

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

**COUNCIL CHAMBERS
CITY HALL**

OCTOBER 10TH, 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
D. Arndt, Airport Superintendent
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
R. Tucker, Parks Manager

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

Prior to the minutes being adopted, Alderman Barwick rose on a point of personal privilege and offered an apology to Alderman Turvey regarding comments he had made at the meeting on October 2, 2006.

Motion by Alderman Shackelton - Aarts:

THAT: The minutes of the meeting held on October 2nd, 2006 be confirmed.

Carried.

DEPUTATIONS

Southgate Subdivision

Ms. Jennifer Waldron, Penhale Avenue, was in attendance and requested Council to reconsider, and to move forward, with plans to create a park in the Southgate subdivision. Ms. Waldron presented Council with a petition that had been signed by area residents in support of the parkette.

Mr. Jim Russell, 440 Wellington Street, was in attendance to present information to Council, on behalf of the residents, relating to a playground facility in the Southgate subdivision.

Prior to Mr. Russell speaking, Alderman Johnston rose on a point of order and requested that Mr. Russell declare that he was a candidate in the upcoming municipal election.

Mayor Kohler advised the members that Mr. Russell had duly submitted a request to appear as a deputation and requested that Mr. Russell to proceed with his deputation.

Mr. Russell highlighted to Council that in the past, the City had not required the dedication of parkland in the Southgate area but rather chose to take a parkland payment in lieu. Further, he stated that there were some time constraints relating to a decision on this matter as a result of the

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residential lots being developed and the need to acquire land for a walkway in order to access a parkette.

The members discussed the request to reconsider the proposed parkette and stated that it would be dealt with under new business.

North America Railway Hall of Fame - 2006 Induction Ceremony

Mr. John Peart, President, and Mrs. Diana Player, Special Events Coordinator, North America Railway Hall of Fame, were in attendance to discuss the upcoming 2006 Induction Ceremony.

Mr. Peart thanked Council members for the work they had done and in particular the work relating to the Innovation Team.

Mrs. Player informed the members about the upcoming induction ceremony which will be held at the CASO Station on October 21, 2006.

Mayor Kohler thanked Mr. Peart and Mrs. Player for their deputation.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Request to Rescind Site Plan Agreement SPC-5-04 - Offices/Retail Plaza - Southeast corner of Ron McNeil Line and Burwell Road - Inn Services Inc. - Appendix "A"

Motion by Alderman Turvey - Shackelton:

THAT: Report PD-27-2006 be received for information; and further,

THAT: By-law 91-2004, being a by-law to authorize the execution of a Site Plan Agreement with Inn Services Inc. be repealed, thereby rescinding Agreement No. 27-2004.

Carried.

Municipality of Central Elgin - Notice of Application for Approval of Plan of Subdivision - File# 34T-06003 - Craigholme Estates Ltd.

Notice was received from the Municipality of Central Elgin regarding a public hearing for an application made by Craigholme Estates Ltd. for approval of a draft plan of subdivision permitting the development of 49 lots for single-detached dwelling units located south of Ramona Lane and east of Kettle Creek Drive in the former village of Belmont.

Municipality of Central Elgin - Notice of the Passing of a Zoning By-Law Amendment - 42072 Sparta Line

Notice was received from the Municipality of Central Elgin regarding the passing of Zoning By-law No. 910 to permit one single detached dwelling and accessory buildings and structures at 42072 Sparta Line.

Municipality of Central Elgin - Notice of the Passing of a Zoning By-Law Amendment - 46075 Fruit Ridge Line

Notice was received from the Municipality of Central Elgin regarding the passing of Zoning By-law No. 911 to permit a bed and breakfast use as additional permitted use within the new residence at 46075 Fruit Ridge Line.

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Municipality of Central Elgin - Notice of the Passing of a Zoning By-Law Amendment - 44583 Dexter Line

Notice was received from the Municipality of Central Elgin regarding the passing of Zoning By-law No. 912 to permit the expansion of the existing rural home occupation use of selling and leasing ATV's at 44583 Dexter Line.

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

Proposed Playground Development - Feasibility Analysis of Proposed Public/Private Partnership between City of St. Thomas and Faith Baptist Church

The members discussed the possibility of investigating the actual purchase of land from Faith Baptist Church for a parkette and also of directing staff to undertake negotiations relating to acquisition of land for a walkway to access the parkette.

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

Motion by Alderman Shackelton - Barwick:

THAT: Staff be directed to investigate an option to purchase land for a walkway and parkette at Faith Baptist Church for Southgate Subdivision; and further,

THAT: All parties be involved in the investigation.

