

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 9**

St. Clair Civic Centre
Council Chambers
Tuesday, May 22, 2007
7:00 p.m.

The regular semi-monthly meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	S. Arnold	Mayor
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	P. Brown,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of May 7, 2007, Session #8
Moore Museum Advisory Committee minutes of May 2, 2007
Committee of the Whole, PW&O and F&A Committee meeting of May 9, 2007
Drainage Committee minutes of May 10, 2007

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15 p.m. – Fred Janess – Courtright Line parking
7:30 p.m. – Rezoning – Bruce Dramnitzke for Crossroads Christian Church
7:45 p.m. – Health Care Worker Recruitment Task Force – Letter to Ministry

CORRESPONDENCE:

- a) Sarnia & District Sarnia Humane Society
- b) Mel & Sandy Broad – drainage issue
- c) Jim Kutyba – Courtright Line parking
- d) Courtright Friendship Club – parking
- e) Moore Museum – Governance Policy amendments
- f) Barry Uitvlugt – Minister’s Zoning Order

INFORMATION:

- 1) Sarnia Heavy Construction – invitation
- 2) St. John Ambulance – Thank you
- 3) Huron House Boys’ Home Foundation – Thank you
- 4) Moore Presbyterian Foundation – Thank you
- 5) County of Lambton – Appointment
- 6) Public Hearing Notice – Rezoning - S Pt. Lot 16, Con. 8
- 7) Jeff Baranek – Planning Report – S. Pt. Lot 16, Con. 8
- 8) County of Lambton – Hwy #40 Reconstruction Project
- 9) County of Lambton – Hill St.
- 10) B.P.A.C. – Great Lakes Basin Ecosystem

DRAINS:

By-law #8 of 2007 – Raymond Drain – Amending
By-law #9 of 2007 – Fournie Drain – Amending
By-law #10 of 2007 – Government #4 Drain – Amending
By-law #11 of 2007 – Selman Drain – Amending
By-law #12 of 2007 – Whitebread Centre Drain – Amending
By-law #13 of 2007 – McCallum Drain – Amending
By-law #14 of 2007 – Henry Drain – Amending
By-law #15 of 2007 – Watson Drain – Amending
By-law #16 of 2007 – O’Leary Drain West - Construction
By-law #17 of 2007 – Johnston Drain - Construction
By-law #18 of 2007 – Dicer Drain – Construction
By-law #19 of 2007 – Hoskin Drain - Construction

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Applications A 17/07, B 6-19/07

DIRECTOR OF ENGINEERING SERVICES:

- St. Clair River Trail – Ontario Power Generation Licensing Agreement
- Riverside Drive Bridge Replacement
- Riverside Drive Bridge - On Site Meeting Notice
- White Line Bridge – Beam Reinforcement (Structure #42)
- Nova Chemicals – Natural Gas Pipeline Crossing Agreement

CLERK'S REPORT:

- Summer meeting dates
- Property Standards Committee

CAO'S REPORT:

MOTIONS:

- Outstanding dog tag fees on 2007 tax sale

BY-LAWS:

By-law 30 of 2007 – Temporary Use (Trailer) Tom & Judith Parker
By-law 31 of 2007 – Nova Chemicals – drain and road crossing agreement
By-law 32 of 2007 – Property Standards Committee – appointments
By-law 33 of 2007 – Zoning By-law Amendment - S. Pt. Lot 16, Con 8
By-law 34 of 2007 – Grass Cutting By-law

COUNCILLOR'S REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of Adjustment – Monday, May 28, 2007
Regular Council – Monday, June 4, 2007 – 7:00 p.m.
Committee of the Whole – Wednesday, June 13, 2007 – 2:00 p.m.
Regular Council – Monday, June 18, 2007 – 7:00 p.m.

ADJOURNMENT:

The Mayor called the meeting to order at 7:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

Mayor Arnold declared a conflict of interest prior to the discussion of By-law Number 31 of 2007 regarding a crossing agreement with Nova Chemicals, as an employee and left the Council Chambers.

