

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

**COUNCIL CHAMBERS
CITY HALL**

JULY 17TH, 2006

5:39 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, Manger of Operations & Compliance
R. Beachey, Deputy City Clerk
B. Clement, Manger 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
P. Keenan, Director, Planning
F. Lattanzio, Manager of Facilities and Property
E. Sebestyen, Housing Administrator
J. Walker, Compliance Coordinator
D. White, Supervisor, Roads and Transportation
Constable T. Calvert, St. Thomas Police Department

Others

John Sanders, Solicitor

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 Shackelton - Aarts:

THAT: The minutes of the meetings held on June 19th and 26th, 2006 be confirmed.

Carried.

DEPUTATIONS

Police Services Report

Constable Tanya Calvert of the St. Thomas Police Department was in attendance and presented the Police Services Report for the month of June 2006.

Mayor Kohler thanked Constable Calvert for the report.

St. Thomas Professional Fire Fighters Association - Resolution

Warren Scott, President, St. Thomas Professional Fire Fighters Association, was in attendance and requested that Council endorse a resolution from the City of Ottawa for a review of Ontario's Workplace Safety and Insurance Act.

Mr. Scott presented an overview of the importance of the presumptive legislation that is being proposed which links fire fighting to specific health risks and the need to ensure that health benefits are available.

CITY CLERK _____ CONFIRMED _____ MAYOR _____

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Mayor Kohler thanked Mr. Scott for his presentation and stated that a motion would be considered later in the meeting.

East Side Area Servicing

Mr. Murray Watson was in attendance and expressed concern that there had been little progress in the construction of sewers in the East Side Area.

Mr. Watson stated that perhaps after waiting for 30 years, other projects could be put on hold so that work could commence in the East Side area.

Mr. Watson requested that the members make this project area a priority.

Mayor Kohler thanked Mr. Watson for his deputation.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

CIP Program - Holy Angels Church Façade Grant - Appendix "A"

Motion by Alderman Turvey - Aarts:

THAT: Report CC-37-06 be received for information, and further;

THAT: Council enter into a Grant Acknowledgement Agreement for the project relating to Application 2005-028F, Holy Angels Church.

Carried.

Draft Plan of Subdivision File #34T-05507 - Orchard Park - Block Development Plan - Doug Tarry Limited - Appendix "B"

Motion by Alderman Johnston - Warden:

THAT: Report PD-18-2006 be received for information; and further,

THAT: Council approve the Draft Plan of Subdivision File# 34T-05507 (Residential Plan of Subdivision) of lands owned by Doug. Tarry Limited which lands are legally described as Part of Lot 9, Concession 7, Geographic Township of Yarmouth, City of St. Thomas, County of Elgin, subject to the standard Municipal draft plan conditions including the requirement for the developer to enter into a subdivision agreement with the Corporation of the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other related matters.

Carried.

Municipality of Central Elgin - Notice of the Passing of an Official Plan Amendment and Zoning By-Law Amendment - 4954 Sunset Road

Notice was received from the Municipality of Central Elgin regarding the passing of an Official Plan Amendment and Zoning By-law No. 881 to permit the mini-storage use for the subject lands at 4954 Sunset Road.

Notice was received from the Municipality of Central Elgin regarding the passing of Zoning By-law No. 889 to permit one single detached dwelling as an interim permitted use, in addition to the growing of field crops at 6531 Bostwick Road.

BUSINESS CONCLUDED

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

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

Motion by Alderman Shackelton - Warden:

THAT: Report CC 32-06 in regards to the By-Law for the Collection and Removal of Garbage and Refuse be received for information; and further,

THAT: A by-law be prepared for Council's consideration relating to the new garbage by-law and accompanying set fine schedule.

Carried.

Environmental Services Departmental Health & Safety Procedures Manual - Appendix "D"

Motion by Alderman Aarts - Shackelton:

THAT: Report ES79-06 be received for information; and further,

THAT: The attached Environmental Services Departmental Health and Safety Procedure Manual be received; and further,

THAT: The Health and Safety Procedure Manual be circulated to all Environmental Services employees with the intent to enhance staff knowledge and how to safely perform various activities that are regulated under the Ontario Health and Safety Act.

Carried.

