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

COUNCIL CHAMBERS CITY HALL

OCTOBER 16TH, 2006

6:00 p.m. The meeting convened with His Worship, Mayor Jeff Kohler, presiding.

ATTENDANCE

Members	Officials
Mayor J. Kohler	W. Graves, City Clerk
Alderman B. Aarts	I. Andersen, Manager of Operations & Compliance
C. Barwick	R. Barber, Fire Chief
H. Chapman	M. Carroll, Valleyview Administrator
T. Johnston	B. Clement, Manager of Engineering
T. Shackelton	G. Dart, Director, Human Resources
M. Turvey	S. Datars Bere, Director, Ontario Works
D. Warden	W. Day, Director of Finance & City Treasurer
	J. Dewancker, Director, Environmental Services
	P. Keenan, Director, Planning
	F. Lattanzio, Community Centres & Property Manager
	E. Sebestyen, Housing Administrator
	R. Wheeler, Economic Development Manager
	D. White, Supervisor, Roads and Transportation
	Constable T. Calvert, St. Thomas Police Department

THE LORD'S PRAYER

CLOSED SESSION

The Closed Session was held in Committee Room #204 and the minutes are located at the end of Regular Open Council Business.

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by Alderman Shackelton - Aarts:

THAT: The minutes of the meeting held on October 10th, 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 September 2006.

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Ontario Heritage Act - Minimum Maintenance Standards By-Law - Appendix "A"

Motion by Alderman Turvey - Aarts:

THAT: Report CC-51-06 be received for information; and further,

THAT: As requested by Council on August 21, 2006, Administration prepare a minimum maintenance standards by-law relating to the protection of designated properties as provided under the Ontario Heritage Act, for Council's consideration.

Carried.

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

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

NEW BUSINESS

Proposal Award - No. R06-08-335 - Southdale Line Trunk Watermain (Penhale Avenue to Sunset Drive) - Engineering Design, Tender Preparation, Construction Inspection and Contract Administration - Appendix "B"

Motion by Alderman Aarts - Chapman:

THAT: Report ES112-06 be received for information; and further,

THAT: Council accept the proposal submission of Earth Tech Canada Inc., in the amount of \$100,609.90 including GST, to complete the engineering design, tender preparation, construction inspection and contract administration for the Southdale Line Trunk Watermain project from Penhale Avenue to Sunset Drive; and further,

THAT: The source of funding for the project be the 2006 Part Two Capital Budget as approved by City Council; and further,

THAT: A by-law be prepared to authorize the execution of an Agreement between Earth Tech Canada Inc. and the City of St. Thomas.

Carried.

Winter Maintenance Program and Quality Standards - 2006/2007 Season - Appendix "C"

The members discussed the winter maintenance program including: notifying the public about the priority streets for winter maintenance; snow clearing on sidewalks near seniors' residences; snow removal in the commercial core area; and, the use of contracted snow removal operators.

The Director, Environmental Services stated that the public would be informed about the priority street system for winter maintenance through an advertisement or billing insert; that the City now

has an additional snow plow reducing the number of contracted operators required; and, that the policy for snow removal in the commercial core area had been revised to state that snow would be removed when the snow banks reach two feet or higher. Further, he stated that staff would pay attention to the level of service around seniors' residences.

Motion by Alderman Shackelton - Aarts:

THAT: Report ES113-06 be received for information; and further,

THAT: Council approve the 2006/2007 Winter Maintenance Program and associated 2006/2007 Quality Standards as described herein; and further,

THAT: Two Water/Wastewater permanent staff be temporarily transferred to the Roads staff complement for the express purpose of providing a consistent level of service for the sidewalk plow/salt program for the period from December 1, 2006 to March 31, 2007; and further,

THAT: One additional Lead Hand from each of the Roads and Water/Wastewater areas be temporarily assigned during the 2006/2007 winter maintenance period for the express purpose of providing Supervisor On-Call duties in rotation with the Two Permanent Lead Hands during the hours of 4:00 p.m. and 7:30 a.m. for the period from December 1, 2006 to March 31, 2007.

Carried.

Watermain Replacement - Kettle Creek to New Street - Appendix "D"

Motion by Alderman Warden - Mayor Kohler:

THAT: Report ES115-06 be received for information; and further,

THAT: Approval for the Municipality of Central Elgin to undertake watermain replacement from Kettle Creek to New Street, as extra work to their contract in the amount of \$63,992.00 plus GST, be authorized; and further,

THAT: The source of funding required to complete this work be the water reserve surplus derived from the City's Annual Watermain Rehabilitation Contract 08-324 for 2006.

