



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #5

St. Clair Township Civic Centre
March 2, 2020
3:00 p.m.

A Regular Meeting of Council was held Monday, March 2, 2020 at the Council Chambers in Mooretown at 3:00 p.m. with the following people present:

S. Arnold	Mayor
S. Miller	Deputy Mayor
R. Atkins	Councillor
P. Brown	Councillor
J. De Gurse	Councillor
T. Kingston	Councillor
B. Myers	Councillor

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

AGENDA:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. NEW BUSINESS

4. ADOPTION OF MINUTES

4.1 Regular Council Meeting - Session #3 - February 18, 2020

4.2 Council Meeting#4 – Operating Budget - February 30, 2020

5. DELEGATIONS/PRESENTATIONS

5.1 - 3:00 p.m. – Annette Verhagen (Issues/Project Coordinator) – Ministry of Environment, Conservation and Parks

5.2 - 3:30 p.m. – Bryant Bird (ER Advisor) – Shell Manufacturing Centre Comprehensive Environmental Compliance Approval Application Submissions

6. CORRESPONDENCE ITEMS

6.1 Property Standards Concerns – Beresford Street and Tom Street, Corunna

6.2 Sewer Back-up/Drainage Issues – 4717 Indian Road, Port Lambton

6.3 Rapids Family Health Team – Sponsor Request – Healthy Kids Chefs in Training Summer Camps

6.4 Ilene Struck – Proposal for Mini Farmers' Market in Brigden

7. INFORMATION/CONSENT AGENDA ITEMS

- 7.1 Ministry of Natural Resources and Forestry – Proposed Changes Under the Aggregate Resources Act
- 7.2 News Release – Lambton County Council 2020 Draft Budget Presentation – February 25, 2020
- 7.3 Director of Emergency Services' Information Report
- 7.4 Fire Department Training and Health & Safety Activities – Monthly Report
- 7.5 Fire Department Prevention and Fire Safety Education Activities – Monthly Report
- 7.6 Drainage Superintendent's Monthly Report
- 7.7 Emergency Services' Building Report with Property Condition Assessment

8. RECOMMENDATIONS OF COMMITTEES AND STAFF

- 8.1 Senior Planner's Report - St. Joseph's School – Site Plan Amendment Agreement
- 8.2 Senior Planner's Report – Shell Canada Limited – Site Plan Amendment Agreement
- 8.3 Clerk's Report – Transient Trader Permit
- 8.4 Deputy Clerk's Report – Approval of Subdivision Agreement – Durco Construction Limited
- 8.5 Deputy Clerk's Report – Site Plan Agreement – 2594765 Ontario Limited (Pintus)
- 8.6 Deputy Clerk's Report – Temporary Second Dwelling Agreement – 2884 Kent Line
- 8.7 Treasurer's Report – General Accounts Report & Corporate Credit Card Invoices
- 8.8 Treasurer's Report – St. Clair Municipality 2020 Final Operating Budget
- 8.9 Treasurer's Report – Investment Options Details
- 8.10 Senior Tax Clerk's Report – Sections 357 & 358 for 2018 and 2019 Taxation Years
- 8.11 Director of Public Works' Report – Watermain Connections - Sarnia
- 8.12 Coordinator of Operations' (Works) Report – 2020 Dust Control
- 8.13 Coordinator of Operations' (Works) Report – Gravel Hauling for 2020
- 8.14 Coordinator of Operations' (Works) Report – Pedestrian Crossover – Brander Park – Part 2
- 8.15 Coordinator of Operations' (Works) Report – Shell Vessel Oversized Load
- 8.16 Coordinator of Operations' (Works) Report – Waste Bag Limit
- 8.17 Coordinator of Operations' (Works) Report – Purchase of Used Tractor – 66 Replacement
- 8.18 Director of Community Services' Report – Golf Course Capital Equipment Purchases

8.19 Coordinator of Facilities & Parks' Report – Golf Course Capital Equipment Purchases

9. BY-LAWS

9.1 By-Law 11 of 2020 – Subdivision Agreement – Durco Subdivision Limited

9.2 By-Law 12 of 2020 – Site Plan Agreement Amendment – St. Clair Catholic District Secondary School Board – 535 Birchbank Drive

