

TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #11

St. Clair Township Civic Centre
June 4, 2018
6:30 p.m.

A Regular Meeting of Council was held Monday June 4, 2018 at the Council Chambers in Mooretown at 6:30 p.m. with the following people present:

S. Arnold	Mayor
P. Gilliland	Deputy Mayor
J. Agar	Councillor
D. Randell	“
T. Kingston	“
S. Miller	Councillor
J. De Gurse	Councillor

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

AGENDA:

Declaration of Conflict of Interest:

Minutes:

Regular Council Meeting – Session #10 – May 22, 2018
Committee of Adjustment Meeting – April 23, 2018
Committee of the Whole – Special Meeting to Discuss Arena/Sports Complex -
May 25, 2018

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:30 p.m. – Samantha Van Hooft – Buddy Rock Donation
6:40 p.m. – Moore Museum – Canada 150 Seasons in St. Clair Contest Winners
1st prize - Ben Hazzard
2nd prize - Jane Drummond
3rd prize - Lorraine Kraayenbrink

7:00 p.m. – Ken Hall - Enbridge Presentation - Mitigation for Mackinaw Straits
7:30 p.m. – Pete & Laura Thomaes – Fence Issues

CORRESPONDENCE:

- a) Property Standards – 411 Beresford St.
- b) LCHS – Membership Renewal
- c) Fall Walleye Fishing Derby – Mooretown Dock
- d) Illegal Boathouse – 697 Catalpa Way
- e) Overnight Docking – Sombra Public Dock
- f) Property Standards – 414 Ward Line
- g) Property Standards – 1209 George Robertson Waterway
- h) Second Dwelling Request – 355 West Pointe Line
- i) CDBA – Silent Auction Item Request
- j) Property Standards – 108 Templeton St.

INFORMATION:

- 1) Warden's Charity Picnic Invitation
- 2) Telecommunications Tower Notice – 584 St. Clair Parkway
- 3) Moore Presbyterian – Thank You
- 4) Draft Plan of Subdivision – Pt. Lot 27, Concession 11

REPORTS OF COMMITTEES AND OFFICERS:

DIRECTOR OF PUBLIC WORKS' REPORTS:

- FCM Funding – Anaerobic Digestion Feasibility Study at Courtright WWTP
- Policy – Boulevard Restrictions

COORDINATOR OF OPERATIONS' (WORKS) REPORT:

- Decorative Streetlight Replacement – Corunna

COORDINATOR OF OPERATIONS' (WATER/WASTEWATER) REPORT:

- Community Services Water/Sewer Bill for the Sombra Museum

COORDINATOR OF ENGINEERING'S REPORT:

- Paddock Green Subdivision, Phase 16B – Completion Certificate

CLERK'S REPORTS:

- Lame Duck Council 2018
- Building Services Agreement

DEPUTY CLERK/COORDINATOR OF PLANNING'S REPORTS:

- CF Industries – Request for Temporary Modular Buildings at 161 Bickford Line
- NOVA Chemicals (Canada) Ltd. – Request for Temporary Modular Buildings & Modular Storage Units (Sea Cans) – 285 Albert St. & 785 Petrolia Line

MOTIONS:

BY-LAWS:

- 34 of 2018 – To Authorize the Delegation of Authority to the CAO for Certain Acts during a “Lame Duck” Period
- 35 of 2018 – Temporary Modular Building Agreement – CF Industries - 161 Bickford Line
- 36 of 2018 – Building Services & By-law Enforcement Agreement
- 37 of 2018 – Final Tax By-law
- 38 of 2018 – Temporary Modular Building & Sea Can Agreement – 785 Petrolia Line – Nova Chemicals
- 39 of 2018 - Temporary Modular Building & Sea Can Agreement – 285 Albert St. – Nova Chemicals

IN-CAMERA:

- 239 (2) (c) Offer of purchase for property in Township industrial park
- 239 (2) (c) Offer of purchase for Township property on Fairview Blvd.

