. Thomas city pins to Brian Jacobs for the Northshore Challenge Cup Spring AAA Hockey Tournament to be held May 19th to 21st, 2006 at the St. Thomas Community Centre.

Carried.

UNFINISHED BUSINESS

City of St. Thomas 125th Anniversary

Minimum Maintenance Standards for Heritage Properties

NEW BUSINESS

BY-LAWS

Motion by Alderman Turvey - Aarts:

THAT: Leave be granted to bring in the following by-laws:

CITY CLERK_____CONFIRMED_____MAYOR

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1. A by-law to confirm the proceedings of the Council meeting held on the 15th day of May, 2006.
2. A by-law to amend By-Law 140-2001, being a by-law for paying remuneration to the members of Council and appointees of the Council. (Remove exception for election year)
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 Airac Investments Inc. (SPC 03-06 - 860 Talbot Street – development of a Boston Pizza restaurant).
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 Elgin Co-operative Services) (SPC-04-05 - Amending Agreement - 121 Woodworth Avenue - development of a lumber and material sales facility)
5. A by-law to appoint Alderman Bill Aarts as Acting Mayor from May 26th to June 2nd, 2006.
6. A by-law to appoint Alderman Terry Shackelton as Acting Mayor from July 10th to 15th, 2006.
7. A by-law to appoint Alderman Heather Chapman as Acting Mayor from July 31st to August 4th, 2006.
8. A by-law to amend By-Law 45-89, being the Traffic By-Law for the City of St. Thomas. (No Parking Zone - East side of Rice Road, Manor Road to Wellington Street)
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 T.C.G. Asphalt & Construction Inc. (\$258,759.10 plus gst - Annual Road Resurfacing Program)
10. 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 J. Franze Concrete Ltd. (\$242,304.00 plus gst - Annual Sidewalk Replacement program)
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 Rogers Cable Communications Inc. (Robotic Camera Installation - Council Chambers)

First and Second Readings

Motion by Alderman Turvey - 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 Turvey - 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 15th day of May, 2006. (B/L 55-2006)

CITY CLERK_____CONFIRMED_____MAYOR

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2. A by-law to amend By-Law 140-2001, being a by-law for paying remuneration to the members of Council and appointees of the Council. (Remove exception for election year) (B/L 56-2006)
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 Airac Investments Inc. (SPC 03-06 - 860 Talbot Street – development of a Boston Pizza restaurant). (B/L 57-2006) (A/G 22-2006)
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 Elgin Co-operative Services) (SPC-04-05 - Amending Agreement - 121 Woodworth Avenue - development of a lumber and material sales facility) (B/L 58-2006) (A/G 23-2006)
5. A by-law to appoint Alderman Bill Aarts as Acting Mayor from May 26th to June 2nd, 2006. (B/L 59-2006)
6. A by-law to appoint Alderman Terry Shackelton as Acting Mayor from July 10th to 15th, 2006. (B/L 60-2006)
7. A by-law to appoint Alderman Heather Chapman as Acting Mayor from July 31st to August 4th, 2006. (B/L 61-2006)
8. A by-law to amend By-Law 45-89, being the Traffic By-Law for the City of St. Thomas. (No Parking Zone - East side of Rice Road, Manor Road to Wellington Street) (B/L 62-2006)
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 T.C.G. Asphalt & Construction Inc. (\$258,759.10 plus gst - Annual Road Resurfacing Program) (B/L 63-2006) (CON 3-2006)
10. 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 J. Franze Concrete Ltd. (\$242,304.00 plus gst - Annual Sidewalk Replacement program) (B/L 64-2006) (CON 4-2006)
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 Rogers Cable Communications Inc. (Robotic Camera Installation - Council Chambers) (B/L 65-2006) (A/G 24-2006)

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Turvey - Chapman:

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

Carried.

OPEN SESSION

Motion by Alderman Johnston - Aarts:

THAT: We do now rise from Closed Session. (6:57 p.m.)

Carried.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (8:15 p.m.)

Carried.