

**THE TWELFTH MEETING OF THE ONE HUNDRED AND TWENTY-SEVENTH
COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS**

**COUNCIL CHAMBERS
CITY HALL**

FEBRUARY 5TH, 2007

6:00 p.m. The meeting convened with His Worship, Mayor Cliff Barwick, presiding.

ATTENDANCE

Members

Mayor C. Barwick
Alderman B. Aarts
L. Baldwin-Sands
G. Campbell
H. Chapman
T. Johnston
T. Shackelton
D. Warden

Officials

W. Graves, City Clerk
I. Andersen, Manager of Operations & Compliance
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
J. McCoomb, Planner
R. Tucker, Parks Supervisor

Other

Heather Kunkel, Junior Clerk

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 Johnston declared a conflict of interest with regard to Report ES10-07 and specifically to matters relating to the Centennial Sports Club Minor Baseball Complex as he is a member of the Centennial Sports Club. He refrained from all discussion and action relating to the Centennial Sports Club Minor Baseball Complex.

Alderman Shackelton declared a conflict of interest relating to Report ES16-07 involving the Thames Valley District School Board as he is employed by the Thames Valley District School Board. He refrained from all discussion and action relating to the matter.

Alderman Warden declared a conflict of interest relating to Report ES16-07 involving the Thames Valley District School Board as his wife is employed by the Thames Valley District School Board. He refrained from all discussion and action relating to the matter.

MINUTES

Motion by Alderman Shackelton - Chapman:

THAT: The minutes of the meeting held on January 22nd, 2007 be confirmed.

Carried.

DEPUTATIONS

COMMITTEE OF THE WHOLE

Council resolved itself into Committee of the Whole.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

Township of Southwold - CEPAC Agreement

CITY CLERK _____ CONFIRMED _____ MAYOR _____

NEW BUSINESS

Draft Plan of Subdivision File #34T-07501 - Dalewood Meadows Development Area - Phase 2 - 30 Lots for Single-Detached Dwelling Units & 15 Lots for Semi-Detached Dwelling Units - Inn Services Inc. - Appendix "A"

Motion by Alderman Shackelton - Baldwin-Sands:

THAT: Report PD-04-2007 be received for information; and further,

THAT: Council approve in principle the proposed residential Draft Plan of Subdivision File #34T-07501 for lands owned by Inn Services Inc., legally described as Parts of Blocks 121 and 128 and all of Block 122, Registered Plan 11M-165, in the City of St. Thomas, County of Elgin; and further,

THAT: Final approval be subject to:

- A final report following the review of comments/recommendations received from agencies and City departments upon completion of the circulation of the draft plan,
- Confirmation by the Director, Environmental Services that there is sufficient uncommitted reserve treatment capacity in the sanitary sewage system to service the proposed development; and further,

THAT: A date for a public meeting be set for 6:45 p.m. on March 5th, 2007 in accordance with Ontario Regulation 544/06, as amended.

Carried.

Proposed Zoning Bylaw Amendment - Permit Construction Trade - 63 Gaylord Road - HIRA Limited - Appendix "B"

Motion by Alderman Baldwin-Sands - Johnston:

THAT: Report PD-05-07 be received for information; and further,

THAT: The application by HIRA Limited for an amendment to the St. Thomas Zoning By-law 50-88 be received; and further,

THAT: Staff be authorized to prepare a site specific draft amendment to the Zoning By-law to permit "construction trade" as an additional permitted use on lands at 63 Gaylord Road, legally described as Part Lot 37, Plan 287, City of St. Thomas, County of Elgin; and further,

THAT: A date for a public meeting be set for 6:35 p.m. on March 5th, 2007 in accordance with Ontario Regulation 545/06, as amended.

Carried.

St. Thomas Downtown Development Board

Alderman Warden inquired when the Annual Meeting for the St. Thomas Downtown Development Board would be held and also about the level of attendance at meetings of the St. Thomas Downtown Development Board.

Chairman Chapman stated that she believed that the annual meeting was to be held on February 28th and further that attendance at meetings had been tremendous.

