

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #7**

St. Clair Civic Centre
Council Chambers
Monday, April 7, 2008
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 March 17, 2008

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15 pm Maria Cossa-Rossi – Lambton County Homeownership Program
7:30 pm Raymond Sohn – 769 St. Clair Parkway re-zoning
8:00 pm Court of Revision – Laur Drain
8:30 pm Sam Youssef – Proposed subdivision

CORRESPONDENCE:

- a) Alzheimer Society – Tag day
- b) Shirley & Hugh Saunders – Deeming by-law
- c) Yvonne Smithers – Property Standards
- d) Brigden Optimist Club – permission
- e) L.C.R.G.P.A. – Annual meeting April 24, 2008
- f) Rich McFadden – Stokes Award Drain

INFORMATION:

- 1) MOE – Guthrie Park
- 2) Corunna Community Policing – March 4 & April 1, 2008 minutes
- 3) David & Julie Little – bike track
- 4) SCRCA – annual report
- 6) County of Lambton – 2008 Budget
- 7) County of Lambton – Council Highlights
- 8) County of Lambton – Tobacco display
- 9) County of Lambton – Emerald Ash Borer
- 10) A.M.O. – OMPF funding
- 11) A.M.O. – Climate change task force
- 12) A.M.O. – COMRIF

- 13) Township of St. Clair – Notice of passing – By-law #15 of 2008
- 14) Township of St. Clair – Notice of passing – By-law #16 of 2008
- 15) Allen & Kay Pickard – Dirt bike track
- 16) VON – donation request
- 17) Jeff Baranek – Planning report – 769 St. Clair Parkway
- 18) Ministry of Public Infrastructure Renewal - grant**

DRAINS:

By-law #5 of 2008 – Telfer Creek and Pulse Creek Diversion Channel Drain - Amending
By-law #6 of 2008 – Lamb Drain – Amending
By-law #7 of 2008 – Taylor Drain – Actual

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment - Decisions A8/08, A10/08 & A11/08
- Applications A12/08 & A13/08

Drainage Superintendent – Stokes Award Drain – McFadden request

CORDINATOR OF OPERATIONS (WORKS):

Yard Waste/Brush Collection Program
Port Lambton Parking Restrictions

DIRECTOR OF PUBLIC WORKS & OPERATIONS:

Street Reconstruction Tender
Provincial Grant Spending

CORDINATOR OF PLANNING REPORT:

Suncor Ethanol Plant – Phase 2 – Dev. Agreement
Youssef Subdivision Agreement – St. Clair Blvd. East of tracks

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

Draft proclamation policy

BY-LAWS:

By-law #17 of 2008 – Adopt budget
By-law #18 of 2008 – Suncor Ethanol Plant Dev. Agreement
By-law #19 of 2008 – Youssef Plan of Subdivision
By-law #20 of 2008 – Confirming by-law
By-law #21 of 2008 – Removing certain lands from Part Lot Control
By-law #22 of 2008 – Deeming by-law
By-law #23 of 2008 – 2008 Municipal Road and Bridge Infrastructure grant
By-law #24 of 2008 – Ray Sohn

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

In-camera – personnel

UPCOMING MEETINGS:

Finance and Administration & Public Works and Operations – Monday April 14, 2008 ~ 6:00pm
Regular Council Monday April 21, 2008 ~ 7:00pm

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:

None declared.

MINUTES:

Council proceeded to review the minutes as listed on the agenda.

It was pointed out that on page 5 of the minutes, motion #15 was duplicated.

Moved by P. Gilliland

Seconded by P. Brown

Motion #1 That the minutes of the Regular Council meeting of Council held March 17, 2008 be adopted as amended.

CARRIED

CORRESPONDENCE:

Moved by J. Agar

Seconded by D. Randell

Motion #2 That the Alzheimer Society of Sarnia-Lambton be granted permission to hold their 8th annual Tag Day in the Township of St. Clair on June 13 & 14 of 2008.