East Side Development Area (ESDA) - Sanitary Servicing Plan - Joint RFP for Consulting Services by the Municipality of Central Elgin and City of St. Thomas - Appendix "E"

The Director, Environmental services stated that the Municipality of Central Elgin was considering this same motion at its meeting this evening.

The Director, Environmental Services stated that surveying work had been completed and that design work had been initiated. Additionally, the project is being designed in two parts; those being, the gravity feed sewer portion and the portion requiring a pumping station. Further he stated that Ministry of Environment approval would be required for the project.

The Director, Environmental Services stated that a portion of the project would be completed under the Local Improvement Act.

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The Director, Environmental Services stated that he did not anticipate that any actual construction activity would take place this fall.

Motion by Alderman Aarts - Chapman:

THAT: Report ES81-06 be received for information; and further,

THAT: City Council authorize the East Side Sanitary Servicing Committee to participate in a joint municipal Request for Proposals for the provision of consulting services associated with the implementation of the Sanitary Servicing Plan for the East Side Development Area.

Carried.

Request for a Letter of Tolerance - 101 Kains Street

Motion by Alderman Barwick - Chapman:

THAT: A Letter of Tolerance be issued for the existing encroachment of the front porch onto the municipal road allowance by 1.3 feet located at 101 Kains Street.

Carried.

Chestnut Street - Repaving

Alderman Shackelton inquired if new curbs and gutters and sidewalks were included in the resurfacing work on Chestnut Street between First Avenue and Third Avenue.

The Manager of Engineering stated that new curbs and gutters and sidewalks were not to be done, with the exception of hazardous sections.

Wellington Street east of Ross Street

Alderman Shackelton inquired about what work was being proposed on Wellington Street east of Ross Street.

The Manager of Engineering reported that a new gas main was being planned.

Intersection of Crocker Avenue and St. Anne's Place

Mayor Kohler inquired if a curb cut could be made at this intersection to allow for better accessibility.

Water Sampling

Alderman Johnston stated that residents of the City were being approached by a private company encouraging them to have their water tested.

The Director, Environmental Services stated that the City undertakes 50 water samples a month and that the water is tested at an accredited laboratory. Further he stated that the samples are taken by certified personnel.

The Director, Environmental Services stated that the City's water meets all criteria and that there was no need for any additional sampling. He stated that information was being prepared for distribution to the residents.

The members, by consensus, agreed to have a flyer inserted with the hydro and water bill to inform residents that the City's water is safe.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

CITY CLERK_____CONFIRMED_____MAYOR

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Corporate Credit Cards

Chairman Barwick requested that the members consider receiving the minutes of the last Credit Card Committee meeting in order to avoid having to call a Committee meeting just to receive the minutes.

Alderman Johnston requested and received concurrence for an amendment to the minutes stating that the Mayor had tape-recorded the meeting.

The members discussed the point that if the minutes were passed, the work of the Committee would be complete and that it would be dissolved.

Motion by Alderman Warden - Mayor Kohler:

That: Council receive the minutes of the Corporate Credit Card Committee dated June 20, 2006.

Carried.

Following the passing of the motion, the members considered a request by Alderman Johnston to seek legal advice relating to some outstanding information he had relating to Corporate Credit Cards.

The members discussed Alderman Johnston’s request including the fact that a process that been put in place which allowed the members to ask questions about any concerns they had identified.

Further the members discussed the fact that the Director of Finance and City Treasurer confirmed that there were no outstanding matters requiring reimbursement to the City.

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

Motion by Alderman Johnston - Warden:

THAT: Council seek an expert legal opinion in municipal affairs to satisfy concerns regarding personal and corporate liability in the matters pertaining to the expenditure of public funds, as discussed by the Credit Card Review Committee; and further,

THAT: This opinion be forwarded to Council as soon as possible.

Recorded Vote

Yeas

Alderman C. Barwick
T. Johnston
D. Warden

Nays

Mayor Kohler
Alderman B. Aarts
H. Chapman
T. Shackelton
M. Turvey

Motion Lost.

Information Technology and Internet Policy - Technology Resources - Acceptable Use Policy
Appendix "F"

The Director of Finance and City Treasurer stated that extensive work had been undertaken to prepare the proposed Information Technology and Internet Policy.

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The members discussed the proposed policy and requested that amendments be included in the policy including a review of the policy on an annual basis and that employees would be directed to contact their Department Head in the event of a security breach.