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman T. Johnston

UNFINISHED BUSINESS

CITY CLERK _____ CONFIRMED _____ MAYOR _____

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

Community Access Improvement Concerns - Curb Cuts - Appendix "C"

Motion by Alderman Campbell - Warden:

THAT: Report ES13-07 of the Supervisor of Roads and Transportation regarding Community Access Improvement Concerns - Curb Cuts be received for information.

Carried.

Rogers Cable Box Removal - 100 Myrtle Street

NEW BUSINESS

By-law to Prohibit Loitering on Municipal Parklands - Appendix "D"

The members discussed the proposed by-law and specifically how loitering was defined. Further, the members expressed concern about the ability to enforce the by-law.

The Director, Environmental Service stated that the first stage in the enforcement of the by-law would be for specific areas to be signed and secondly that the by-law would be enforced based on suspicious behaviour of individuals in the parks areas.

Chairman Johnston stated that the Police, Fire and Environmental Services Departments had reviewed the proposed by-law.

The members discussed the possibility of establishing an education program for use within the schools in the city. Further they suggested that an education program include the Kettle Creek Conservation Authority and the Catfish Creek Conservation Authority.

The Director, Environmental Services stated that he would review an education program.

Motion by Alderman Chapman - Mayor Barwick:

THAT: Report ES17-07 be received for information; and further,

THAT: The draft by-law relating to the unscheduled gathering and loitering on Municipal Park Lands, be forwarded for Council's consideration.

Carried.

Repairs to Walkway at 630 Talbot Street

Motion by Alderman Warden - Chapman:

THAT: The correspondence from Mark Cosens, Chairman, Downtown Development Board regarding repairs to the walkway at 630 Talbot Street be referred to the Environmental Services Department.

Carried.

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman G. Campbell

UNFINISHED BUSINESS

CITY CLERK _____ CONFIRMED _____ MAYOR _____

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Cash Advances & Expenses Reimbursement Report

St. Thomas Consolidated Courthouse Project - Police Facilities

Mayor and Council Expenses

St. Thomas-Elgin Public Art Centre - Grant Request

St. Thomas and District Minor Baseball Association - Grant Request

2007 Capital Budget - Part 1 - City Park Partnerships- Appendix "E"

Alderman Warden assumed the Chair for this matter as Alderman Johnston had declared a conflict of interest.

The members discussed the financial commitment that would be required from the City to implement all of the partnership proposals.

The Director, Environmental Services stated that while \$192,000 was annually identified to fund work in the parks and that the parkland reserves could be used to implement the projects, there would be a need for additional funding beyond the parkland reserves.

Motion by Alderman Aarts - Baldwin-Sands:

THAT: Report ES10-07 outlining Service Clubs and User Groups requests for partnerships with the City of St. Thomas in respect to the development or the improvement of parklands, be received as information; and further,

THAT: The list of future potential park developments and their respective budget allocations including any partnerships contributions be prioritized in the City's capital forecast.

Carried.

2007 Capital Budget - Part 1 - Road Grader Needs Report - Appendix "F"

Council took no action regarding this matter.

2007 Capital Budget - Part 1 - Transit Station Options Report

St. Thomas Police Services Space Needs

Knights of Columbus Property - 265 Wellington Street - Appendix "G"

The Director, Environmental Services stated that within the proposed agreement with the Knights of Columbus, both parties must notify each other when major events are scheduled.

Motion by Alderman Aarts - Chapman:

THAT: Report ES 18-07 relating to a draft agreement between Knights of Columbus and the City of St. Thomas for the joint use of parking facilities at 265 Wellington and 2 Third Avenue be received as information; and further,

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THAT: Staff be directed to prepare a by-law for Council's consideration to execute an agreement with the Columbus Club of St. Thomas.

Carried.

NEW BUSINESS

Tender Award - Janitorial Services at the Justice Building - Appendix "H"

The members discussed the fact that the Justice Building was not clean.

The Director of Finance and City Treasurer stated that the initial cost to undertake a major cleaning at the beginning of the proposed contract would be an additional cost. Further he stated that the proposed contract included a thirty-day cancellation clause if the work being undertaken was not satisfactory.

The members discussed the possibility of the City retaining its own employee to do the cleaning at the Justice Building and that perhaps this could be considered at a later time.