Carried.

Transit Facility Improvement Options - Appendix "E"

The members discussed the possibility of establishing a Committee to examine facts relating to the transit facility and the CASO Station.

Council, by consensus, provided direction to the Environmental Services Department to establish a Committee to investigate the transit station and waiting room.

Alderman Shackelton requested that as this was a transit matter any reports coming from a Committee should be brought back through the Protective Services and Transportation Committee.

Motion by Alderman Aarts - Johnston:

THAT: Report ES117-06 relating to Transit Facility Improvement Options, of the Manager of Operations & Compliance be received for information and direction.

Carried.

Elgin Area Primary Water Board

Alderman Warden stated that the Elgin Area Primary Water Board had met and that a six percent increase in the water rates had been approved. Further, he informed the members that between \$30 million and \$40 million would be required for upgrades to the existing primary water system.

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Alderman Johnston stated that a back up power source was to be added at the Elgin Area Water Treatment Plant next July at an approximate cost of \$3.5 million. Further, he stated that the City would be receiving written notice about the rate increase from the Elgin Area Primary Water Board.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

End of Employment Procedures - Appendix "F"

Motion by Alderman Chapman - Turvey:

THAT: Council receive Report HR-14-06 relating to End of Employment Procedures for information purposes.

Carried.

NEW BUSINESS

Quarter Century Club - Appendix "G"

Alderman Chapman inquired if the Aboutown Transit staff were included in the City's Quarter Century Club recognition program.

Chairman Warden stated that the Aboutown Transit staff were not City employees and as such were not included in the Quarter Century Club recognition program.

Motion by Alderman Turvey - Shackelton:

THAT: Council receive Report HR-13-06; and further,

THAT: Council expand the recognition of an employee's long service, through the "Quarter Century Club", to include those employees who work other than full-time who have been employed for twenty-five years and to those other than full-time employees who retire.

Carried.

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Cash Advances & Expenses Reimbursement Report

St. Thomas Consolidated Courthouse Project - Police Facilities

Mayor and Council Expenses - Appendix "H"

Mayor Kohler recommended that a monthly report be brought to Council identifying all of the Mayor's and Council's expenses. Further, he stated that there were a number of costs included in these expenses including fax machine expenses.

Motion by Alderman Chapman - Warden:

THAT: Report TR 61-06 regarding expenditures incurred and charged to the Miscellaneous Expenses account as contained within the Mayor and Council section of the budget be received for information.

Carried.

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Motion by Mayor Kohler - Alderman Warden:

THAT: Council receive for review, on a monthly basis, all Mayor and Council accounts.

Carried.

St. Thomas Cemetery - Proactive Tree Maintenance Program - Appendix "I"

Motion by Alderman Aarts - Johnston:

THAT: Report TR 60-06 be received; and further,

THAT: Council authorize a \$7,500 expenditure to fund the proactive tree maintenance program undertaken in 2006 at the St. Thomas Cemetery; and further,

THAT: The City Treasurer be authorized to include this item as an unbudgeted expenditure in the September 30, 2006 budget monitoring report.

Carried.

NEW BUSINESS

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

St. Thomas Timken Community Centre - Deficiency List - Appendix "J"

The Community Centres and Property Manager informed the members about the differences between construction deficiencies, warranties and items that were not included in the original construction project.

The members discussed the fact that it is important for the Province to consolidate the Ontario Building Code with the Accessibility Act to ensure minimum standards of each Act are met during the construction of facilities.

Motion by Alderman Turvey - Shackelton:

THAT: Report TR59-06 relating to the St. Thomas Timken Community Centre deficiency list, of the Manager of Facilities and Property be received for information.

Carried.

St. Thomas Timken Community Centre - Cost Analysis for Events

<u>NEW BUSINESS</u>

Ontario Works Report for the Months of July, August & September 2006 - Appendix "K"

Motion by Alderman Shackelton - Turvey:

THAT: Report CR-06-13 of the Director, Ontario Works for the months of July, August and September 2006 be received for information.

Carried.

Affordable Housing Program Request for Proposals - Appendix "L"

The Director, Ontario Works stated that there is a list of five proponents, 3 in the City and 2 in the County, obtained thought an RFP process, who are requesting affordable housing units.

Further she added that provincial officials would be touring St. Thomas and Elgin County on Thursday, to review the potential projects.