Motion by Alderman Johnston - Warden:

THAT: Council approve the Administrative Policies and Directives for Acceptable Use of City Technology Resources as attached to Report TR 47-06; and further,

THAT: The following amendments be included in the policy:

1. Internet policy be reviewed annually
2. Acknowledgement Form - to notify Department Head in event of a security breach.

Carried.

Cash Advances & Expenses Reimbursement Report

NEW BUSINESS

Federal Public Transit Funds - Municipal Funding Agreement - Appendix "G"

Motion by Alderman Johnston - Shackelton:

THAT: Report TR-42-06 be received for information; and further,

THAT: A by-law be prepared authorizing the Mayor and Treasurer to execute the Municipal Funding Agreement with the Association of Municipalities of Ontario for the transfer of Federal Public Transit Funding to the City; and further,

THAT: Council establish a Federal Public Transit Reserve.

Carried.

Interest Charges on Accounts Receivable - Appendix "H"

Motion by Alderman Turvey - Aarts:

THAT: Council authorize the Director of Finance and City Treasurer to give notice to the public that the City of St. Thomas intends to commence charging interest at a rate of one and one-quarter percent (1¼%) per month on all outstanding accounts with the City if not paid within thirty (30) days; and further,

THAT: A by-law be prepared for Council's consideration to authorize interest charges to be applied to unpaid accounts.

Carried.

Rules and Guidelines for Allowable Business Expenses - Appendix "I"

Motion by Alderman Turvey - Chapman:

THAT: Council approve Rules and Guidelines for Allowable Business Expenses, as attached to Report TR 45-06; and further,

THAT: Council direct administration to communicate such Rules and Guidelines to the St. Thomas Police Services Board, St. Thomas Public Library Board, and Economic Development Corporation and that each be encouraged to consider adopting these rules and guidelines for the sake of consistency and standardization.

Carried.

CITY CLERK_____CONFIRMED_____MAYOR

Justice Building - Police Building Renovations - Appendix "J"

Motion by Mayor Kohler - Alderman Shackelton:

THAT: Council authorize a \$5,000 expenditure for the purpose of facilitating alterations to the Justice Building in order to renovate the front business office for St. Thomas Police Services; and further,

THAT: The City Treasurer be authorized to include the cost associated with the alterations, estimated at approximately \$5,000, within the \$20,000 Justice Building renovation project, as approved in Part 2 of the 2006 Capital Budget.

Carried.

St. Thomas Consolidated Courthouse Project - Police Facilities

A letter was received from Carole Watson, Chair, St. Thomas Police Services Board, requesting that Council continue financial planning for the next 4-5 years to facilitate renovations and retrofitting of the Justice Building.

Council directed this matter to the Director of Finance & City Treasurer.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming - Appendix "K"

The members discussed the fact that the Walk of Fame had not been addressed yet, and that the approval of this report may be premature when that issue is still outstanding, in addition to the fact that recognition of individuals such as Alderman Ray Parks had not been taken into account at this point in time.

Motion by Alderman Chapman - Turvey:

THAT: City Council accept Report TR-41-06, entitled "Renaming of Park Pavilions"; and further,

THAT: The following suggested name changes be accepted:

Pinafore Park

Current Name	Recommendation
North Shelter	The Street Railway Pavilion
South Shelter	The Boat House Pavilion
West Pavilion	The Dance Pavilion
East Pavilion	The Fairground Pavilion
Woodlot Shelter	The Woodlot Shelter (no need for change)

Waterworks Park

Current Name	Recommendation
North Shelter	The Lily Pond Pavilion
South Shelter	Hubert's Grove Pavilion

Prior to the motion being dealt with, the following motion was presented.

Motion by Alderman Shackelton - Johnston:

THAT: Report TR-41-06 be postponed.

Carried.

Walk of Fame

St. Thomas Community Centre - Deficiency List

NEW BUSINESS

Canada - Ontario Affordable Housing Program - Delivery Plan - Appendix "L"

The members discussed the funding under this program including the retrofitting of existing housing units.

The Housing Administrator stated that the current proposals being considered relate to the creation of new housing units.

Motion by Alderman Warden - Chapman:

THAT: City Council accept Report CR-06-06 relating to a Housing Delivery Plan; and further,

THAT: Council grants approval of the Housing Delivery Plan for St. Thomas and Elgin County (Attachment 1).