MINUTES:

Moved by J. Agar

Seconded by D. Randell

Motion #1 That the minutes of the following meetings be adopted as printed and circulated:

Council meeting of May 7, 2007, Session #8
Moore Museum Committee minutes of May 2, 2007
Drainage Committee minutes of May 10, 2007

CARRIED

In discussion of the minutes of the Public Works and Operations Committee meeting on May 9th, Mayor Arnold pointed out that relative to Motion #18 on Page 5 it was his intention that the additional lights be placed on the Lyndoch Street pedestrian crossing as 2007 project.

Moved by P. Brown

Seconded by J. Agar

Motion #2 That the minutes of the Committee of the Whole (Combined meeting of Finance & Administration and Public Works & Operations) meeting of May 9, 2007, be adopted as printed and circulated, and amended.

CARRIED

CORRESPONDENCE:

Moved by P. Gilliland

Seconded by J. Agar

Motion #3 That the Council of the Township of St. Clair give permission to Sarnia and District Humane Society to conduct Tag Days in the Township of St. Clair September 7th and 8th, 2007.

CARRIED

Council reviewed the information received from Mel and Sandy Broad regarding a drainage issue in Sombra Village. CAO Rodey pointed out that staff have advised that the drain in question was blocked by river ice this past winter leading to the flooding problem in the area. It is planned that the drain will be investigated and repaired this construction season. Council directed that this information be provided to Mr. and Mrs. Broad by way of a letter with the Mayor's signature.

Council reviewed the Communication received on behalf of the Courtright Friendship Club regarding parking. Council directed that the letter from the Friendship Club and the parking issue be referred to the Director of Community Services for investigation and comment.

Moved by D. Randell

Seconded by J. Agar

Motion #4 That Council endorse the draft amendment to the Moore Museum Governance Policy.

CARRIED

Council reviewed the report prepared by Barry Uitvlugt regarding a possible Minister's Zoning Order request after a brief discussion, it was:

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #5

WHEREAS the development of the lands subject to this resolution represent a significant economic opportunity for the Township of St. Clair, the County of Lambton, and the Province of Ontario;

AND WHEREAS the timetable for the completion of the development of the site will be significantly constrained by the time required to amend the relevant planning document (zoning by-law No. 17 of 2003) through normal procedures;

AND WHEREAS it is the opinion of the Township of St. Clair that the timely approval of the development is in the best interest of the Township, the Province and the proponent;

NOW THEREFORE it is resolved that the Corporation of the Township of St. Clair respectfully requests that the Minister of Municipal Affairs and Housing exercise the Minister's authority under Section 47 of the Planning Act to place the subject lands (see Map 1a), Lands within the Geographic Township of Moore Lots 25 to 29 of Concession 4, Lots 25 to 29 of Concession 3, Lots 25 to 28 of Concession 2, Lots 25 to 28 of Concession 1, Lots 1 to 12 of the Front Concession, and Lands within the Geographic Township of Sombra Lots 1 to 9 of Concession 15, Lots 1 to 5 of Concession 14, and Lots 1 to 5 of Concession 13, now in the Township of St. Clair, in the County of Lambton, under a Minister's Zoning Order to permit a large scale refinery (type 3 industrial use), associated uses, appropriate regulations and to address environmental protection;

AND it is resolved that the Corporation of the Township of St. Clair respectfully request support from the County of Lambton regarding the Ministers Zoning Order;

AND it is resolved that the Township's solicitor be directed to work with the Ministry of Municipal Affairs to finalize the boundaries of the Minister's Zoning Order, provide the Ministry with such information and advise as may be required and report to Council as may be required.