Motion by Alderman Chapman - Turvey:

THAT: Report CR-06-15 of the Housing Administrator relating to the Affordable Housing Program Request for Proposals be received for information; and further,

THAT: Council authorizes the Housing Administrator to initiate the Request for Proposals process under the Canada-Ontario Affordable Housing Program, Rental and Supportive component.

Carried.

Affordable Housing Program Administration Agreement, Rental and Supportive Component Appendix "M"

Motion by Alderman Chapman - Turvey:

THAT: Report CR-06-16 of the Housing Administrator relating to the Affordable Housing Program Administration Agreement be received for information; and further,

THAT: Council authorize entering into an agreement with the Minister of Municipal Affairs and Housing for the purpose of establishing the City of St. Thomas obligations for the administration of the Canada-Ontario Affordable Housing Program, Rental and Supportive component and the Minister's obligation to provide funding to the City, and further,

THAT: A by-law be prepared authorizing the Mayor and Clerk to sign three copies of the Service Manager Administration Agreement, Canada-Ontario New Affordable Housing Program (2003), Rental and Supportive Component, Service Manager Funding Delivery (Attachment 1).

Carried.

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

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

No Parking Zone Signage Mandeville Road - Access for Emergency Services - Appendix "N"

Motion by Alderman Johnston - Aarts:

THAT: Report ES114-06 of the Supervisor of Roads & Transportation be received for information; and further,

THAT: Traffic By-Law 45-89 Schedule II (No Parking Zones) be amended as to implement a No Parking Anytime restriction on the North side of Mandeville Road from Hepburn Avenue to First Avenue.

Carried.

Parking and By-Law Enforcement on City Streets

Motion by Alderman Turvey - Barwick:

THAT: The correspondence received from Mr. David Collins regarding parking and by-law enforcement on city streets be referred to the Environmental Services Department.

Carried.

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 Aarts - 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

The Eighth Report of the Site Plan Control Committee - Appendix "O"

Motion by Alderman Shackelton - Turvey:

THAT: Clauses 1, 2, 3 and 4 of the Eighth Report of the Site Plan Control Committee be adopted.

Carried.

PETITIONS AND COMMUNICATIONS

Heritage Community Recognition Program

A letter was received from the Honourable Lincoln Alexander, Chairman, Ontario Heritage Trust, inviting Council to participate in the 2006 Heritage Community Recognition Program. The deadline for nominations is December 6, 2006.

Young Heritage Leaders Program

A letter was received from the Honourable Lincoln Alexander, Chairman, Ontario Heritage Trust, inviting Council to participate in the 2006 Young Heritage Leaders program. The deadline for nominations is December 8, 2006.

Foster Family Week - October 15 - 21, 2006 - Proclamation

Motion by Alderman Aarts - Chapman:

THAT: The Council of the Corporation of the City of St. Thomas proclaim the week of October 15th to 21st, 2006 as "Foster Family Week" in the City of St. Thomas.

Carried.

UNFINISHED BUSINESS

Minimum Maintenance Standards for Heritage Properties

Canadian Championship - Acknowledgment Signage

War Brides 60th Anniversary

A letter was received from Cindy Bezaire, Secretary, Special Events Committee, requesting that Council acknowledge an afternoon tea being held at the Seniors' Centre on Sunday, October 29th, 2006 in recognition of the War Brides 60th Anniversary.

NEW BUSINESS

Fantasy of Lights

Alderman Warden informed the members that the Fantasy of Lights organization was seeking volunteers and financial support.

Municipal Election

Alderman Warden highlighted the December 2, 1927 St. Thomas Times Journal indicating that 3 candidates were running for the office of Mayor and 23 candidates were running for the office of Alderman. Alderman Warden expressed best wishes for everyone who is a candidate in the upcoming municipal election.

Royal Canadian Legion - Spaghetti Dinner

Alderman Turvey reminded the members and the community about the upcoming dinner on

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Friday, October 20, 2006 at the Royal Canadian Legion, John Street, in support of the troops in Afghanistan.

Memory Garden

Mayor Kohler reminded the members and the community about the upcoming unveiling event at the Memory Garden at Pinafore Park on Sunday, October 22, 2006.

BY-LAWS

Motion by Alderman Aarts - Shackelton:

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 16th day of October, 2006.