Carried.

Best Start Funding - Child Care Updated Service Plan - Appendix "M"

Motion by Alderman Warden - Turvey:

THAT: Report CR-06-09 be received for information; and further,

THAT: Council endorse the Child Care Service Plan updated as presented.

Carried.

Single-residential Property Tax Rate - Canada-Ontario Affordable Housing Program
Appendix "N"

Motion by Alderman Shackelton - Turvey:

THAT: Report CR-06-10 be received relating to a recommendation for a single-residential property tax rate for projects funded under the Canadian-Ontario Affordable Housing Program; and further,

THAT: Council grants approval to implement the single-residential property tax rate for all rental housing developments in the City of St. Thomas funded under the Canadian-Ontario Affordable Housing Program, Rental and Supportive component, over the twenty-year affordability period; and further,

THAT: Staff be directed to prepare a by-law for Council's consideration to implement this recommendation.

Carried.

Ontario Works Report for the Months of April, May and June 2006 - Appendix "O"

Motion by Alderman Chapman - Barwick:

THAT: Report CR-06-07 of the Director of Ontario Works for the months of April, May and June 2006 be received for information.

Carried.

Memorial Arena Painting

Alderman Warden inquired about the status of the painting of Memorial Arena.

The Manager of Facilities and Property stated that the outside painting had just been awarded and that the painting should begin next week. Further, he stated that staff members were undertaking the painting on the inside of the Memorial Arena.

Doug Tarry Sports Complex

Alderman Warden inquired why all of the lights on every diamond were left on when only one diamond was being used in the evening.

The Manager of Facilities and Property stated that he believed the concessionaire was responsible for turning the lights off and that he would pass this concern to the Parks Supervisor.

Horton Street Market

Alderman Warden inquired if the work undertaken at the Horton Street market was within budget.

The Manager of Facilities and Property stated that the budget was very tight but that he had not received the final figures at this point in time.

St. Thomas Community Centre - Interior Painting

Alderman Warden inquired about the painting being undertaken at the St. Thomas Community Centre.

The Manager of Property stated that areas susceptible to impacts from hockey bags and pucks were being painted a darker colour to assist with maintenance.

St. Thomas Community Centre - Accessibility Issues - Appendix "P"

The members discussed concerns regarding the fact that while the construction of the St. Thomas Community Centre meets minimum requirements of the Ontario Building Code, the Ontario Building Code itself does not go far enough in addressing issues of accessibility.

Motion by Alderman Johnston - Turvey:

THAT: Report TR 48-06 relating to the St. Thomas Community Centre accessibility issues as information be received for information.

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

Leash Free Dog Park

Intersection of Chant Street and Lawrence Avenue

St. Thomas Transit Agreement and Terminal Building Lease Extension - Appendix "Q"

The members discussed a fax that they had received from Mr. Scott Taylor regarding the Transit Agreement and stated that staff would be able to address Mr. Taylor's concerns.

Mayor Kohler stated that the fax from Mr. Taylor would be faxed to all members, as some members did not receive it.

The Director, Environmental Services stated that Council had provided prior direction to enter into negotiations with Aboutown as a result of a good performance of the existing agreement.

Motion by Mayor Kohler - Alderman Turvey:

THAT: Report ES80-06 be received for information; and further,

THAT: Council accept the revised St. Thomas Transit Agreement extending the agreement with Aboutown Transit Incorporated to December 31, 2011 as contained in Report ES80-06, noting that the agreement also contains the St. Thomas Terminal lease as a schedule to the transit agreement; and further,

THAT: A by-law be prepared to authorize the Mayor and City Clerk to execute the agreement.

Carried.

NEW BUSINESS

Airport Quarterly Report - April 1st to June 30th, 2006 - Appendix "R"

Motion by Alderman Johnston - Aarts:

THAT: The Airport Quarterly Use Report for April 1st, 2006 to June 30th, 2006 be received and filed for information.

Carried.