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – Monday, June 18, 2018 ~ 3:00 p.m.
- Regular Council – Monday, June 18, 2018 ~ 5:00 p.m.
- Regular Council – Tuesday, July 3, 2018 ~ 6:30 p.m.
- Committee of the Whole – Monday, July 16, 2018 ~ 3:00 p.m.
- Regular Council – Monday, July 16, 2018 ~ 5:00 p.m.
- Regular Council - Tuesday, August 7, 2018 ~ 6:30 p.m.

ADJOURNMENT:

Mayor Arnold called the meeting to order at 6:30 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

None declared.

ADOPT MINUTES:

Moved by D. Randell

Seconded by P. Gilliland

Motion #1 Be it resolved that the Minutes from Council Session #10 held May 22, 2018 be received and accepted as printed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #2 Be it resolved that the Minutes from the Committee of Adjustment meeting held April 23, 2018 be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #3 Be it resolved that the Minutes from the Committee of the Whole – Special Meeting to Discuss Arena/Sports Complex held May 25, 2018 be received and accepted as printed.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

6:30 p.m. – Samantha Van Hooft – Buddy Rock Donation

On behalf of Council, Mayor Arnold welcomed Samantha VanHooft to come forward to accept a \$1000 cheque to put towards the installation of Buddy Rocks at Colonel Cameron School in Corunna. Mayor Arnold commended the school for the program and encouraged them to continue working towards a bully-free environment.

6:40 p.m. – Moore Museum – Canada 150 Seasons in St. Clair Contest Winners

On behalf of Council, Mayor Arnold welcomed Jim Townsend to present the top photo awards from the Canada 150 Calendar contest as facilitated by the Moore Museum.

Mr. Townsend presented awards to the following recipients:

- 1st prize - Ben Hazzard
- 2nd prize - Jane Drummond
- 3rd prize - Lorraine Kraayenbrink

7:00 p.m. – Ken Hall - Enbridge Presentation - Mitigation for Mackinaw Straits

On behalf of Council, Mayor Arnold welcomed Ken Hall and Peter Holran of Enbridge to answer two questions:

- Why was Enbridge fined \$1.8 million for not completing required inspections?

- How was Line 5 struck three times in the Mackinaw Straits and how can we be assured it will not happen in St. Clair?

Mr. Holran, the Director of State Government Affairs for Enbridge Operations in the U.S.A., reported that the fines were the result of a misunderstanding of when the timeline for completing the inspections began – Enbridge thought it began when the contract was signed and the State of Michigan started the clock when negotiations were done. All the inspections have been done now and no deficiencies were observed. The contract contained automatic fines, which Enbridge regrets having occurred but, have paid them accordingly.

Line 5 is 240 feet beneath the surface of the Straits and rests on the bottom. Enbridge became aware that their pipe may have been struck but, no alarms on the line were triggered. An investigation by the company determined that it had been struck three times and the 0.8 inch thick pipe was dented. The integrity of the pipe was not compromised by any of the three dents. The U.S. Coast Guard continues to investigate the cause of the dents.

As a result, Enbridge was required by the State of Michigan to consider three options for the replacement of the pipe due to its age: trenching, boring, and tunneling. That report is due in June and a final option will be selected. Despite the integrity of the pipe not having been compromised by the dents or its long-running operation, Enbridge committed to using one of the options to replace the pipe under the Straits.

Before ending the presentation, Enbridge wanted to make it known that Line 5 does not carry heavy crude products, therefore, any spill in the river would rise to the top for simpler removal. If a spill were to occur under ice, Enbridge would respond and the ice would mitigate damage as it would slow down the spread of any spill.

Mayor Arnold thanked Ken and Peter for the very informative presentation and asked that communication between Enbridge and the Township be encouraged.

7:30 p.m. – Pete & Laura Thomaes – Fence Issues

On behalf of Council, Mayor Arnold welcomed Pete and Laura Thomaes to present their concerns about a rear yard fence.

The Thomaes', owners of 361 Ellis, were concerned with the condition of the fence at the rear of their property which they claim belongs to the owner of 360 Alfred Street. The fence has continued to deteriorate and is presently being supported by bracing on the Thomaes property.

