



**CORPORATION OF THE TOWNSHIP OF ST. CLAIR**

**COUNCIL MINUTES**

**SESSION #16**

Electronic Meeting  
August 17, 2020  
3:00 p.m.

A Regular Meeting of Council was held Monday, August 17, 2020 at 3:00 p.m. with the following people participating via video conference:

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 Special Meeting of Council - Session #15 – July 24, 2020

**5. DELEGATIONS/PRESENTATIONS**

**5.1 PRESENTATION:**

- 3:15 p.m. – Shared Parking Proposal – Former Rose’s Variety Property

**6. CORRESPONDENCE ITEMS**

6.1 Concerns with Human Waste Application

6.2 Advertisement Proposal – Veterans News

6.3 Lambton County – Community Safety & Well-Being Plan Participation Project

6.4 Speeding and ATV Traffic Concerns – Beckwith Street Area

6.5 Dock Concern – Second Street, Port Lambton

6.6 Brigden Side Road – Speed and Safety Concerns

- 6.7 OPG – Lambton Generating Station – Municipal Water Variance
- 6.8 Request for Reconsideration of Cannabis Retail Stores in St. Clair Township
- 6.9 Canadian Coast Guard Station – Request for Use of Port Lambton Public Dock
- 6.10 Mooretown Minor Hockey Association – Return to Play Proposal
- 6.11 Cathcart Park Campers' Request for Use of Logo
- 6.12 Mooretown Lady Flags Girls Hockey Association – Return to Play Plan

7. **INFORMATION/CONSENT AGENDA**

- 7.1 Minister of Municipal Affairs and Housing – Letter to Head of Council – Staff Deployment Under Emergency Order
- 7.2 County of Lambton 2020-2024 Roads Construction Program (June 2020)
- 7.3 City of Sarnia – Request for Endorsement – Improvements to Long Term Care Homes Resolution
- 7.4 St. Clair Region Conservation Authority Meeting Highlights – June 18, 2020
- 7.5 Lambton County – News Release – Provincial Funding for Oversized Load Corridor – July 14, 2020
- 7.6 Municipal Service Office – Amendments to Municipal Act, 2001
- 7.7 Ontario Energy Board – Enbridge Gas Inc. – Increase in Rates Application

8. **DRAINS**

- 8.1 Drainage By-Law 11 of 2020 – Various Drains – 2016 Maintenance

9. **REPORTS OF COMMITTEES AND STAFF**

- 9.1 Clerk's Report – Planning Staff - Update
- 9.2 Clerk's Report – Consideration for Mandatory Masks in Public Establishments in St. Clair Township
- 9.3 Clerk's Report – Site Plan Agreement – Telecommunications Tower – Xplornet Communications Inc. – 1666 Baby Road, Wilkesport
- 9.4 Clerk's Report – Marriage Officiant – Request for Expanded Area
- 9.5 Deputy Clerk's Report – Temporary Use Agreement – Modular Building & Storage Unit Structures – Enbridge Pipelines Inc. (912176 Ontario Ltd.) – 1693 Kimball Road
- 9.6 Treasurer's Report – General Accounts and Corporate Visa Statement
- 9.7 Treasurer's Report – Incorrect Farm Property Tax Classification Penalty
- 9.8 Treasurer's Report – St. Clair Region Conservation Authority Federation of Canadian Municipalities Asset Management Program Support
- 9.9 Treasurer's Report – Minister of Municipal Affairs and Housing – Safe Restart Municipal Funding Agreement

- 9.10 Deputy Treasurer's Report – 2020 Capped Class Due Date Council Resolution
- 9.11 Director of Emergency Services' Report - Information
- 9.12 Deputy Fire Chief's Report - Fire Department Prevention & Fire Safety Education Activities
- 9.13 Deputy Fire Chief's Report – Fire Department Training and Health & Safety Activities
- 9.14 Director of Public Works' Report – Proposed Facebook Account for Public Works
- 9.15 Coordinator of Operations' (Works) Report – Equipment Fleet Technology – Trackmatics Inc. Proposal
- 9.16 Coordinator of Operations' (Water/Wastewater) Report – Monthly Report
- 9.17 Coordinator of Engineering's Report – Monthly Report
- 9.18 Coordinator of Engineering's Report – Holt Line Bridge – Abutment Repair Options
- 9.19 Drainage Superintendent's Report – Monthly Report
- 9.20 Director of Community Services' Report – Information
- 9.21 Director of Community Services' Report – Opening of Community Halls
- 9.22 Director of Community Services' Report – McDonald Park Diamond Move and Fence Project
- 9.23 Director of Community Services' Report – User Group Insurance
- 9.24 Director of Community Services' Report - Museum Openings
- 9.25 Director of Community Services' Report – Re-Opening the Mooretown Sports Complex