2. 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 Earth Tech Canada Inc. (\$75,200 plus gst - CASO/Talbot Street Rehabilitation Project)

3. 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 Delcan Corporation. (\$15,370.00, including taxes - Traffic Signalization with Audible Pedestrian Assistance Wellington Street and Stokes Road Intersection)

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 Whalls Farms Limited. (Lease of agricultural lands - St. Thomas Municipal Airport - 2007-08)

5. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Municipal Affairs and Housing. (Canada-Ontario Affordable Housing Program, Rental and Supportive Component)

6. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Subdivision File #34T-06501- Dalewood Meadows Phase I - Inn Services Inc.)

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 Prespa Construction Ltd. (SPC 08-04 - 188 Sunset Drive - Commercial Plaza)

8. 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 Prespa Construction Ltd. (SPC 07-04 - 115-117 Curtis Street - Commercial Plaza)

9. 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 Springwater Developments. (SPC 12-06 - Block 36, Plan 11M-146 - Wyndfield South - vacant lot condominium development)

10. 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 Supermarine Aircraft Inc. (Two year lease - Main Hangar - St. Thomas Municipal Airport)

11. 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 Earth Tech Canada Inc. (\$100,609.90 - Southdale Line Trunk Watermain, Penhale Avenue to Sunset Drive)

12. A by-law to amend By-Law 12-99, being a by-law to prescribe the standards of maintenance and occupancy for all properties. (Minimum standard provisions for heritage properties)

13. 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 Mike Hutchinson Properties Incorporated. (SPC 11-99 - 995-1009 Talbot Street - Tim Horton's Plaza)

14. 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 St. Thomas-Elgin Second Stage Housing Inc. (SPC 13-06 - 15 Golding Place - Addition)

Carried.

First and Second Readings

Motion by Alderman Aarts - Shackelton:

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 Aarts - Shackelton:

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 16th day of October, 2006. (B/L 131-2006)

2. 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 Earth Tech Canada Inc. (\$75,200 plus gst - CASO/Talbot Street Rehabilitation Project) (B/L 132-2006)(CON 6-2006)

3. 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 Delcan Corporation. (\$15,370.00, including taxes - Traffic Signalization with Audible Pedestrian Assistance Wellington Street and Stokes Road Intersection) (B/L 133-2006)(CON 7-2006)

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 Whalls Farms Limited. (Lease of agricultural lands - St. Thomas Municipal Airport - 2007-08) (B/L 134-2006)(A/G 47-2006)

5. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Municipal Affairs and Housing. (Canada-Ontario Affordable Housing Program, Rental and Supportive Component) (B/L 135-2006)(A/G 48-2006)

6. A by-law to amend By-Law 50-88, being the Zoning By-Law for the City of St. Thomas. (Removal of holding zone symbol - Subdivision File #34T-06501- Dalewood Meadows Phase I - Inn Services Inc.) (B/L 136-2006)

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 Prespa Construction Ltd. (SPC 08-04 - 188 Sunset Drive - Commercial Plaza) (B/L 137-2006)(A/G 49-2006)

8. 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 Prespa Construction Ltd. (SPC 07-04 - 115-117 Curtis Street - Commercial Plaza) (B/L 138-2006)(A/G 50-2006)

9. 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 Springwater Developments. (SPC 12-06 - Block 36, Plan 11M-146 - Wyndfield South - vacant lot condominium development) (B/L 139-2006)(A/G 51-2006)

10. 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 Supermarine Aircraft Inc. (Two year lease - Main Hangar - St. Thomas Municipal Airport) (B/L 140-2006)(A/G 52-2006)

11. 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 Earth Tech Canada Inc. (\$100,609.90 - Southdale Line Trunk Watermain, Penhale Avenue to Sunset Drive) (B/L 141-2006)(CON 8-2006)

12. A by-law to amend By-Law 12-99, being a by-law to prescribe the standards of maintenance and occupancy for all properties. (Minimum standard provisions for heritage properties) (B/L 142-2006)

13. 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 Mike Hutchinson Properties Incorporated. (SPC 11-99 - 995-1009 Talbot Street - Tim Horton's Plaza) (B/L 143-2006)(A/G 53-2006)

14. 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 St. Thomas-Elgin Second Stage Housing Inc. (SPC 13-06 - 15 Golding Place - Addition) (B/L 144-2006)(A/G 54-2006)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Johnston - Warden:

THAT: This meeting be closed to deal with a litigation or potential litigation matter affecting the municipality, a personal matter about an identifiable individual and a matter regarding a proposed or pending disposition of land by the municipality.

Carried.

OPEN SESSION

Motion by Alderman Chapman - Johnston:

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

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

THAT: We do now adjourn. (8:30 p.m.)

Carried.