CARRIED

Council proceeded to review the letter received from Shirley & Hugh Saunders regarding a request for a deeming by-law for their property in Courtright. The Clerk pointed out to members of Council that the County Planner is not recommending the passing of a deeming by-law to allow the construction of a 2 car garage on what is now a vacant lot due to the fact an infilling opportunity would be lost. Council deferred the decision on the request until later in the meeting.

Moved by P. Brown

Seconded by S. Miller

Motion #3 That the letter from Yvonne Smithers be forwarded to the Property Standards Officer for further investigation and report.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #4 That the letter received from the Brigden Legion and Brigden Optimist requesting the road closure request for Brigden Road from Courtright Line to Jane Street and the request for a refreshment tent at the annual Brigden Community Fest to be held August 19th, 2008 be granted, subject to the provision of the appropriate policing and security as per Township policy be granted.

CARRIED

Moved by S. Miller

Seconded by P. Brown

Motion #5 That the invitation received from Lambton County Rural Game Protective Association for the 2008 Annual Banquet on April 24, 2008 be accepted and the appropriate membership fee paid.

CARRIED

Moved by D. Randell

Seconded by J. Agar

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

- a. Alzheimer Society – tag days
Inst. Motion #2
- b. Shirley & Hugh Saunders – Deeming by-law
Inst. Motion #29
- c. Yvonne Smithers – Property Standards
Inst. Motion # 3
- d. Brigden Optimist Club - permission
Inst. Motion #4
- e. LCRGPA – Annual meeting April 24, 2008
Inst. Motion #5
- f. Rich McFadden – Stokes Award Drain
Inst. Received for information

CARRIED

INFORMATION:

Council reviewed the communication from AMO regarding the Ontario Municipal Partnership Fund and Staff was directed to send a letter of thanks to Minister Dwight Duncan for the maintenance of the 2007 funding levels for the Township for the year 2008.

At the appointed time, Mayor Arnold on behalf of Council welcomed Maria Cossa-Rossi present to explain to Council the Lambton County Home Owner's Program. Ms. Cossa-Rossi advised that the County currently had enough funding for the creation of 37 housing units and additional Provincial funding has been obtained for an additional 25 units. The program basically called for a forgivable interest free down payment loan up to 5% of the housing stock value to a maximum of \$9,000.00. One of the conditions for participation in the program is that the home owner must reside in the home as its principle residence for at least 20 years. At the conclusion of the discussion and after response to various questions Council granted its permission for the conduct of a Public Information Open House using the St. Clair Civic Centre. Timing of the meeting planned for late April or early May was suggested as the first Tuesday. Council thanked Ms. Cossa-Rossi for her presentation.

At the appointed time the Mayor called to order the Public Hearing called to consider the application for rezoning submitted on behalf of property known as 769 St. Clair Parkway. The Mayor then called upon County Planner Jeff Baranek to present his Planner's merit report on the issue dated April 2, 2008. In his report Mr. Baranek advised that the current zoning in the property was suburban residential consistent with the zoning on neighbouring properties. The owner is requesting a site specific zoning to allow the construction of a detached accessory building of approximately 900 square feet. Mr. Baranek pointed out that the property owner had previously made an application to the Committee of Adjustment who deemed the request for variance not to be minor but recommended a site specific zoning. Through the discussion it was pointed out that the lot size for the subject property is approximately 1.07 hectares and also if the proposal is approved by Council and the new detached building is built, lot coverage would not exceed

10%. In response to Mayor Arnold's question, no one was present to oppose the application. Mr. Sohn owner of the property was present to speak in favor of the rezoning proposal. Hearing no further comments the Mayor declared the Public Hearing closed and Council returned to order.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion#7 That By-law #24 of 2008 being a by-law to rezone property known as 769 St. Clair Parkway be given the required number of readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Council reviewed the information received from AMO regarding the status of the Comrif funding. Council requested that Staff set up a meeting with MP Pat Davidson to discuss the status of this infrastructure grant funding.