CARRIED

Moved by P. Brown

Seconded by P. Gilliland

Motion #6 That the following Correspondence be received and dealt with as per Council's instructions as noted:

- a. Sarnia & District Sarnia Humane Society
Inst. See Motion #3
- b. Mel & Sandy Broad – drainage issue
Inst. reply to be sent to property owners
- c. Jim Kutyba – Courtright Line parking
Inst. Received
- d. Courtright Friendship Club – parking
Inst. refer to Director of Community Services
- e. Moore Museum – Governance Policy amendments
Inst. See Motion #4
- f. Barry Uitvlugt – Minister's Zoning Order
Inst. See Motion #5

CARRIED

Council reviewed the Information received from the Sarnia Heavy Construction Association and the Clerk was asked to respond which Members of Council would be able to attend. Also Council reviewed the communications from the County of Lambton appointing Corrine Nauta as Chief Building Official. Council directed that a letter of congratulations be sent to Ms Nauta in her new position.

DRAINS:

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #7 That Drainage By-law #8 of 2007, being a by-law to raise the sum of \$690.78 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Raymond Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by J. Agar

Seconded by P. Gilliland

Motion #8 That Drainage By-law #9 of 2007, being a by-law to raise the sum of \$4,599.10 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Fournie Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #9 That Drainage By-law #10 of 2007, being a by-law to raise the sum of \$2,195.39 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Government #4 Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #10 That Drainage By-law #11 of 2007, being a by-law to raise the sum of \$2,050.28 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Selman Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #11 That Drainage By-law #12 of 2007, being a by-law to raise the sum of \$4,398.66 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Whitebread Centre Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by J. Agar

Seconded by P. Gilliland

Motion #12 That Drainage By-law #13 of 2007, being a by-law to raise the sum of \$4,825.75 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the McCallum Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #13 That Drainage By-law #14 of 2007, being a by-law to raise the sum of \$1,537.58 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Henry Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #14 That Drainage By-law #15 of 2007, being a by-law to raise the sum of \$1,809.85 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Watson Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #15 That Drainage by-law #16 of 2007 being a by-law to provide drainage works on the O'Leary Drain West, be given the first and second readings and be signed by the Mayor and Clerk.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #16 That Drainage By-law #17 of 2007 being a by-law to provide for a drainage reassessment on the Johnston Drain, be given the first and second readings and be signed by the Mayor and Clerk.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #17 That Drainage By-law #18 of 2007 being a by-law to provide drainage works on the Dicer Drain be given the first and second readings and be signed by the Mayor and Clerk.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #18 That Drainage By-law #19 of 2007 being a by-law to provide drainage works on the Hoskin Drain be given the first and second readings and be signed by the Mayor and Clerk.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At the appointed time Mayor Arnold welcomed on behalf of Council Mr. Fred Janess a resident on the Courtright Line in Brigden present to discuss with Council his earlier letter requesting a parking prohibition on the south side of the Courtright Line adjacent to his property. Mr. Janess stated that heavy truck parking in Brigden on road allowance property adjacent to the restaurant is causing vision problems for vehicles, and Mr. Janess further provided Council with photographs showing the dead grass in the area resulting perhaps from leaking loads from the trucks parked there. Mr. Janess further stated that he does not want trucks parked in front of or adjacent to his property, and further asked Council to consider a parking prohibition on the south side of the Courtright Line west of the Brigden Road intersection.

Mayor Arnold advised Mr. Janess that the road in question is under County jurisdiction and that his concerns are already known to Lambton County senior staff, but that the issue would be further discussed at the County Committee level.

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed applications to the Committee of Adjustment as identified on the agenda and offered no comment.

At the appointed time Mayor Arnold called to order the public meeting called to consider rezoning of property referred to as Part Lot 16, Concession 8, geographic Township of Sombra, Township of St. Clair. Mayor Arnold then called upon Mr. Jeff Baranek with the Lambton County Planning Department who presented his planning merit report on the issue. Mr. Baranek advised that the subject property houses a church and accessory buildings that has been closed. The owners of the property propose, subject to the appropriate rezoning, to sell the property with the existing buildings to be demolished or removed and a single family dwelling developed on the subject site. It was pointed out that the current zoning for the property is Institutional and the proposed new zoning would be Agricultural Non Farm Residential. It was also pointed out by Mr. Baranek that the proposal meets the intent of the Township's Official Plan and in conclusion he supports the adoption of the appropriate rezoning by-law.