Motion by Alderman Aarts - Chapman:

THAT: Report TR 04-07 be received for information; and further,

THAT: Council accept the tender submitted by Omni Facility Services Canada in the amount of \$108,533.64 (including gst) for janitorial services at the Colin McGregor Justice Building for a two year period beginning on March 1, 2007 and ending March 1, 2009; and further,

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

Carried.

Kettle Creek Conservation Authority - 2007 Budget

The Director of Finance and City Treasurer stated that the first part of the payment to the Kettle Creek Conservation Authority would not include any increases over the 2006 levy amount.

Motion by Alderman Johnston - Mayor Barwick:

THAT: The Corporation of the City of St. Thomas pay 4/12ths of the Kettle Creek Conservation Authority's approved 2006 total levy on April 1, 2007, and then pay 1/12th payment each month beginning on the 1st of May.

Carried.

Elgin Military Museum - Grant Request

Motion by Alderman Aarts - Chapman:

THAT: The grant request from D.L. Seabrook, Elgin Military Museum, dated January 16, 2007 be referred to the Treasury Department.

Carried.

BUSINESS CONCLUDED

COMMUNITY SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

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St. Thomas Timken Community Centre - Cost Analysis for Events

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES & TRANSPORTATION COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

Intersection of First Avenue and Edward Street

Intersection of Edward Street and Burwell Road

Leash Free Dog Park

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

Transit System and CASO Station

Transit Facility Improvement Options

Update - School Area Review Procedures For Elementary School Children - Adult Crossing Guard Warrant Policy and Procedure - Appendix "I"

Motion by Alderman Aarts - Baldwin-Sands:

The members discussed the possibility of using flashing lights at some crossing guard locations to indicate that a lower speed limit was in place.

The Director, Environmental Services stated that this was a tool that was available to the City and further that it would be important to implement the analysis framework first so that further information can be obtained.

THAT: Report ES 11-07 be received for information; and further,

THAT: The Adult Crossing Guard implementation Policy and Procedure provided within this report (ES 11-07) be endorsed by Council and used to process all future Adult Crossing Guard requests; and further,

THAT: All existing signed and marked School Crossings that have Wc-2 and/or Wc-2A signs in the City of St. Thomas that do not have an Adult Crossing Guard or Safety Patroller assigned to them be removed and the signs replaced with Wc-7 Pedestrian Ahead Warning Signs during July/August of 2007; and further,

THAT: Should associated Schools, School Board or City of St. Thomas Police Service withdraw the support of any of the existing safety patrol locations in the City of St. Thomas, the School Crossing signs and markings be immediately removed by Environmental Services' Roads and Transportation Staff and the signs be replaced with Wc-7 Pedestrian Ahead Warning Signs; and further,

THAT: A copy of this report be forwarded to the Thames Valley District School Board and the London District Catholic School Board with a request that they annually provide the latest School Boundary and Walking Student information to the City of St. Thomas by April of each year in order that the latest information may be available for future School Area Reviews by Roads & Transportation Staff.

Carried.

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The Adult Crossing Guard Program - Transportation Operations Update - Appendix "J"

The members expressed concern about the No Stopping restriction being applied on Ross Street, which would impact an existing business. Further, the members inquired if a reduced speed limit could be considered for Fifth Avenue.

The Director, Environmental Services stated that the existing business on Ross Street would be consulted.

The Director, Environmental Services stated that the speed limit on Fifth Avenue would be reviewed.

Motion by Alderman Campbell - Mayor Barwick:

THAT: Report ES15-07 be received for information; and further,

THAT: The Traffic By-law 45-89 Schedule 1 - No Stopping be amended to implement a No Stopping Restriction on the East side of Ross Street from 30m south to 15m north of Locust Street and on the West side of Ross Street from 15m south to 30m north of Locust Street; and further,

THAT: The Traffic By-law 45-89 Schedule 1 - No Stopping be amended to implement a No Stopping Restriction on the North side of Myrtle Street from 30m east to 15m west of Smith Avenue and on the South side of Myrtle Street from 15m east to 30m west of Smith Avenue; and further,

THAT: Wc-1 School area signs be installed on eastbound and westbound Myrtle Street in advance of School property; and further,

THAT: Two additional Wc-2 School Crossing signs be installed and two Wc-2A School Crossing Ahead signs be installed in advance of the crossing on Myrtle Street/Smith Avenue in support of the Safety Patrol location; and further,

THAT: A written response be sent to Mr. Randy Walsh, Myrtle Street School council Chair, indicating that an Adult Crossing Guard is not justified at the intersection of Fifth Avenue/Myrtle Street; and further,

THAT: The two Wc-2 signs at the abandoned crossing on Fifth Avenue/Myrtle Street be removed and replaced with Wc-7 Pedestrian Ahead signs consistent with other Pedestrian Courtesy crossings in the City.