DRAINS:

Moved by J. Agar

Seconded by D. Randell

Motion #8 That Drainage By-law #5 of 2008, being a by-law to raise the sum of \$5,931.00 being money expended out of the General Funds of the Township of St. Clair for the channel repairs to the Telfer Creek and Pulse Creek Diversion Channel 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 J. Agar

Motion #9 That Drainage By-law #6 of 2008, being a by-law to raise the sum of \$6,406.33 being money expended out of the General Funds of the Township of St. Clair for the improvements of the Lamb 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 #10 That Drainage By-law #7 of 2008, being a by-law to raise the sum of \$396,606.66 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement of the Taylor Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed the Committee of Adjustment decisions and applications as listed on the agenda and offered no comment.

DRAINAGE SUPERINTENDENT REPORT:

Council reviewed Mr. Neely's report on the Stokes Award Drain relative to the letter received from Mr. Rich McFadden. In the report Mr. Neely advised that Dennis McCready of Todgham and Case has contacted Mr. McFadden with a suggestion and an agreement that the work proposed to enclose the Stokes Drain would be incorporated into the Engineer's Report elevating the drain to municipal drain status that is currently being prepared by Todgham and Case.

Moved by P. Gilliland

Seconded by D. Randell

Motion #11 That the report of the Drainage Superintendent on the issue of the Stokes Drain relative to the Rich McFadden letter be received for information.

CARRIED

At the appointed time Mayor Arnold called to order the Court of Revision called to hear any assessment appeals on the Laur Drain. Mayor Arnold read into the record the notice of the Court of Revision meeting. The Clerk advised that no written assessment appeals have been received. No verbal appeals were received from those in attendance. Hearing no comments it was:

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #12 That the engineer's assessment on the Laur Drain as prescribed in the engineer's report dated November 16, 2007 be accepted and confirmed and the Court of Revision closed.

CARRIED

Council returned to order.

Moved by P. Gilliland

Seconded by J. Agar

Motion #13 That the engineer's amendment to the Laur Drain report as prescribed in the Engineer's letter dated January 28, 2008 be accepted and adopted.

CARRIED

COORDINATOR OF OPERATIONS/WORKS:

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #14 That the report submitted by the Coordinator of Operations (Works) that the yard/waste brush collection for spring and fall of 2008 remain the same as 2007 to provide separate yard waste curbside service in May, June, October and November. During the balance of the growing season yard waste will be collected with the regular waste subject to the 6 bag limit.

CARRIED

Several members of Council suggested that in future years the yard waste collection protocol be changed to commence mid April and terminate in mid June.

Moved by D. Randell

Seconded by J. Agar

Motion #15 That the report submitted by the Coordinator of Operations (Works) regarding the parking Restriction in Port Lambton be tabled for further discussion.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #16 That the report submitted by the Director of Operations and Engineering dated April 2, 2008 recommending that the tender submitted by B. F. Environmental Consultants Ltd. in the amount of \$1,255,787.00 (plus GST) for the Colborne, Main and Boswell Street Reconstruction project be accepted, and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #17 That the report submitted by the Director of Operations and Engineering dated April 4, 2008 regarding the possible expenditures resulting from the Provincial Grant of \$1,328,317.00 be received and accepted as information.

CARRIED

COORDINATOR OF PLANNING:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #18 That the report submitted by the Coordinator of Planning, dated April 2 requesting that Council approve the development agreement with 2059247 Ontario Inc. to address servicing for the expansion of the Suncor Ethanol Plant be received and accepted as the amended site plan was approved on November 5th, 2007.