Canadian Owners and Pilots Association Flight 75 - Annual Fly-In - September 10th, 2006
Appendix "S"

Motion by Alderman Turvey - Aarts:

THAT: The Council of the Corporation of the City of St. Thomas authorize the use of the St. Thomas Municipal Airport by St. Thomas Flightline, for its annual fly-in and drive-in Breakfast on Sunday, September 10th, 2006; and further,

THAT: A Special Events Permit be filed with the Special Events Committee; and,

THAT: All arrangements are to be confirmed with the Special Events Committee and with the Airport Superintendent; and further,

THAT: The City of St. Thomas shall not assume any liability for any claim 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; and further,

THAT: A certificate of public liability and property damage insurance with covering limit of \$5,000,000. be provided by St. Thomas by St. Thomas Flightline, 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; and further,

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THAT: St. Thomas Flightline, be responsible for the provisions of temporary toilet facilities one of which must be wheelchair accessible, restoration of grassed area, control of participants and compliance with the general requirements of the Airport Superintendent.

Carried.

Tender Award - No. 06-626 - Supply and Delivery of Three (3) Diesel Powered Community Transit Buses - Appendix "T"

The Supervisor of Roads & Transportation stated that the new buses would seat 24 people and that their design was very flexible to allow for accessibility factors to be taken into account. Further he stated that the buses would take about 17 weeks to receive from the time a purchase order is placed.

Motion by Alderman Aarts - Turvey:

THAT: Report ES78-06 be received for information; and further,

THAT: Council accept the tender submitted by Overland Custom Coach Inc. in the amount of \$264,626.88 (including taxes) for the purchase of three 2006 GLAVAL UNIVERSAL diesel powered community transit buses; and further,

THAT: Council accept the additional options submitted by Overland Custom Coach Inc. for the total amount of \$19,106.10 (including taxes) for the purchase of Air Ride Suspension for each of the three buses; and further,

THAT: Council approve the source of funding for this purchase as noted in Report ES78-06, noting that the funding is contained in the 2006 capital budget, part 1; and further,

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

Carried.

Bus Services to 1063 Talbot Street and Shopping Complex near Elm Street and Wilson Avenue

A letter was received from D. Durkin requesting city bus service to the stores at 1063 Talbot Street and a shopping complex near Elm Street and Wilson Avenue.

Motion by Alderman Warden - Turvey:

THAT: The correspondence received from Mr. D. Durkin regarding bus service be referred to the Environmental Services Department.

Carried.

Request for Four-way Stop Signs - Intersection of White Street and Elizabeth Street

A letter was received from Donald McCosh, 57.5 Elizabeth Street, requesting four-way stop signs at the intersection of White Street and Elizabeth Street.

Motion by Alderman Aarts - Turvey:

THAT: The correspondence received from Mr. D. McCosh regarding a four-way stop at White Street and Elizabeth Street be referred to the Environmental Services Department.

Carried.

Captain Dennis A. Redman No. 2 Fire Station

Alderman Johnston commended all those who had been involved in the planning and construction of the new fire hall and stated that it was a beautiful building.

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Alderman Shackelton stated that the building was operational now and that an open house would be held in the fall.

Alderman Shackelton read a letter he had received from the St. Thomas Professional Firefighters' Association stating that it would be pleased to design and pay for an appropriate sign for the building in honour of Dennis Redman.

BUSINESS CONCLUDED

REPORTS PENDING

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

REVIEW OF CITY BUS ROUTES - J. Dewancker

ALMA COLLEGE - Management Board

ROAD RESURFACING PROGRAM - BUDGET FORECASTS - 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

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 Chapman - 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

Revisions to Purchase Card Policy and Procedures Manual - Appendix "U"

Motion by Alderman Turvey - Barwick:

THAT: Council receive Report TR-43-06; and further,

THAT: Council approve the Purchase Card Policy and Procedures Manual, as attached to Report TR 43-06, effective July 2006.

Carried.

The Sixth Report of the Site Plan Control Committee - Appendix "V"

Motion by Alderman Shackelton - Johnston:

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THAT: Clauses 1 and 2 of the Sixth Report of the Site Plan Committee be adopted.

Carried.

PETITIONS AND COMMUNICATIONS

Voluntary Blackout Day Challenge - Sunday August 13th, 2006

A friendly challenge was received from Mayor Michael Harding, City of Woodstock, to join Woodstock in reducing electricity consumption on Sunday August 13th, 2006.

The members took no action regarding this matter.

The Township of Leeds and the Thousand Islands - Resolution

A request to endorse a resolution was received from the Township of Leeds and the Thousand Islands to support the position that water must remain under public ownership and control.