Moved by S. Miller

Seconded by J. De Gurse

Motion #4 Be it resolved that staff be directed to begin the process to bring the rear yard fence at the property known as 360 Alfred Street into compliance with Fence By-law 36 of 2010.

CARRIED

CORRESPONDENCE:

Moved by J. Agar

Seconded by D. Randell

Motion #5 Be it resolved that Council accept the following items of correspondence as per Council's direction:

- a) Property Standards – 411 Beresford St.
- b) LCHS – Membership Renewal
- c) Fall Walleye Fishing Derby – Mooretown Dock
- d) Illegal Boathouse – 697 Catalpa Way
- e) Overnight Docking – Sombra Public Dock
- f) Property Standards – 414 Ward Line
- g) Property Standards – 1209 George Robertson Waterway
- h) Second Dwelling Request – 355 West Pointe Line

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- i) CDBA – Silent Auction Item Request
- j) Property Standards – 108 Templeton St.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #6 Be it resolved that the Property Standards complaint against the property known as 411 Beresford be received and that staff be directed to have the By-law Enforcement Officer confirm the existence of weeds and the height of the grass exclusively.

CARRIED

Moved by T. Kingston

Seconded by J. Agar

Motion #7 Be it resolved that the membership fee for the Lambton County Historical Society be paid for the 2018 season.

CARRIED

Moved by T. Kingston

Seconded by D. Randell

Motion #8 Be it resolved that the Clayzy Fall Walleye Classic being held in the St. Clair River September 14, 15 and 16 be authorized to set up a weigh-in station at the boat launch in Mooretown subject to its existence not interrupting the use of the launch by all users.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #9 Be it resolved that staff be directed to begin legal action to have the illegal boathouse at 697 Catalpa Way removed.

CARRIED

Moved by T. Kingston

Seconded by P. Gilliland

Motion #10 Be it resolved that the Property Standards complaint against the property known as 414 Ward Line be received and that staff be directed to investigate and begin the process to correct any deficiencies and that the complaint be forwarded to the OPP for their notification.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #11 Be it resolved that the Property Standards complaint against the property known as 1209 George Robertson Waterway be received and that staff be directed to investigate and begin the process to correct any deficiencies.

CARRIED

Moved by P. Gilliland

Seconded by T. Kingston

Motion #12 Be it resolved that the request submitted by the owners of 355 Pointe Line to reside in their existing dwelling while building a new dwelling on-site be approved subject to entering into an agreement for removal of the original dwelling and submitting the appurtenant securities.

CARRIED

Moved by T. Kingston

Seconded by D. Randell

Motion #13 Be it resolved that the request submitted by the Canadian Deafblind Association for a donation towards their fundraising golf tournament be received and filed and a letter be sent to ask that any donation requests be submitted prior to budget deliberations.

CARRIED

Motion by S. Miller

Seconded by T. Kingston

Motion #14 Be it resolved that the Property Standards complaint against the property known as 108 Templeton Crescent be received and that staff be directed to investigate and begin the process to correct any deficiencies.

CARRIED

INFORMATION:

Moved by J. Agar

Seconded by P. Gilliland

Motion #15 Be it resolved that the following items of information be dealt with as per Council's instructions for agenda items identified 1) to 4):

- 1) Warden's Charity Picnic Invitation
- 2) Telecommunications Tower Notice – 584 St. Clair Parkway
- 3) Moore Presbyterian – Thank You
- 4) Draft Plan of Subdivision – Pt. Lot 27, Concession 11

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

DIRECTOR OF PUBLIC WORKS' REPORTS:

Moved by P. Gilliland

Seconded by J. Agar

Motion #16 Be it resolved that the report submitted by Brian Black – Director of Public Works dated June 4, 2018 with regard to FCM Funding – Anaerobic Digestion Feasibility Study at Courtright WWTP be received as information.

CARRIED

Moved by J. Agar

Seconded by P. Gilliland

Motion #17 Be it resolved that the report submitted by Brian Black – Director of Public Works dated June 4, 2018 with regard to Policy – Boulevard Restrictions be received and that the draft policy contained within be approved.