Hearing no comments from those in attendance either in opposition or support of the proposal the Mayor declared the public hearing closed.

affiliated itself with the Sarnia Lambton Health Care Worker Recruitment effort through the Task Force and will not seek separate designation as an under serviced area.

At the conclusion of the discussion Mr. McCarthy advised that the only partner that may be adversely affected by the Township not restating its position would be the Town of Petrolia.

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #23 That St. Clair Township will be a member of the Sarnia Lambton Health Care Worker Recruitment Task Force with the inability to withdraw from the Task Force without unanimous approval of other regional partners until the matter can be reconsidered six months after the inaugural of the next municipal Council for St. Clair Township.

DEFEATED

DIRECTOR OF ENGINEERING SERVICES Cont'd:

Council reviewed Mr. Burnham's report on the natural gas pipeline Crossing Agreement proposed with Nova Chemicals. Prior to the discussion Mayor Arnold declared a conflict of interest as a Nova employee and left the Council Chambers. Deputy Mayor Gilliland assumed the Chair.

Moved by D. Randell

Seconded by S. Miller

Motion #24 That the Township of St. Clair enter into a Crossing Agreement with Nova Chemicals (Canada) Ltd. and that the Mayor and Clerk be authorized to sign the agreement or other related documents.

CARRIED

Mayor Arnold returned to the Chair.

CLERK'S REPORT:

The Clerk asked Council to consider a possible summer meeting schedule relative to the tradition of holding one regular monthly Council meeting for the month of July and August.

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #25 That the following meeting schedule for the summer months be adopted:

Committee of the Whole, Wednesday, July 11 at 2:00 p.m.
Regular meeting of Council, Monday, July 16 at 7:00 p.m.
Committee of the Whole, Wednesday, August 8 at 2:00 p.m.
Regular meeting of Council, Monday, August 13 at 7:00 p.m.
Regular meeting of Council, Tuesday, September 4 at 7:00 p.m.

CARRIED

Council was advised by the Clerk of a need to re-establish the Township's Property Standards Committee whose mandate is to hear appeals to Orders of the Property Standards Officer. Council was reminded that the past practice was established by Council that the Committee would consist of a citizen from Ward 1, a citizen from Ward 2 and a member of Council.

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #26 That the following membership to the Township's Property Standards Committee be confirmed:

Ward 1 representative – Shirley Warner
Ward 2 representative – Harry Rome
Council representative – Councillor Pat Brown

CARRIED

DIRECTOR OF COMMUNITY SERVICES:

Council reviewed Mr. Hackett's report regarding the reduction in funding from the Province for student employment for 2007. It was pointed out that the funding was applied for in the amount of \$21,000.00 which was last years funding allocation and in 2007 \$12,820.00 was allocated.

Moved by P. Gilliland

Seconded by D. Randell

Motion #27 That Council support the staffing needs filled by students at the Township's various locations with the grant funding shortfall to be made up from other operating budget savings.

CARRIED

MOTIONS:

Moved by S. Miller

Seconded by P. Gilliland

Motion #28 That staff be directed to place unpaid 2007 dog tag fees on the 2007 tax roll.

CARRIED

BY-LAWS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #29 That By-law 30 of 2007, a by-law to authorize execution of an Agreement with Tom Parker for the temporary use of a mobile trailer on Part Lot B, RP 25R8874 Parts 1 and 2, Concession 13, 3079 St. Clair Parkway, geographic Township of Sombra, Township of St. Clair, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #30 That By-law Number 31 of 2007, being a by-law to authorize execution of a crossing/encroachment agreement with Nova Chemicals for various roads and drains in St. Clair Township, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #31 That By-law Number 32 of 2007, being a by-law to establish a Property Standards Committee for St. Clair Township, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Council was briefed by the Clerk on the provisions of Draft By-law 34 of 2007 being a by-law dealing with grass heights on urban lots. The Clerk advised that the drafting of the by-law would be completed and Council would have an opportunity to review the terms of the Draft By-law at its next meeting.