Carried.

By-Law for Loitering

Termination of Fire Dispatch Services

New Year's Eve Transit Service - Appendix "K"

The members discussed the fact that the cost associated with the New Year's Eve Transit Service needed to be forwarded to MADD and further that there may be opportunities for this cost analysis to be used for other special events requiring transit service.

The members, by consensus, directed that a copy of Report ES12-07 be forwarded to MADD.

Motion by Alderman Chapman - Baldwin-Sands:

THAT: Report ES12-07 of the Supervisor of Roads and Transportation regarding New Years Eve Transit Service - 2007 Operating Costs be received for information.

Carried.

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Intersection of Third Avenue and Wellington Street

White Street Yield Signs

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

Replacement of Railway Ties

NEW BUSINESS

BUSINESS CONCLUDED

SOCIAL SERVICES COMMITTEE - Chairman L. Baldwin-Sands

UNFINISHED BUSINESS

Affordable Housing Program - Review of Financial Concessions

NEW BUSINESS

BUSINESS CONCLUDED

COUNCIL

Council reconvened into regular session.

REPORTS PENDING

ROAD RESURFACING PROGRAM - BUDGET FORECASTS - J. Dewancker

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

Environmental Services Committee - Chairman T. Johnston

Personnel and Labour Relations Committee - Chairman G. Campbell

Finance and Administration Committee - Chairman T. Shackelton

Community Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman D. Warden

Social Services Committee - Chairman L. Baldwin-Sands

Motion by Alderman Shackelton - Chapman:

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 Second Report of the Site Plan Control Committee - Appendix "L"

The members inquired about Clause 1 of the Site Plan Control Committee report and specifically if commercial enterprises were now permitted in residential areas.

The Director of Planning stated that while staff had recommended against the subject use, it was approved by Council. He stated that home occupations were still a permitted use provided that the business trade was done by telephone. Further, he stated that the property referred to in

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Clause 1 of the Site Plan Control Committee report would be required to have proper approvals for its signage.

Motion by Alderman Johnston - Chapman:

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

Carried.

PETITIONS AND COMMUNICATIONS

Waste Diversion Ontario - Marketing of Blue Box Materials

A letter was received from Glenda Gies, Executive Director, Waste Diversion Ontario, regarding proper diligence in the municipal recycling process.

London Homeless Coalition - Homelessness Partnering Strategy

A letter was received from David Sanders, Administrative Support, London Homeless Coalition, outlining the Coalition's submissions and recommendations to the new Minister of Human Resources Social Development.

Gold Wing Road Riders Association - Regional Motorcycle Rally - Request for City Pins

Motion by Alderman Warden - Shackelton:

THAT: Council provide 1000 St. Thomas city pins to the Gold Wing Road Riders Association for the Rendezvous 2007 rally to be held August 3 - 5, 2007 in the St. Thomas area.

Carried.

Thank You Letter - Bus Service - Fantasy of Lights

A letter was received from Lila Briggs, President, Resident Council, Caressant Care on Bonnie Place, thanking the members for providing 4 nights of free bus rides for the seniors during the Fantasy of Lights.

London District Catholic School Board - St. Thomas Public Library Representative

Motion by Alderman Baldwin-Sands - Chapman:

THAT: Council appoint Shirley Poirier to the St. Thomas Public Library Board, for the term of Council.

Carried.

Thank You Letter

A letter was received from Don Cann, St. Thomas Police Services Board member, thanking City Council for reappointing him to the Board.

Royal Canadian Legion - Red Fridays in Support of our Canadian Forces Services Personnel

Motion by Alderman Shackelton - Warden:

THAT: The Council of the Corporation of the City of St. Thomas supports Canadian Services personnel and requests staff and the public to wear red on Fridays to "Support our Troops".