CARRIED

COORDINATOR OF OPERATIONS' (WORKS) REPORT:

Moved by P. Gilliland

Seconded by J. Agar

Motion #18 Be it resolved that the report of Dave Neely – Coordinator of Operations (Works) dated June 4, 2018 be received and that Council waive the Township procurement policy regarding the approved 2018 Capital project for replacement of 36 decorative streetlights in Corunna, for economic, logistical benefits, considering past product quality, and that:

1. Final approval be granted on the selected fixtures, poles, arms, etc. and that the materials be ordered.
2. Final approval for Don Allenson Services to provide all labour/equipment to install the above units at an updated cost of \$55, 866.24.
3. That the funding shortfall of **\$72,416.74** be paid for from the "Environment and Education Reserve".
4. Arms on poles from Paget – Fane St. – approximately 20 poles for approximately \$4300.00.

CARRIED

Moved by T. Kingston

Seconded by J. Agar

Motion #19 Be it resolved that all the streetlights along Lyndoch Street between Paget Street and Fane Street be equipped with an arm to hang decorations in the approximate amount of \$4300 to be funded by the Environment and Education Fund.

CARRIED

COORDINATOR OF OPERATIONS' (WATER/WASTEWATER) REPORT:

Moved by P. Gilliland

Seconded by J. Agar

Motion #20 Be it resolved that the report submitted by Chris Westbrook – Coordinator of Operations (Water/Wastewater) dated June 4, 2018 be received with regard to Community Services Water/Sewer Bill for the Sombra Museum be received and that Community Services receive a credit of \$3854.31 for 3470 St. Clair Parkway (Sombra Museum) on their June 15, 2018 water/sewer bill.

CARRIED

COORDINATOR OF ENGINEERING'S REPORT:

Moved by P. Gilliland

Seconded by J. Agar

Motion #21 Be it resolved that the report submitted by Paul daSilva – Coordinator of Engineering dated May 30, 2018 be received and that the following recommendations be approved:

1. That the Township of St. Clair accept the development work performed at the Paddock Green Subdivision – Phase 16B and that the 2-year maintenance period be in force until May 28, 2020; and,
2. That an additional \$78,406.25 in financial security be provided to the Township by the developer (Danbury) to cover all outstanding costs as detailed.

CARRIED

CLERK'S REPORTS:

Moved by J. De Gurse

Seconded by T. Kingston

Motion #22 Be it resolved that Council receive the report submitted by Jeff Baranek – Clerk with regard to Lame Duck Council 2018 and that Council give consideration to a draft by-law to delegate authority to execute restrictions placed on Lame Duck Councils pursuant to Section 275 of the Municipal Act.

CARRIED

Moved by T. Kingston

Seconded by J. De Gurse

Motion #23 Be it resolved that Council receive the report submitted by Jeff Baranek – Clerk with regard to Building Services Agreement and that Council approve the attached Building Services Agreement to authorize agents of the County of Lambton to enforce certain Township By-laws.

CARRIED

DEPUTY CLERK'S REPORTS:

Moved by J. De Gurse

Seconded by T. Kingston

Motion #24 Be it resolved that the report submitted by Carlie McClemens – Deputy Clerk/Coordinator of Planning dated May 29, 2018 be received for information purposes and that By-law No. 35 of 2018, being a By-law to Authorize an Agreement with Terra International (Canada) for the temporary use of sixty (60) modular buildings and one (1) temporary tent structure at 161 Bickford Line, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign said by-law accordingly.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #25 Be it resolved that the report submitted by Carlie McClemens – Deputy Clerk/Coordinator of Planning dated May 30, 2018 be received for information purposes and that the following by-laws be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign said by-law accordingly:

- By-law No. 38 of 2018, being a By-law to Authorize an Agreement with NOVA Chemicals (Canada) Ltd. for the temporary use of forty-six (46) modular buildings and forty-one (41) Modular Storage Units at 785 Petrolia Line.
- By-law No. 39 of 2018, being a By-law to Authorize an Agreement with NOVA Chemicals Corporation for the temporary use of fourteen (14) modular buildings and six (6) Modular Storage Units at 285 Albert Street.