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland questioned if the Ministry of the Environment have responded to the Township's request made earlier as to the Ministry's findings on the site investigation of the disposal area on the north side of the Courtright Line. Staff was asked to check the status of this response.

Darrell Randell

Councillor Randell advised of a conversation of Mr. Charlie Grant regarding the possibility of naming the road south of the Smith Line referred to locally as the Hay Road. Mr. Grant is requesting the municipality assign a name to the road or provide an explanation why it is

reluctant to do so. Also, Council was advised that the Wilkesport Community Centre is in the process of applying for a Farm Credit Grant, that if accepted would assist in the Hall renovations which include extensive washroom renovations that are planned for 2007. It was pointed out that the results of the grant application would not be known until this fall.

Councillor Randell advised that the Wilkesport Community Centre Board may approach the municipality for a consideration of bridge funding to help finance the project prior to the receipt of grants.

Pat Carswell-Alexander

Councillor Carswell-Alexander asked staff to investigate the relatively long grass at the sanitary sewer pump station in Brigden. Also, staff was asked to provide a status report on the new name pins. Also, advised of receiving a request from Mr. Jack Ford for improved shouldering on the Brigden Road adjacent to his property. Council suggested that this work could be part of the comprehensive rebuilding of that section of the Brigden Road. Also, staff was asked to investigate a drainage problem on the Mike Nantais property at 2346 Courtright Line. In response to staff questions Councillor Carswell-Alexander did not know if the drain in question was, in fact, a municipal drain, an award drain or a private drain.

In response to Councillor Carswell-Alexander's inquiry regarding a small section of private property east of the Pentecostal Church in Corunna. It was suggested to Councillor Carswell-Alexander that the requesting party put their request formally to Council by way of letter.

Council was also advised that several merchants and citizens in Brigden are starting a fund raising campaign to provide for the cost to install Christmas lights in the Village. It was estimated that each light would cost approximately \$400.00 per fixture and the group hopes to finance the purchase of approximately ten fixtures for the 2007 Christmas Season.

Steve Arnold

Mayor Arnold attended with Councillor Carswell-Alexander the recent grand re-opening of the Lambton Financial Credit Union in Brigden, and as well attended the Victorian Tea sponsored by the Moore Museum Board. The Mayor expressed his desire to convene a meeting of the St. Clair Township Economic Development Committee consisting of the Mayor, Deputy Mayor and Councillor Miller perhaps in mid June to discuss possible development on municipal property in and adjacent to the Civic Centre property.

Also Council discussed a request from the Lambton Highland Games Committee requesting Township sponsorship by way of promotional advertising.

Moved by P. Gilliland

Seconded by D. Randell

Motion #32 That Council approve a sponsorship ad in the amount of \$75.00 to the Sarnia and District Highland Games for 2007.

CARRIED

UNFINISHED BUSINESS

Council discussed in detail the issue of the Courtright Line Parking through Brigden. After considerable discussion, it was;

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #33 That it be recommended to the County of Lambton that a parking prohibition be established 9 metres east and 9 metres west of the driveway servicing property known as 2329 Courtright Line and with a further recommendation that parking be prohibited 9 metres east and 9 metres west of the driveway servicing the Glen Dawson property at 2347 Courtright Line.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #34 That it be recommended to the County of Lambton that a parking prohibition be established on the south side of the Courtright Line from a point 9 metres west of the driveway servicing the Preece Enterprise property to the intersection of County Road 80 and the Brigden Road

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #35 That the County of Lambton be asked to investigate with the Ministry of the Environment the issue brought to Council's attention by Mr. Fred Janess regarding possible shoulder contamination from material leaking from vehicles parked on the south side of the Courtright Line.

CARRIED

ADJOURNMENT:

Hearing no further business, it was;

Moved by D. Randell

Seconded by P. Brown

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:10 p.m.

MAYOR

CLERK