**10. BY-LAWS**

- 10.1 By-Law 43 of 2020 – Temporary Use Agreement – Enbridge Pipelines Inc. (912176 Ontario Ltd.) – 1693 Kimball Road
- 10.2 By-Law 44 of 2020 – Confirming By-Law
- 10.3 By-Law 45 of 2020 – To Amend By-Law 12 of 2019 - Authorize Civil Marriage Solemnization in St. Clair Township
- 10.4 By-Law 46 of 2020 – Authorize Site Plan Agreement Amendment – Xplomet Communication Inc. – 1666 Baby Road

**11. IN CAMERA SESSION**

- 11.1 Municipal Act – Section 239 (2) (c) A proposed land lease of Township owned land in Wilkesport
- 11.2 Municipal Act – Section 239 (2) (b) personal matters about an identifiable individual related to a compensation request

**12. COUNCILLORS' REPORTS**

**13. UPCOMING MEETINGS**

- 13.1 Regular Council Meeting – Tuesday, September 8, 2020 at 3:00 p.m.  
13.2 Regular Council Meeting - Monday, September 21, 2020 at 3:00 p.m.

**14. ADJOURNMENT**

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**1. CALL TO ORDER**

At the appointed time of 3:00 p.m., Mayor Arnold declared the meeting to order and welcomed Councillor De Gurse back after an extended absence for personal reasons.

Councillor De Gurse thanked everyone for their well wishes during his difficult time and reported that he was working back to full health and was eager to resume his duties for the Township.

**2. DECLARATION OF PECUNIARY INTEREST**

Councillor Myers declared a pecuniary interest in item 9.21 as he has an event planned at a community hall.

**3. NEW BUSINESS**

Moved by P. Brown

Seconded by B. Myers

**Motion 1** Be it resolved that the correspondence received from the County of Lambton related to County Roads in the Township be received as information.

**CARRIED**

Moved by S. Miller

Seconded by B. Myers

**Motion 2** Be it resolved that the *St. Clair Region Conservation Area Drain Enclosure Policy Motion* passed by the Town of Petrolia be received and filed.

**CARRIED**

Moved by J. De Gurse

Seconded by T. Kingston

**Motion 3** Be it resolved that the *Rose's Variety Parking Status* report as submitted by Senior Planner - Barry Uitvlugt and the Security Building Servicing Scope report submitted by OPG be received as information.

**CARRIED**

Moved by S. Miller

Seconded by B. Myers

**Motion 4** Be it resolved the *Annette's Grill* report as submitted by Senior Planner - Barry Uitvlugt be tabled to the next meeting when he is in attendance.

**CARRIED**

**4. ADOPTION OF MINUTES**

Moved by S. Miller

Seconded by P. Brown

**Motion 5** Be it resolved that the Minutes from the Special Meeting of Council - Session #15 held on July 24, 2020, be received and accepted as printed.

**CARRIED**

**5. DELEGATIONS/PRESENTATIONS**

**5.1 PRESENTATION:**

**3:15 p.m. – Shared Parking Proposal – Former Rose's Variety Property**

John Kelly and Bill O'Mahony represented the developers for the former Rose's Variety located at 384 Lyndoch Street.

The developer has proposed a new building in the rear of the subject lot which causes inadequate parking spaces on site. As a solution, they have proposed to share the parking lot of the Emergency Services Building. Senior Planner - Barry Uitvlugt produced a report indicating that, if the vacant space in the ESB was filled, the current lot would be deficient of 32 spaces.

The developer has proposed a plan that would increase the current spaces on the ESB lot but, it would still be deficient for the ESB uses – if at capacity - even before the increased usage by the subject property.

The developer advised that they are unsure of a tenant for the proposed building to be built east of the existing building. The developer believed that their proposal for the parking lot would increase the availability of spaces, despite calculations provided by Mr. Uitvlugt.