9.3 By-Law 13 of 2020 – Site Plan Agreement Amendment – 2594765 Ontario Ltd. (Pintus) – 394 Alfred Street

9.4 By-Law 14 of 2020 – Site Plan Agreement Amendment – Shell Canada Ltd. – 150 St. Clair Parkway

9.5 By-Law 15 of 2020 – To Adopt the 2020 Budget

9.6 By-Law 16 of 2020 – Temporary Second Dwelling Agreement – 2884 Kent Line

10. IN CAMERA SESSION

10.1 Municipal Act – Section 239 (2) (b) – Personal Matters related to tax arrears on a property

10.2 Municipal Act – Section 239 (2) (e) – Information Related to Litigation Pertaining to Property Standards

11. COUNCILLORS' REPORTS

12. UPCOMING MEETINGS

12.1 Regular Council Meeting – Monday, March 16, 2020 at 6:00 p.m.

12.2 Regular Council Meeting - Monday, April 6, 2020 at 3:00 p.m.

12.3 Regular Council Meeting – Monday, April 20, 2020 at 6:00 p.m.

13. ADJOURNMENT

1. CALL TO ORDER

At the appointed time of 3:00 p.m., Mayor Arnold declared the meeting to order.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. NEW BUSINESS

Councillor Kingston suggested that the Beacon was due for a reformatting and offered to work with the editor to modernize its publication.

4. ADOPTION OF MINUTES

Moved by B. Myers

Seconded by T. Kingston

Motion 1 Be it resolved that the Minutes from Regular Council - Session #3 held February 18, 2020 be received and accepted as amended.

CARRIED

Moved by B. Myers

Seconded by T. Kingston

Motion 2 Be it resolved that the Minutes from the Operating Budget Council Meeting #4 held February 20, 2020 be received and accepted as amended.

CARRIED

5. DELEGATIONS/PRESENTATIONS

5.1 3:00 p.m. – Shawn Morrison (Issues/Project Coordinator) – Ministry of Environment, Conservation and Parks (MECP)

At the appointed time of 3:00 pm, Mayor Arnold welcomed Shawn Morrison of the Ministry of the Environment, Conservation and Parks (MECP) to make his presentation.

Since 2014, the MECP has undergone significant air quality testing in the Sarnia Lambton area. Property line testing equipment is installed at industrial facilities which generates measurements bi-weekly. Emission reduction programs are in place at most industrial operations in the local area.

Recent changes to the Environmental Protection Act allow fines to be issued against industry by way of environmental penalties. Two local industries have been fined under these new regulations.

The Ladney site on Hill Street remains on the monitor list for the MECP. Three types of testing are observed at the site: annual inspection on foot; annual container integrity report and sporadic sediment and surface water testing – most recently done in 2014. There are four containers on-site: three house contaminated soil and one contains Polychlorinated biphenyls (PCBs). Each year their containment is confirmed by physical inspection by the MECP.

The owner of this property has passed away and attempts to contact the estate have been unsuccessful. If the owner can be located, orders can be issued for remediation. Deputy Mayor Miller was advised that if the owner is never located, an Environmental Clean-Up Fund exists that can be utilized but, Mr. Morrison cautioned that the fund is very difficult to access. Mayor Arnold asked if the MECP can permanently restrict access to the site. Mr. Morrison will consult with colleagues and respond to the municipality to that regard. Mayor Arnold expressed concern of consistent access to the site of pedestrians and ATV use.

Councillor Myers asked if the use and storage of bio-solids is regulated by the MECP. The difficulty for enforcement is enhanced by the classification of the product as a “fertilizer” and not as “waste”. As a result, there is no ability for any agency to restrict or prohibit its use in an agricultural area. There are ongoing studies related to the use of these types of products and it is anticipated that regulations may be on the horizon.

Mayor Arnold thanked Mr. Morrison for the presentation and asked that the MECP continue to share any findings with the municipality, so information can be shared with the public.