Capacity Review Committee Final Report

A copy of a resolution was received from the County of Elgin supporting the Elgin-St. Thomas Board of Health's letter to Dr. Sheela Basrur, Chief Medical Officer of Health and Assistant Deputy Minister, regarding the Final Report of the Capacity Review Committee.

College of Physicians and Surgeons of Ontario - Doctor Shortages

A letter was received from Drs. Dale Mercer and Rocco Gerace, College of Physicians and Surgeons of Ontario, outlining the actions taken by the college to increase the number of licensed physicians in Ontario.

Ontario Medal for Good Citizenship

A letter was received from the Honourable Mike Colle, Minister, Ministry of Citizenship and Immigration, inviting nominations for the Ontario Medal for Good Citizenship. The deadline for nominations is August 4th, 2006.

Card of Thanks

A card of thanks was received from the family of Joanne Brooks thanking the Mayor and members of Council for their kind words and support during its recent bereavement.

Card of Thanks

A card of thanks was received from Beverly Wright, Chair, Day of Mourning Committee, thanking the Mayor and members of Council for proclaiming April 28, 2006 as the "Day of Mourning" and thanking those who attended the ceremony.

Thank You Letter

A letter of thanks was received from Bill Bynsdorp, Elgin Area Scouts Canada, for city pins recently received from the Mayor's office.

Elgin County Railway Museum - "Day Out With Thomas" - Proclamation - July 21st to 23rd and July 28th to 30th, 2006

Motion by Alderman Shackelton - Chapman:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the weekends of July 21st to 23rd, 2006 and July 28th - 30th, 2006 as "Day Out With Thomas" Days.

Carried.

UNFINISHED BUSINESS

CITY CLERK _____ CONFIRMED _____ MAYOR _____

City of St. Thomas 125th Anniversary - Appendix "W"

The members commented that they were unsure if the upcoming St. Thomas & District Chamber of Commerce Street Party event was open to the public.

Motion by Alderman Aarts - Warden:

THAT: Report CC-39-06 relating to the City's 125th Anniversary Celebrations be received for information.

Carried.

Minimum Maintenance Standards for Heritage Properties

NEW BUSINESS

Semi-Annual Attendance for Council for the period of January 1st, 2006 to June 30th, 2006
Appendix "X"

Motion by Alderman Aarts - Warden:

THAT: Report CC-34-06 regarding the Semi-Annual Attendance for Council and Committee of the Whole for the period January 1st, 2006 to June 30th, 2006, be received and filed for information.

Carried.

City of St. Thomas/County of Elgin 2006 Visioning Session - Appendix "Y"

Motion by Alderman Warden - Aarts:

THAT: Report CC-38-06 be received for information; and further,

THAT: Council receive the Summary Notes from the Visioning Exercise held on April 28, 2006; and further,

THAT: Council receive the Report entitled "2006 Visioning Exercise - Moving Forward" dated June 26, 2006, and adopt the recommendations contained within the report.

Carried.

St. Thomas Professional Fire Fighters Association - Resolution

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

Motion by Alderman Shackelton - Johnston:

THAT: Firefighters provide an invaluable service to the public and may risk their own personal safety in order to protect the lives of residents of the City of St. Thomas; and,

THAT: Studies have shown that firefighters suffer from an incidence of some cancers and other diseases that is significantly greater than the normal population, and that this may be due to firefighters' exposure to toxic chemicals and carcinogens during the course of fighting fires; and,

THAT: In response to these studies, the Provinces of Manitoba, Alberta, Saskatchewan and Nova Scotia have amended their Workers Compensation legislation to include a presumption that, for identified types of cancer in firefighters, the disease is attributable to work as a firefighter; and,

THAT: City Council commends the St. Thomas Professional Firefighters' Association for its efforts and wish to demonstrate their support for a comprehensive review of Ontario's Workers' Compensation scheme as it specifically relates to firefighters; and,

THEREFORE, BE IT RESOLVED THAT: St. Thomas City Council supports the action of the City of Ottawa and call on the Ontario Provincial Government to review Ontario's Workplace Safety and Insurance Act in order to ensure that firefighters and their families receive fair and timely compensation for illness or disease that is attributable to their work as firefighters; and that this motion be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, the City of Ottawa, the Minister of Labour, the Premier of Ontario and the St. Thomas Professional Firefighters Association.