Recorded Vote

<u>Yeas</u>	<u>Nays</u>
Mayor Kohler	
Alderman B. Aarts	
C. Barwick	
H. Chapman	
T. Johnston	
M. Turvey	
T. Shackelton	
D. Warden	

Carried.

Green Lane Landfill Purchase by the City of Toronto - Status Report - Possible Waste Management Contract Extension

NEW BUSINESS

Request for Proposal Award - No. R06-08-315 The Design, Contract Documents, Contract Inspection & Administration for the Renovation of the Transit Terminal Building
Appendix "B"

Motion by Alderman Aarts - Shackelton:

THAT: Report ES111-2006 be received for information; and further,

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THAT: Council accept the proposal submission of SPH Engineering Inc. in the amount of \$21,640.00 plus GST for design, contract documents, inspection and contract administration for the Renovation of the Transit Terminal Building project; and further,

THAT: The source of funding is the 2006 Capital budget (Provincial Gas Tax Allocation); and further,

THAT: A by-law be prepared to authorize the execution of a Consulting Services agreement between SPH Engineering Inc. and the City of St. Thomas.

Carried.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

Travel and Car Allowance Policy - Appendix "C"

The Director, Human Resources, stated that the travel and car allowance policy being proposed would provide a fair and equitable application for all staff members when they are required to use their own vehicles for city business.

Motion by Alderman Chapman - Shackelton:

THAT: Report HR-12-06 regarding the Travel and Car Allowance Policy be received; and further,

THAT: Council approve Corporate Policy #TR-05-11 Travel and Car Allowance Policy, as attached to the report.

Carried.

Termination of Employees Policy

Alderman Barwick inquired if there was a corporate policy in place, which defined the process of how employees surrendered keys and how their activities were monitored within the organization, once their employment was terminated.

The Director, Human Resources stated that he did not believe that there was a specific policy relating to termination procedures.

The members, by consensus, directed that information relating to termination policies be brought back for Council's consideration.

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Cash Advances & Expenses Reimbursement Report

St. Thomas Consolidated Courthouse Project - Police Facilities

St. Thomas Community Centre - Railings for Events

The members concurred that this item could be removed from unfinished business.

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Council Member Expenses

The members concurred that this item could be removed from unfinished business.

NEW BUSINESS

Road Intersection Construction - Phase I Development of Orchard Park Subdivision (Elm Street/Peach Tree Boulevard and Phase I Development of Dalewood Meadows Subdivision (Ron McNeil Line/Pine Valley Drive - Appendix "D"

The Director, Environmental Services stated that the intersection improvements were required to provide access to two new subdivisions that would be yielding 900 new lots in total.

Motion by Alderman Chapman - Turvey:

THAT: Report ES109-06 be received as information; and further,

THAT: The construction of the proposed road intersection of Peach Tree Boulevard and Elm Street, including the associated reconstruction of Elm Street between Neal Avenue and Peach Tree Boulevard, required in conjunction with the Phase I development of the Orchard Park Subdivision, be approved and be included in the City's approved capital program in the estimated amount of \$380,000; and further,

THAT: The construction of the proposed road intersection of Pine Valley Drive and Ron McNeil Line, required in conjunction with the Phase I development of the Dalewood Meadows Subdivision, be approved and be included in the City's 2006 approved capital program in the estimated amount of \$400,000; and further,

THAT: The sources of funding for the cost of these road intersection construction projects be the City Wide Development Charges Reserve Fund, Capital Projects Reserve, and unbudgeted capital levy to be identified in the September 30, 2006 budget monitoring report, per the sources of funding table presented in the body of Report ES109-06.

Carried.

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

St. Thomas Community Centre - Deficiency List

St. Thomas Community Centre - Cost Analysis for Events

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Intersection of Manor Road and Chestnut Street

Leash Free Dog Park

Intersection of Chant Street and Lawrence Avenue

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

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

Transit System and CASO Station

Intersection of Mandeville Road and Hepburn Avenue

Mondamin Street and Curtis Street

NEW BUSINESS

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 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

PETITIONS AND COMMUNICATIONS

Memory Garden Pinafore Park - “Circle of Life” Art Feature Unveiling - October 22nd, 2006

A letter was received from Mr. Don Beleutz and Mr. Maurice Beaudry, representatives, Memory Garden Committee, inviting the Mayor, Council and Department Heads to the unveiling of the “Circle of Life” Art Feature at Pinafore Park on Sunday October 22nd, 2006 at 1:30 p.m.

Wings & Wheels Fundraiser - June 22nd, 23rd and 24th, 2007

Alderman Warden stated that the information relating to the Wings and Wheels event had been before the Special Events Committee.