Mayor Arnold asked the developer to consider an addition to the existing building which would conserve some parking in the rear (east) of the lot. Further, Mayor Arnold advised that they could use the cash-in-lieu of parking option to validate the fewer available spaces.

Moved by S. Miller

Seconded by B. Myers

**Motion 6** Be it resolved that the shared parking proposal for 384 Lyndoch Street be tabled to allow the Planning Staff to attend the next meeting and for the developer to consider alternative options.

**CARRIED**

**6. CORRESPONDENCE**

Moved by R. Atkins

Seconded by B. Myers

**Motion 7** Be it resolved that Council accept the following items of correspondence as per Council's direction:

- 6.1 Concerns with Human Waste Application
- 6.2 Advertisement Proposal – Veterans News
- 6.3 Lambton County – Community Safety & Well-Being Plan Participation Project
- 6.4 Speeding and ATV Traffic Concerns – Beckwith Street Area
- 6.5 Dock Concern – Second Street, Port Lambton
- 6.6 Brigden Side Road – Speed and Safety Concerns
- 6.7 OPG – Lambton Generating Station – Municipal Water Variance
- 6.8 Request for Reconsideration of Cannabis Retail Stores in St. Clair Township
- 6.9 Canadian Coast Guard Station – Request for Use of Port Lambton Public Dock
- 6.10 Mooretown Minor Hockey Association – Return to Play Proposal
- 6.11 Cathcart Park Campers' Request for Use of Logo
- 6.12 Mooretown Lady Flags Girls Hockey Association – Return to Play Plan

**CARRIED**

6.1 Moved by J. De Gurse

Seconded by B. Myers

**Motion 8** Be it resolved that the Concerns with Human Waste Fertilizer be referred to staff for a report.

**CARRIED**

6.2 Moved by P. Brown

Seconded by T. Kingston

**Motion 9** Be it resolved that the Veteran News Advertisement Proposal be received and filed.

**CARRIED**

6.3 Moved by S. Miller Seconded by R. Atkins  
**Motion 10** Be it resolved that the Community Safety & Well-Being Plan as proposed by the County of Lambton be approved and the Mayor and Clerk be authorized to execute the Plan.

**CARRIED**

6.4 Moved by S. Miller Seconded by T. Kingston  
**Motion 11** Be it resolved that the Speeding and ATV Traffic Concern on Beckwith Street be referred to staff for a report.

**CARRIED**

6.5 Moved by S. Miller Seconded by B. Myers  
**Motion 12** Be it resolved that the Dock Concern on Second Street Road Allowance concern be referred to staff for a report.

**CARRIED**

6.6 Moved by R. Atkins Seconded by J. De Gurse  
**Motion 13** Be it resolved that the Speed and Safety Concerns on Brigden Road be referred to staff for a report.

**CARRIED**

6.7 Moved by P. Brown Seconded by T. Kingston  
**Motion 14** Be it resolved that the request submitted by Ontario Power Generation to add a second water service be approved subject to all costs being borne by the requestor.

**CARRIED**

6.8 Moved by R. Atkins Seconded by T. Kingston  
**Motion 15** Be it resolved that the request submitted by Doug Lasenby to reconsider Council's position be approved and that the Township be considered a willing host for retail cannabis operations.

**A RECORDED VOTE WAS REQUESTED:**

Councillor Atkins	Nay
Councillor Brown	Nay
Councillor De Gurse	Nay
Councillor Kingston	Nay
Councillor Myers	Nay
Deputy Mayor Miller	Nay
Mayor Arnold	Nay

**DEFEATED**

6.9 Moved by S. Miller Seconded by T. Kingston  
**Motion 16** Be it resolved that the request submitted by the Canadian Coast Guard to occupy the public dock with their vessel until Fall 2020 be deferred to get clarification on specifics.

**CARRIED**

6.11 Moved by R. Atkins Seconded by S. Miller  
**Motion 17** Be it resolved that the Cathcart Campground be authorized to use the Township logo on merchandise for sale, however, the logo is not to be amended in any way and drafts of proposed products are to be sent to Council for approval.