Carried.

Paralympics Ontario - Request for Hosting Bids

Motion by Alderman Warden - Aarts:

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THAT: The correspondence from Cathy Vincelli, Executive Director, Paralympics Ontario, requesting that the City to consider hosting the 2008 Ontario Paralympic Summer Championships, be referred to the Treasury Department.

Carried.

Volunteer Elgin - National Volunteer Week - Proclamation and Flag Raising - April 16th to 22nd, 2007

Motion by Alderman Shackelton - Baldwin-Sands:

THAT: The Council of the Corporation of the City of St. Thomas proclaim April 16th to 22nd, 2007 as "National Volunteer Week" in the City of St. Thomas; and further,

THAT: Volunteer Elgin flag be flown at City Hall for the week of April 16th to April 22nd, 2007.

Carried.

Ontario Provincial Fastball Championships - Concession Services

The Director of Finance and City Treasurer stated that he would attempt to have a response back to Council regarding this request in two weeks.

Motion by Alderman Chapman - Aarts:

THAT: The correspondence from Bill Horne, St. Thomas Fastball Team, requesting that the City grant the St. Thomas Fastball Team exclusive rights to provide concession services during the Senior and Intermediate Ontario Provincial Championships, August 3rd to August 6th, 2007, be referred to the Treasury Department.

Carried.

Grand River Conservation Authority - Clean Water Act and Source Protection

A letter and publication was received from Lorrie Minshall, Source Protection Program Director, Lake Erie Source Protection Region, regarding the Clean Water Act and the Guide to Source Protection in the Lake Erie Source Protection Region and offering to make a presentation should Council be interested.

Royal Canadian Legion Lord Elgin Branch 41 - Temporary Extension - Liquor Licence

Motion by Alderman Warden - Shackelton:

THAT: Council provide a letter of "no objection" to the temporary extension of the Royal Canadian Legion, Lord Elgin Branch 41's liquor licence for May 18 & 19, June 29 & 30, August 3 & 4 and August 24 & 25, 2007 at John Street.

Carried.

Canadian Owners and Pilots Association Flight 75 - Request for Support to Host National Convention - St. Thomas Municipal Airport

Motion by Alderman Baldwin-Sands - Chapman:

THAT: Council provide a letter of support for the Canadian Owners and Pilots Association Flight 75's application to host the Association's National Convention at the St. Thomas Municipal Airport from July 11th to 13th, 2008.

Carried.

Canada China Business Council - 20th Annual Canadian Charity Ball - May 19, 2007

A letter was received from John Jeakins, Chairperson, 20th Annual Canadian Charity Ball Committee, requesting a photograph and a memento package by March 1, 2007 to be displayed on a table at the charity ball being held on Beijing, China.

Council took no action regarding this matter.

Tobacco Industry - Exit Strategy Program - Resolution

Mayor Barwick provided the members with an overview of his attendance at a recent meeting with the Tobacco Marketing Board along with other government officials and that he was impressed with the exit strategy that was being proposed by the Tobacco Marketing Board and the tobacco growers.

Motion by Alderman Shackelton - Baldwin-Sands:

THAT: The resolution received from the Town of Tillsonburg regarding an exit strategy program for those who have invested in the tobacco industry be endorsed.

Carried.

2007 St. Anne's Community Festival

Motion by Alderman Aarts - Chapman:

THAT: The correspondence from Rev. Rick Dales, St. Anne's Community Festival, requesting approval and authorization for the 2007 festival, be referred to the Special Events Committee.

Carried.

Social Housing Services Corporation Board of Directors Nominations

Motion by Alderman Aarts - Chapman:

THAT: Council nominate the following individual(s) to the Social Housing Services Corporation Board of Directors for the June 30th, 2007 to December 31st, 2009 term:

Sandra Datars-Bere.

Carried.

Heart and Stroke Foundation - Chili Cook Off

Mayor Barwick reminded the members and the community about the upcoming Chili Cook Off to be held on February 8th at the St. Anne's Centre.

T.V. Ross Swimming Championships

Alderman Baldwin-Sands extended best wishes to area high schools as they compete in the T.V. Ross Swimming Championships.