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Motion by Alderman Shackelton - Warden:

THAT: The correspondence received from Col. Tom Lawson and Mr. Ed Holder regarding the Wings & Wheels Fundraiser to be held on June 22nd, 23rd and 24th, 2007 at the St Thomas Municipal Airport be received; and further,

THAT: The Wings and Wheels Fundraiser event be approved, in principle, subject to a report from the Airport Superintendent.

Carried.

Canada's Citizenship Week - Proclamation - October 16th to 22nd, 2006

Motion by Alderman Aarts - Barwick:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the week of October 16th to 22nd, 2006 as "Canada's Citizenship Week" in the City of St. Thomas.

Carried.

St. Thomas Community Centre - Sculpture

Motion by Alderman Shackelton - Chapman:

THAT: The correspondence received from Mr. David Morris regarding a sculpture for the St. Thomas Community Centre be referred to the Treasury Department.

Carried.

Crossing Guard - Fifth Avenue & Myrtle Street

Motion by Alderman Shackelton - Turvey:

THAT: The correspondence received from Mr. Randy Walsh regarding the placement of a crossing guard at Fifth Avenue and Myrtle Street be referred to the Environmental Services Department.

Carried.

St. Thomas Community Centre

A letter was received from Mr. Al Riddell, President, The Maple Leaf Foundation, advising that if Council wishes to name the Centre recognizing Timken's contribution to the community that the St. Thomas Community Centre be named "The Timken Centre".

UNFINISHED BUSINESS

Minimum Maintenance Standards for Heritage Properties

The City Clerk informed the members that a draft minimum maintenance by-law for heritage properties had been prepared that the City Solicitor was reviewing the document with the legal counsel for the Ministry of Culture.

Canadian Championship - Acknowledgment Signage

NEW BUSINESS

St. Thomas Community Centre

Alderman Aarts stated that in putting forward the name "St. Thomas Timken Community Centre" some of the rationale for the name included the fact that while Timken was the largest donor, the gift was not in the amount of \$500,000, which had been stated in the campaign as the amount required to have the naming rights. Further, he stated that a number of people had

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contributed to the capital campaign and that the facility was constructed as a community centre for everyone to enjoy.

Alderman Johnston highlighted the many contributions that Timken has made in the community throughout the 60 years that it has been located in the city stating that the name should be “The Timken Centre”.

Motion by Alderman Johnston - Barwick:

THAT: Council rescind the motion of October 3, 2005 naming the new community centre the "St. Thomas Community Centre".

Carried.

Alderman Aarts had previously put forward the following Notice of Motion.

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

Alderman Aarts - Turvey:

THAT: The St. Thomas Community Centre be renamed the “St. Thomas Timken Community Centre”.

Recorded Vote

Yeas

Mayor Kohler

Alderman B. Aarts

H. Chapman

M. Turvey

T. Shackelton

D. Warden

Nays

Alderman C. Barwick

T. Johnston

Carried.

Court Services

Alderman Aarts informed the members that he had attended a meeting with Minister Kwinter and that the Province was reviewing the funding of court services.

Alma College - Rally

Mayor Kohler informed the members that a rally to support the acquisition of Alma College for a university had been planned for October 12, 2006 from 6:00 p.m. to 7:00 p.m.

Holy Angels Restoration Committee

Mayor Kohler reminded the members about an upcoming fund raising event relating to the restoration of Holy Angels Church.

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 10th day of October, 2006.

2. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Permit day nursery and private school - Southeast Corner Burwell Road & Ron McNeil Line - Early Learning Centre)

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3. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Permit convenience store as additional permitted use - 245 South Edgeware Road)

4. A by-law to repeal By-Law 91-2004, being a by-law to authorize the execution of a site plan agreement with Inn Services Inc. (SPC-5-04 - Offices/Retail Plaza - Southeast corner of Ron McNeil Line and Burwell Road)

Carried.

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 M. Turvey 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 10th day of October, 2006. (B/L 127-2006)

2. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Permit day nursery and private school - Southeast Corner Burwell Road & Ron McNeil Line - Early Learning Centre) (B/L 128-2006)

3. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Permit convenience store as additional permitted use - 245 South Edgeware Road) (B/L 129-2006)

4. A by-law to repeal By-Law 91-2004, being a by-law to authorize the execution of a site plan agreement with Inn Services Inc. (SPC-5-04 - Offices/Retail Plaza - Southeast corner of Ron McNeil Line and Burwell Road) (B/L 130-2006)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Johnston - Turvey:

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

Carried.

OPEN SESSION

Motion by Alderman Johnston - Aarts:

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

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (9:16 p.m.)

Carried.