5.2 3:30 p.m. – Bryant Bird (ER Advisor) – Shell Manufacturing Centre Comprehensive Environmental Compliance Approval Application Submissions

At the appointed time of 3:30 pm, Mayor Arnold welcomed Bryant Bird/ER Advisor of Shell Canada Limited, to make his presentation. Joining Mr. Bird was Sebastian Robert/ Business Manager; Michael Parkhouse/ Emerging Regulations Specialist; Rima Rizkallah/HSSE and Manufacturing Excellence Manager and Kelly Vansickle/ Environmental Specialist.

4. Fire Department Training and Health & Safety Activities – Monthly Report
5. Fire Department Prevention & Fire Safety Education Activities – Monthly Report
6. Drainage Superintendent's Monthly Report
7. Emergency Services Building – Property Condition Assessment Report

CARRIED

8. RECOMMENDATIONS OF COMMITTEES AND STAFF

- 8.1 Senior Planner's Report – St. Joseph's School – Site Plan Amendment Agreement

Moved by J. De Gurse

Seconded by T. Kingston

Motion 9 Be it resolved that the *St. Joseph's School – Site Plan Amendment Agreement* report as submitted by Senior Planner – Barry Uitvlugt be received as information and that consideration be given to By-law 12 of 2020 to approve the Site Plan Agreement for St. Clair Catholic District School Board.

CARRIED

- 8.2 Senior Planner's Report – Shell Canada Ltd. -Site Plan Amendment Agreement

Moved by T. Kingston

Seconded by B. Myers

Motion 10 Be it resolved that the *Shell Canada Ltd. – Site Plan Amendment Agreement* report as submitted by Senior Planner – Barry Uitvlugt be received as information and that the consideration be given to By-law 14 of 2020 to approve the Site Plan Agreement for Shell Canada Limited.

CARRIED

- 8.3 Clerk's Report – Transient Trader Permit

Moved by T. Kingston

Seconded by J. De Gurse

Motion 11 Be it resolved that the *Transient Trader Permit* report as submitted by Clerk – Jeff Baranek be received as information and that a permit be issued to Upstat Marketing, on behalf of Cogeco Connexion Inc., for a period of 30 days for door to door marketing in Corunna in the amount of \$150.00. accepted as amended.

CARRIED

- 8.4 Deputy Clerk's Report – Approval of Subdivision Agreement – Durco Construction Limited

Moved by T. Kingston

Seconded by B. Myers

Motion 12 Be it resolved that the *Approval of Subdivision Agreement – Durco Construction Ltd.* report as submitted by Acting Coordinator of Planning/Deputy Clerk – Caroline DeSchutter be received as information and that consideration be given to By-law Number 11 of 2020, being a By-law to Approve the Signing of Subdivision/Development Agreement with Durco Construction Inc. for Part Lot 27, Concession 11, geographic Township of Moore, Township of St. Clair, County of Lambton.

CARRIED

- 8.5 Deputy Clerk's Report – Site Plan Agreement - 2594765 Ontario Ltd. (Pintus)

Moved by B. Myers

Seconded by J. De Gurse

Motion 13 Be it resolved that the *Site Plan Agreement – 2594765 Ontario Ltd.* report as submitted by Acting Coordinator of Planning/Deputy Clerk – Caroline DeSchutter be received as information and that By-law Number 13 of 2020, being a By-law to authorize execution of a Site Plan Agreement with 2594765 Ontario Ltd. (Mark Pintus) be considered for approval.

CARRIED

Moved by S. Miller

Seconded by P. Brown

Motion 21 Be it resolved that the *Sections 357 & 358 for 2018 and 2019 Taxation Years* report as submitted by Senior Tax Clerk – Cindy Matias be received as information and that taxes within the report for the 2018 & 2019 taxation years be reduced or cancelled pursuant to Sections 357 and 358 of the Municipal Act, 2001.

CARRIED

8.11 Director of Public Works' Report - Watermain Connections - Sarnia

Moved by P. Brown

Seconded by S. Miller

Motion 22 Be it resolved that the *Watermain Connections - Sarnia* report as submitted by Director of Public Works – Brian Black be received as information and that the two metered watermain connections and associated connection agreements between St. Clair Township and the City of Sarnia, located at LaSalle Line & Virgil Ave. and LaSalle Line & Vidal St. S. Be approved thereby authorizing the Mayor or Clerk to sign the Agreements between the Township of St. Clair and the City of Sarnia.