CARRIED

MOTIONS:

BY-LAWS:

Moved by T. Kingston

Seconded by S. Miller

Motion #26 Be it resolved that By-law 34 of 2018 – To Authorize the Delegation of Authority to the CAO for Certain Acts during a “Lame Duck” Period be given all three

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readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #27 Be it resolved that By-law 35 of 2018 – Temporary Modular Building Agreement – CF Industries – 161 Bickford Line be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion #28 Be it resolved that By-law 36 of 2018 – Building Services & By-Law Enforcement Agreement be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #29 Be it resolved that By-law 37 of 2018 – Final Tax By-Law be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion #30 Be it resolved that By-law 38 of 2018 – Temporary Modular Building & Sea Can Agreement – 785 Petrolia Line – NOVA Chemicals be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #31 Be it resolved that By-law 39 of 2018 – Temporary Modular Building & Sea Can Agreement – 285 Albert St. – NOVA Chemicals be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland recently attended the St. Clair River Trail meeting, the Moore Sports Complex - Committee of the Whole meeting, the Committee of Adjustment meeting and the SLEP meeting.

Moved by P. Gilliland

Seconded by T. Kingston

Motion #32 Be it resolved that staff be directed to produce a report to identify possible projects to use the money saved from under-budget capital projects.

CARRIED

Councillor Miller:

Councillor Miller reported that he may not be able to attend the meeting on June 18, 2018.

Councillor Kingston:

Councillor Kingston attended the Accessibility Committee meeting held at the Wilkesport Community Hall.

She also reported the water at Brigden Library is not being tested. As a result, the librarian has to provide bottled water for the students.

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Moved by T. Kingston

Seconded by J. De Gurse

Motion #33 Be it resolved that staff determine some options for providing water to the students at the Brigden Library.

CARRIED

Mayor Arnold:

Mayor Arnold attended the tree planting at Brigden, dinner at the Corunna United Church, the Bike Rodeo in Port Lambton, dinner at the United Church in Brigden, dinner at Sacred Heart in Port Lambton, a brain injury awareness seminar and the all candidates meeting for the provincial election in Wyoming.

Mayor Arnold reported TekSavvy is offering DSL service to residents of Port Lambton at 25-50 mps for approximately \$55/month.

Also, the Courtright Park will be sodded this week.

The Mayor advised that the Children's Safety Village is exploring the possibility of locating at the Brigden Fairgrounds.

Mayor Arnold concluded by reporting that the WECI Funding was not approved for the SCRCA for 2018 but, that the staff at the CA has been directed to proceed with phase 2 at Courtright Park with existing funds

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – Monday, June 18, 2018 ~ 3:00 p.m.
- Regular Council – Monday, June 18, 2018 ~ 5:00 p.m.
- Regular Council – Tuesday, July 3, 2018 ~ 6:30 p.m.
- Committee of the Whole – Monday, July 16, 2018 ~ 3:00 p.m.
- Regular Council – Monday, July 16, 2018 ~ 5:00 p.m.
- Regular Council - Tuesday, August 7, 2018 ~ 6:30 p.m.

IN-CAMERA:

Moved by T. Kingston

Seconded by J. De Gurse

Motion #34 Be it resolved that the meeting enter an in-camera session to discuss the following two items:

- 239 (2) (c) Offer of purchase for property in Township industrial park
- 239 (2) (c) Offer of purchase for Township property on Fairview Blvd.

CARRIED

Mayor Arnold declared the meeting back into open session and asked for any forthcoming motions.

ADJOURNMENT:

Seeing no further business to discuss, it was thereby moved:

Moved by D. Randell

Seconded by S. Miller

Motion #35 That the meeting of Council hereby adjourned.

CARRIED

The meeting adjourned at 8:30 p.m.

MAYOR - Steve Arnold

CLERK - Jeff Baranek