CARRIED

Prior to the discussion of Ms. Brennan's report on the Youssef subdivision agreement Council acknowledged Mr. Sam Youssef the Developer of the proposal present to discuss with Council several amendments he would like to see in the draft agreement. Mr. Youssef pointed out that the draft agreement in its current state provides for 100% security funding for the brick wall along St. Clair Boulevard that will be incorporated as part of the second phase of his development. Mr. Youssef stated that his development costs are going to be higher than anticipated with the unanticipated cost of the sanitary sewer pumping station. After considerable discussion and a response to Council's questions Mr. Youssef advised that Phase 1 of his proposal which he hopes to start construction in the near future provide for 22 lots and Phase 2 to provide for the development of the remaining 26 lots. Mr. Youssef stated that he has had considerable interest in the subdivision by way of pre sales and it is his anticipation that Phase 2 will be commenced next year.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #19 That the financial security deposit by way of a letter of credit for the establishment of a brick wall on the south end of the Youssef Development on the north side of St. Clair Boulevard be reduced to 25% of the estimated project costs.

The motion was defeated.

Moved by P. Gilliland

Seconded by J. Agar

Motion #20 That the security deposit in the amount of 100% required to insure the development of the brick fence at the south boundary of the Youssef development be postponed until the commencement of the 2nd phase.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #21 That Council approved the phasing of the proposed Youssef Subdivision Development and the relocation of a berm subject to the necessary permits and noise attenuation study.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #22 That the report submitted by the Coordinator of Planning, dated April 2 between 1560904 Ontario Inc. and St. Clair Township recommending that Council review the conditions of the subdivision agreement for the development of 48 single detached dwellings and 2 blocks (municipal lands). Council should consider giving approval in principle to the subdivision agreement, provided all municipal concerns are addressed financial and otherwise. The Owner is specifically requesting to phase the development, move the berm, pay all development fees on issuance of building permit and waive the recommended 100% deposit on the solid sound privacy brick wall and that Council approve the Owner's request.

CARRIED

C.A.O.'S REPORT:

The CAO advised Council of a need to conduct an in camera session to discuss a property and personnel issue.

Moved by D. Randell

Seconded by S. Miller

Motion #23 That Council endorse the draft proclamation policy prepared by the Clerk dated April 7th, 2008.

CARRIED

BY-LAWS:

Moved by P. Brown

Seconded by S. Miller

Motion #24 That By-law Number 17 being a by-law to adopt the budget for 2008 for the Municipality of The Corporation of the Township of St. Clair, 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 J. Agar

Seconded by D. Randell

Motion #25 That By-law Number 18 of 2008 a by-law to authorize a Development Agreement with Suncor Ethanol Plan, 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. Brown

Seconded by S. Miller

Motion #26 That By-law Number 19 of 2008 a by-law to authorize a Development Agreement with 1065904 Ontario Inc., Township of St. Clair, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed subject to the submitting the necessary plans and financial reports.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #27 That By-law Number 20 of 2008 the By-law for the Township of St. Clair to confirm the resolutions and motions of St. Clair Township which were adopted up to and including the March 17, 2008 Council meeting, 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 S. Miller

Seconded by P. Brown

Motion #28 That By-law Number 21 of 2008 being a by-law to remove certain lands from part lot control referred to as Lots 7, 8, 9 20, 21 and 22 Plan 25M-4 be given the required number of readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #29 That By-law Number 22 of 2008 being a by-law to deem properties known Lot 62 and Lot 63 , Plan 574 be given the required number of readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #30 That By-law Number 23 of 2008 being a by-law to authorize the entering into an agreement with the Province of Ontario for Municipal participation in the 2008 Municipal Road and Bridge Infrastructure Grants be given the required number of readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLOR'S REPORTS:

Pete Gilliland

Questioned Staff on the status on the development of the Organizational Chart for the Municipality. Also, questioned Staff on the status of the Dow closure plans for the Brownfield Site north of Hill Street, east of the Community of Corunna. Deputy Mayor Gilliland also asked staff to attend to the pile of material at the Parkdale Park and asked Staff to prepare a report for consideration at the next finance and administration meeting

for the summer meeting schedule. Also, Deputy Mayor Gilliland asked Public Works Staff to revisit the portion of Bentinck Street reconstructed in 2008 for any restoration needs. Deputy Mayor Gilliland also expressed his opinion of improved street maintenance necessitated by the current Paddock Green construction. Council was advised that staff has had several opportunities to discuss the construction activities and the street condition with the Contractor and several improvements have been made. Deputy Mayor Gilliland also advised of a need to discuss a property and personnel issue in camera.