CARRIED

8.12 Coordinator of Operations (Works) Report – 2020 Dust Control

Moved by S. Miller

Seconded by R. Atkins

Motion 23 Be it resolved that the *2020 Dust Control* report as submitted by Coordinator of Operations (Works) – Dave Neely be received as information and that the Township procurement policy be waived for economic benefits and the quote submitted by Pollard Highway Products Ltd. in the amount of \$0.06 per liter for the '2020 Supply and Application of Chloride Based Liquids for Dust Suppressant' be accepted.

CARRIED

8.13 Coordinator of Operations (Works) Report – Gravel Hauling for 2020

Moved by P. Brown

Seconded by S. Miller

Motion 24 Be it resolved that the *Gravel Hauling for 2020* report as submitted by Coordinator of Operations (Works) – Dave Neely be received as information and that the hiring of McKenzie Henderson Ltd. based on an hourly rate of \$133.00 per hour per truck, to assist in the hauling of approximately 18,000 tonnes of gravel for the 2020 season be approved.

CARRIED

8.14 Coordinator of Operations (Works) Report – Pedestrian Crossover – Brander Park – Part 2

Moved by S. Miller

Seconded by R. Atkins

Motion 25 Be it resolved that the *Pedestrian Crossover – Brander Park* report as submitted by Coordinator of Operations (Works) – Dave Neely be received and the following recommendations be approved:

- 1) That existing pedestrian crossover located at 4538 St. Clair Parkway be removed,
- 2) Install a new upgraded pedestrian crossover immediately north of Pointe Line/Brander Park Road,
- 3) Remove all of the east side off-road asphalt trail located north of the new crossover,
- 4) Upgrade all 6 pedestrian crossover locations to be Level 2 Type D, along the St. Clair Parkway (including the one located at No.4538) as a part of a 2021 capital project at an estimate cost of \$60,000.

TABLED

8.15 Coordinator of Operations (Works) Report – Shell Vessel Oversized Load

Moved by P. Brown

Seconded by R. Atkins

Motion 26 Be it resolved that the *Shell Vessel Oversized Load* report as submitted by Coordinator of Operations (Works) – Dave Neely providing options for heavy haul routes to Shell be received as information.

CARRIED

Moved by S. Miller

Seconded by B. Myers

Motion 27 Be it resolved that large vessels be delivered to the Shell Refinery via following route: Off-load at the Lafarge Dock in Courtright, travel south on the St. Clair Parkway, east on Courtright Line, north on Highway 40, west on LaSalle Line, then south on St. Clair Parkway, into the Shell Entrance.

CARRIED

8.16 Coordinator of Operations (Works) Report – Waste Bag Limit

Moved by T. Kingston

Seconded by P. Brown

Motion 28 Be it resolved that the *Waste Bag Limit* report as submitted by Coordinator of Operations (Works) – Dave Neely be received as information.

CARRIED

Moved by T. Kingston

Seconded by P. Brown

Motion 29 Be it resolved that the waste limit be reduced from six to four bags.

DEFEATED

8.17 Coordinator of Operations (Works) Report – Purchase of Used Tractor – 66 Replacement

Moved by P. Brown

Seconded by S. Miller

Motion 30 Be it resolved that the *Purchase of Used Tractor* report as submitted by Coordinator of Operations (Works) – Dave Neely be received as information and that the Township procurement policy be waived and the purchase of a 2014 John Deere 6125m tractor from Premier Equipment Ltd. for a price of \$98,707.20 (including net HST) to be funded from Public Works Equipment reserve be approved.

CARRIED

8.18 Director of Community Services' Report – Golf Course Capital Equipment Purchases

Moved by R. Atkins

Seconded by S. Miller

Motion 31 Be it resolved that the *Golf Course Capital Equipment Purchases* report as submitted by Director of Community Services – Kendall Lindsay be received as information and that the purchase of the following Capital equipment for the St. Clair Parkway Golf Course be approved:

- 1) From G.C. Duke 10 2020 golf carts at a cost of \$57,900
- 2) From Complete Turf a used Rough Mower at a cost of \$33,000

CARRIED

8.19 Coordinator of Facilities & Parks' Report – Tractor Replacement Purchase

Moved by R. Atkins

Seconded by P. Brown

Motion 32 Be it resolved that the *Tractor Replacement Purchase* report as submitted by Coordinator of Facilities – Sue Knight be received as information and that the purchase of a MF4708 tractor from Advantage Farm Equipment at a cost of \$45,000 be approved to be funded from Parks Equipment Capital.