Recorded Vote

Yeas

Nays

Mayor Kohler

Alderman B. Aarts

C. Barwick

H. Chapman

T. Johnston

T. Shackelton

M. Turvey

D. Warden

Carried.

Downtown Development Board - Resignations

Motion by Alderman Aarts - Chapman:

THAT: Council acknowledge the resignation of Bill Jacoletti and Sandy Vasquez from the Downtown Development Board.

Carried.

Senior Men's Fastball Tournament

Alderman Warden informed the members about the upcoming Senior Men's fastball tournament being planned for the long weekend in August.

Communities In Bloom Competition

Alderman Turvey informed the members that the judges for Communities in Bloom would be arriving in St. Thomas this Wednesday.

Elgin County Railway Museum - "A Day Out With Thomas"

Alderman Turvey informed the members that Thomas the Tank Engine would be arriving in the city this Wednesday.

Community Improvement Program - 648 Talbot Street

Alderman Turvey commended Ansell's and Gillian Martin for the work that had been completed on the facade at Ansell's.

BY-LAWS

Motion by Alderman Shackelton - Turvey:

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 17th day of July, 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 The Association of Municipalities of Ontario. (Federal Public Transit Funds)

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3. A by-law to appoint a Municipal Law Enforcement Officer. (Amanda Graham)
4. A by-law to establish Salaries and Benefits for certain Non-Union employees of the City of St. Thomas.
5. A by-law to impose interest charges on unpaid accounts. (Accounts Receivable)
6. A by-law to establish and maintain a system for the collection, removal, and disposal of garbage, waste, and other refuse in the City of St. Thomas.
7. 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 Roman Catholic Diocese of London. (Community Improvement Plan Grant Acknowledgement and Agreement Form - Holy Angels Church - 502 Talbot Street)
8. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a Consent and Waiver of Notice-Application for First Registration registered as No. 455639 made by Doug. Tarry Limited. (Orchard Park Subdivision)
9. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas (Convenience store - 1210 Talbot Street - Parel)
10. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas (Top of bank & geotechnical setbacks - File #34T-06501 - Inn Services Inc.)
11. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas (11 metre lot frontages on certain lots - File #34T-06501 - Inn Services Inc.)

Carried.

First and Second Readings

Motion by Alderman Shackelton - Turvey:

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 - Turvey:

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 17th day of July, 2006. (B/L 89-2006)
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 The Association of Municipalities of Ontario. (Federal Public Transit Funds) (B/L 90-2006) (A/G 36-2006)
3. A by-law to appoint a Municipal Law Enforcement Officer. (Amanda Graham) (B/L 91-2006)

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4. A by-law to establish Salaries and Benefits for certain Non-Union employees of the City of St. Thomas. (B/L 92-2006)
5. A by-law to impose interest charges on unpaid accounts. (Accounts Receivable) (B/L 93-2006)
6. A by-law to establish and maintain a system for the collection, removal, and disposal of garbage, waste, and other refuse in the City of St. Thomas. (B/L 94-2006)
7. 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 Roman Catholic Diocese of London. (Community Improvement Plan Grant Acknowledgement and Agreement Form - Holy Angels Church - 502 Talbot Street) (B/L 95-2006) (A/G 37-2006)
8. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a Consent and Waiver of Notice-Application for First Registration registered as No. 455639 made by Doug. Tarry Limited. (Orchard Park Subdivision) (B/L 96-2006)
9. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Convenience store - 1210 Talbot Street - Parel) (B/L 97-2006)
10. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Top of bank & geotechnical setbacks - File #34T-06501 - Inn Services Inc.) (B/L 98-2006)
11. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (11 metre lot frontages on certain lots - File #34T-06501 - Inn Services Inc.) (B/L 99-2006)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Warden - Turvey:

THAT: This meeting be closed to deal with a labour relations matter, a personal matter about an identifiable individual and a matter regarding a pending acquisition of land at 5:39 p.m.

Carried.

OPEN SESSION

Motion by Alderman Johnston - Chapman:

THAT: We do now rise from Closed Session. (6:03 p.m.)

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Warden:

THAT: We do now adjourn. (9:04 p.m.)

Carried.