Alma College - St. Thomas Times Journal Newspaper Article

Alderman Aarts stated, in response to a recent article in the St. Thomas Times Journal regarding Alma College, that he had not withheld any information from anyone and he asked the City Clerk to comment on the status of information.

The City Clerk stated that information in question from last August was still in the hands of the Working Group that had been established to review Alma College.

Alderman Aarts stated that there was no tainted conduct and that he had provided all information to Council.

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UNFINISHED BUSINESS

NEW BUSINESS

Elgin and St. Thomas Housing Corporation - Board of Directors Appointments

Motion by Alderman Baldwin-Sands - Aarts:

THAT: The following individuals be appointed as board members of the Elgin and St. Thomas Housing Corporation effective immediately for a three-year term:

Linda Stevenson
Marilyn D. Fleck

Carried.

BY-LAWS

First, Second and Third Reading

Motion by Alderman Shackelton - Baldwin-Sands:

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 5th day of February, 2007.
2. A by-law to remove certain lands from Part Lot Control. (Lots 37, 39 & 40, 44-52, 59-62, 64 & 65, Plan 11M-164 - Peach Tree Boulevard and Pear Tree Avenue - semi detached lots - H.J. Hayhoe Ltd./Doug. Tarry Ltd.)
3. A by-law relating to unscheduled gathering and loitering on municipal parklands.

Carried.

First and Second Readings

Motion by Alderman Shackelton - Baldwin-Sands:

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 - Baldwin-Sands:

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 5th day of February, 2007. (B/L 13-2007)
2. A by-law to remove certain lands from Part Lot Control. (Lots 37, 39 & 40, 44-52, 59-62, 64 & 65, Plan 11M-164 - Peach Tree Boulevard and Pear Tree Avenue - semi detached lots - H.J. Hayhoe Ltd./Doug. Tarry Ltd.) (B/L 14-2007)

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3. A by-law relating to unscheduled gathering and loitering on municipal parklands.
(B/L 15-2007)

Carried.

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

Motion by Alderman Campbell - Johnston:

THAT: This meeting be closed to deal with personal matters about identifiable individuals, matters protected under the Municipal Freedom of Information and Protection of Privacy Act, matters regarding property and matters regarding potential litigation.

Carried.

Location of School - Southeast Quadrant - Appendix "M"

The members discussed the proposals for a new school that had been presented including conceptual road layouts.

The Director, Environmental Services stated that the Draft Plan of Subdivision would be brought back to Council for approval.

The Director of Planning stated that a stormwater management pond was now being proposed within this development area and further that the woodlot environmental process was nearing completion.

The members inquired about the requirement for the developer to provide the City with an additional acre of parkland and also how the liabilities would be addressed within a joint use agreement.

The Director of Planning stated that the Planning Act required the developer to provide a five percent parkland dedication.

The Director, Environmental Services stated that a memorandum of agreement would be provided for the members' consideration.

Motion by Alderman Campbell - Aarts:

THAT: Report ES16-07 be received as information; and further,

THAT: The City of St. Thomas confirm with the Thames Valley District School Board (TVDSB) and with D.J. Tarry Ltd., its concurrence with the preliminary site concept for the future establishment of an elementary school in the southeast area of the City; and further,

THAT: Staff be directed to negotiate with the TVDSB a memorandum of agreement for the joint use by the City and the TVDSB of the school and park area within the second phase of the Orchard Park Subdivision development for report back to Council. Such memorandum of agreement to be prepared upon determination by the TVDSB and the City of St. Thomas of the future park functions that will be incorporated into design of the park lands; and further,

THAT: The subdivision Agreement between D.J. Tarry Ltd., and the City of St. Thomas for the development of a subsequent phase of the Orchard Park subdivision development include a clause pertaining to parkland dedication as outlined in option 2 of this report.

Carried.

Appointments to Elgin - St. Thomas Housing Authority

The members inquired if the position for the Elgin - St. Thomas Housing Authority had been advertised.

Alderman Aarts stated that the positions had been advertised.

Alderman Baldwin-Sands stated that the individual in West Elgin had been approached about serving on the Elgin - St. Thomas Housing Authority.

The members dealt with a resolution in the open session.

St. Thomas Hydro Inc.