Jeff Agar

Questioned Staff as to the status of the line painting needed on the St. Clair Parkway adjacent to the No Frills Store. Councillor Agar is also requesting Public Works Staff to contact the County of Lambton with a request to consider establishing a 4-way stop at the intersection of the Petrolia Line and the Kimball Road and Councillor Agar also lead Council in a discussion of the intersection of the Moore Line and Kimball Road that will be impacted by the diversion of Highway 40 traffic to the Kimball Road when Highway 40 is partially reconstructed this year. Councillor Agar also advised Council of receiving a call from a ratepayer regarding the fact that she was asked to leave the Golf Course while walking on the cart paths when the Course was closed.

Darrell Randell

Councillor Randell advised of the upcoming annual meeting of the Wilkesport Community Centre Board planned for April 22nd at 7:00 p.m. Councillor Randell also advised that unfortunately he would be absent from the June 2nd meeting of Council.

Pat Carswell-Alexander

Councillor Pat Carswell-Alexander asked Staff to investigate and contact the CSX Railway regarding the condition of the crossing at the Rokeby Line and as well asked Staff to investigate the pothole at Jane Street. Councillor Carswell-Alexander also had a property issue to discuss in camera. Councillor Carswell-Alexander also asked the appropriate staff to meet with and investigate the drainage problem on the St. Clair Parkway south of the Courtright Line near the site of the new house under construction. Councillor Carswell-Alexander also led Council in a discussion of the continuing heating and cooling problems at the Brigden Hall. The issue would be referred to the Director of Community Services.

Pat Brown

Councillor Brown brought to Council's attention parking issues in the vicinity of the St. John Moore School with congestion created due to the construction going on in the area. At the recent Corunna Community Police and Committee meeting attended by Councillor Brown, the OPP advised that they would talk to the contractor's employees regarding alternate parking. Councillor Brown also attended a meeting with the Clean Harbors Community Committee last week and reminded Council of an April 23rd Open House to be hosted at the Township Civic Centre. Councillor Brown also brought to Council's attention the drainage problem at the intersection of Paget and Alfred Street and asked Staff to investigate.

Steve Arnold

Mayor Arnold advised of a Community Liaison Committee to be hosted by Terra International on May 7th. Also, an invitation he received to attend the April 17th Chili Luncheon in support of the Canadian Cancer Society. Mayor Arnold has been asked to act as a server and Deputy Mayor Gilliland advised that he would perform the same duties. The Mayor will attend the April 9th meeting of the Sarnia Heavy Construction Association and advised Council of an annual meeting of the Lambton Senior's Association scheduled for May 7th.

Council Meeting Minutes
April 7, 2008

Members of Council were reminded by Councillor Randell that the meeting of the Committee of the Whole scheduled for Monday, April 14th will be held at the Wilkesport Community Centre to facilitate a Public Meeting for the Wilkesport residents to explain the status of the sanitary sewer project. Councillor Brown also advised of an issue he would like discussed in the in camera session dealing with property, personnel and legal.

Moved by Pat Brown

Seconded by P. Carswell-Alexander

Motion #31 That the meeting enter an in camera session with the Mayor as Chair.

CARRIED

The meeting returned to order.

In response to Council's questions the CAO advised that the Architect for the new Township Emergency Services Building in Corunna is progressing with the pre - qualification period to expire on April 8th, with the tenders to be called as soon as possible for the retrofit of the building. Councillor Brown suggested that Council have an opportunity to review the current final design plans for review prior to the tender call.

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

Motion #32

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:30 p.m.

MAYOR

CLERK