CARRIED

9. BY-LAWS:

Moved by S. Miller

Seconded by R. Atkins

Motion 33 Be it resolved that the following By-laws receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- 9.1 By-Law 11 of 2020 – Subdivision Agreement – Durco Construction Ltd.
- 9.2 By-Law 12 of 2020 – Site Plan Agreement Amendment – St. Clair Catholic District Secondary School Board
- 9.3 By-Law 13 of 2020 – Site Plan Agreement Amendment – 2594765 Ontario Ltd. – 394
- 9.4 By-Law 14 of 2020 – Site Plan Agreement Amendment – Shell Canada Ltd. – 150 St. Clair Parkway
- 9.5 By-Law 15 of 2020 – To Adopt the 2020 Budget
- 9.6 By-Law 16 of 2020 – Temporary Second Dwelling Agreement – 2884 Kent Line

CARRIED

10. IN CAMERA SESSION

Moved by P. Brown

Seconded by J. De Gurse

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

- 10.1 Municipal Act – Section 239 (2) (b) Personal Matters related to tax arrears on a property
- 10.2 Municipal Act – Section 239 (2) (e) Information related to Litigation Pertaining to Property Standards

CARRIED

Mayor Arnold declared the meeting back into open session and asked for any forthcoming motions. No motions were moved.

11. COUNCILLORS' REPORTS:

Deputy Mayor Miller

Deputy Mayor Miller attended the Township budget meetings; the Police Services Board meeting and the Ontario Good Roads Association (OGRA) conference in Toronto.

Councillor Brown

Councillor Brown attended the OGRA Conference and the St. Clair Region Conservation Authority (SCRCA) Annual General Meeting.

Councillor Atkins

Councillor Atkins attended the Port Lambton Hall Board meeting; the Community Safety Policing roundtable, where having representation from each community is being considered; the OGRA Conference and the breakfast put on by the Port Lambton 200th Anniversary Committee.

Councillor Myers

Councillor Myers attended the Heritage St. Clair meeting, further noting that the next round of hamlet signs are being planned for installation, and the National Farm Safety meeting.

Councillor Kingston

Councillor Kingston attended the Courtright Hall board meeting.

Councillor De Gurse

Councillor De Gurse noted he has received calls related to Property Standards and advised that formal complaints will be submitted.

Mayor Arnold

Mayor Arnold attended the LAWSS meeting where the Thames Sydenham & Region Conservation Authority made a presentation related to Source Water. He noted that he and Deputy Mayor Miller attended a deputation with the Ministry of Natural Resources and Forestry related to the high water levels and has sent a follow-up email.

Mayor Arnold noted his preference for the MSCR Committee to apply for grants available within the Township. Pursuing funding sources outside the municipality would require Council endorsement prior to any such application.

Moved by T. Kingston

Seconded by B. Myers

Motion 35 Be it resolved that written endorsement of Council be required for the Moore Sports Complex Renewal Committee to apply for any grant being offered outside of the Township of St. Clair; and that they have the authority, without such endorsement, to apply for any grant offered to residents of the Township, and to seek donations from individuals and entities inside and outside of the Township.

CARRIED

12. UPCOMING MEETINGS

- 12.1 Regular Council Meeting - Monday, March 16, 2020 at 6:00 p.m.
- 12.2 Regular Council Meeting – Monday, April 6, 2020 at 3:00 p.m.
- 12.3 Regular Council Meeting – Monday, April 20, 2020 at 6:00 p.m.

13. ADJOURNMENT

Seeing no other business to conduct, it was thereby moved:

Moved by B. Myers

Seconded by J. De Gurse

Motion 36 Be it resolved that the meeting do hereby adjourn.

CARRIED

The meeting was adjourned at 6:00 p.m.


Clerk – Jeff Baranek


Mayor – Steve Arnold