The members deferred any decision on the appointment of a new member to the St. Thomas Hydro Inc. until Mr. Hollywood had returned from vacation so that clarification could be sought about the member who had resigned from the Board.

OPEN SESSION

Motion by Alderman Baldwin-Sands - Campbell:

THAT: We do now rise from Closed Session. (6:27 p.m.)

Carried.

CLOSED SESSION

Motion by Alderman Johnston - Aarts:

THAT: Council move into Closed Session at 8:40 p.m.

Carried.

Alma College - Ontario Municipal Board Hearing - Appendix "N"

The City Clerk provided the members with an update regarding the status of the court proceedings relating to Alma College and the pending Ontario Municipal Board hearing.

The members received correspondence from Mr. Barry Card dated February 2, 2007, which was Mr. Card's report on the court proceedings.

The members, by consensus, requested that Mr. Barry Card represent the City at the upcoming Ontario Municipal Board Hearing.

Motion by Alderman Baldwin-Sands - Chapman:

THAT: Council receive Report CC-07-07 of the City Clerk, regarding Alma College - Ontario Municipal Board Hearing as information.

Carried.

Motion by Alderman Chapman - Aarts:

THAT: Council request staff to coordinate a technical meeting to update the status of Alma College with the Ministry of Culture, the Ontario Heritage Trust, the Municipal Heritage Committee, Mr. Patrick Coles and Mr. Bob Peterman prior to finalizing evidence for the Ontario Municipal Board Hearing.

Carried.

CASO Corridor

The members discussed the pending sale of the CASO corridor.

The members received correspondence from the Southern Ontario Locomotive Restoration Society dated February 2, 2007.

The members received an email from Francois Lemay, CN Railway, dated January 16, 2007 regarding the PSTR railway line.

Mayor Barwick provided the members with a copy of a letter that he had written a letter to MP Joe Preston regarding the discontinuance process.

The members discussed the need for the CASO Committee to meet in order to review the correspondence that had been received from CN Railway along with correspondence from the local rail groups.

St. Thomas - Elgin General Hospital

Alderman Warden informed the members about a concern at the hospital regarding the funding of pediatricians and that the hospital was awaiting a response from Minister Steve Peters.

Further, he informed the members that the hospital might be issuing a press release about this matter.

Solid Waste Management

The Director, Environmental Services stated that the lower tier municipalities in Elgin County were attempting to negotiate a tipping fee for the landfill and the City had been asked if it was interested in participating in that process.

The members, by consensus, agreed that the City should participate in the negotiation process with the lower tier municipalities.

Mayor Barwick informed the members that a delegation of councillors from the City of Toronto would be coming to the City on February 14th to discuss the landfill issues.

REPORTS PENDING - CLOSED SESSION

Lake Margaret Management/Conservation Plan - Management Board

Proposed Purchase by D & B Developments of Part of Pinafore Park Lands

Green Lane Environmental - Garbage Contracts - J. Dewancker

St. Thomas Police Services Space Needs - W. Day

Organization of Parks and Recreation Functions - W. Day/J. Dewancker/G. Dart

Review of Property Management Functions - G. Dart

St. Thomas Transit Terminal Building - J. Dewancker/W. Day

OPEN SESSION

Motion by Alderman Warden - Johnston:

THAT: Council adjourn from Closed Session at 9:14 p.m.

Carried.

Alma College - Ontario Municipal Board Hearing

Motion by Alderman Baldwin-Sands - Campbell:

THAT: Council petition the Federal Government and the Government of Ontario to immediately define a firm position regarding the designation of Alma College as a National - Provincially significant heritage asset and to take appropriate immediate actions, as required, to ensure the protection of the building.

Carried.

C.N. Railway - Correspondence

Motion by Alderman Johnston - Shackelton:

THAT: Council receive the January 29, 2007 correspondence from C.N. Railway relating to the discontinuance of the CASO Subdivision; and further,

THAT: This correspondence be forwarded to the CASO Committee.

Carried.

Motion by Alderman Shackelton - Baldwin-Sands:

THAT: Council request the Province of Ontario, Ministry of Transportation, to acquire the CASO lands.

Carried.

ADJOURNMENT

Motion by Alderman Johnston - Aarts:

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

Carried.