**CARRIED**

**7. INFORMATION ITEMS**

Moved by P. Brown Seconded by T. Kingston  
**Motion 18** Be it resolved that the following items of information be dealt with as per Council's direction:



- 9.5 Moved by P. Brown Seconded by J. De Gurse  
**Motion 25** Be it resolved that the report as submitted by Acting Coordinator of Planning/Deputy Clerk – Caroline DeSchutter, Dated July 29, 2020, be received as information, and that the following by-law be taken as having been read three times and finally passed, and the Mayor and Clerk be authorized to sign the said by-law accordingly:

By-law Number 43 of 2020, being a By-law to Authorize an Agreement with Enbridge Pipelines Inc. (912176 Ontario Limited) for the temporary use of one (1) modular building and two (2) modular storage unit structures on lands located at 1693 Kimball Road.

**CARRIED**

- 9.6 Moved by T. Kingston Seconded by B. Myers  
**Motion 26** Be it resolved that the *General Accounts and Corporate Visa Statement* report as submitted by the Treasurer – Charles Quenneville be received and that vendor invoices be approved for the period of June 27 to July 31, 2020 totaling \$3,376,503.85 along with the CIBC Visa charges for the period of May 25 to June 24, 2020 totaling \$17,293.58.

**CARRIED**

- 9.7 Moved by T. Kingston Seconded by S. Miller  
**Motion 27** Be it resolved that the penalty on final taxes be not assessed for Farm Property tax classification properties errors subject to the ratepayer providing AGRI CROP proof of class change, paying previous year's final taxes installment for the current year and final taxes being paid once farm class is properly calculated.

**CARRIED**

- 9.8 Moved by P. Brown Seconded by R. Atkins  
**Motion 28** Be it resolved that St. Clair Township supports the St. Clair Region Conservation Authority and authorizes the Treasurer send a sign letter of support for the Asset Management Program.

**CARRIED**

- 9.9 Moved by B. Myers Seconded by B. Myers  
**Motion 29** Be it resolved that the Treasurer be authorized to sign for Phase 1 Safe Restart grant Agreement and apply for Phase 2.

**CARRIED**

- 9.10 Moved by T. Kingston Seconded by P. Brown  
**Motion 30** Be it resolved that the tax levy for the Multi-Residential, Commercial and Industrial related tax classes shall become due and payable in two installments as follows: the 31st day of July, 2020; and the 29th day of September, 2020; and nonpayment of the amount on the dates stated in accordance with this resolution shall constitute default. The installments shall be calculated as follows: Fifty percent of the levy rounded downwards to the next whole dollar shall become due and payable on the 29th day of September with the balance due and payable on the 31st day of July.

**CARRIED**

- 9.11 Moved by J. De Gurse Seconded by B. Myers  
**Motion 31** Be it resolved that the *Information Report* as submitted by the Director of Emergency Services – Walt Anderson be received as information.

**CARRIED**

- 9.12 Moved by J. De Gurse Seconded by T. Kingston  
**Motion 32** Be it resolved that the *Fire Department Prevention & Fire Safety Education Activities* report as submitted by Deputy Chief – Andrew McMillan be received as information.

**CARRIED**





Moved by S. Miller

Seconded by J. De Gurse

**Motion 39** Be it resolved that the *Holt Line Bridge - Abutment Repair Options* report submitted by Coordinator of Engineering - Paul daSilva be received as information and that the Township of St. Clair approves Option 4: Reface with Sheet Piling and Concrete Fill at an approximate cost of \$120,000 + HST and staff be directed to produce funding options for consideration.

**CARRIED**

9.19 Moved by J. De Gurse

Seconded by T. Kingston

**Motion 40** Be it resolved that the *Monthly Report* as submitted by the Drainage Superintendent – Lucas DePooter be received as information and that the following 5 recommendations be approved:

1. Obtain quotations to have the Coyle Drain brushed and cleaned out by a suitable and qualified contractor at the expense of the drain.
2. Have the low flow crossing of the Crooked Creek Drain replaced by a suitable and qualified contractor, at the expense of the drain.
3. Have a suitably sized second access culvert installed on the Wray Drain by a suitable and qualified contractor at the expense of the property receiving the culvert.
4. Award the Rivers Lapish Drain project to brush and clean out the ditch from the CSX Railway in Sombra to the top end to BF Environmental Consultants Ltd. as quoted at \$24,873.94 + HST, at the expense of the drain.
5. Have endwalls of the Dawson Drain repaired by a suitable and qualified contractor at the expense of the drain.

**CARRIED**

9.20 Moved by S. Miller

Seconded by P. Brown

**Motion 41** Be it resolved that the *Information Report* as submitted by Director of Community Services - Kendall Lindsay be received as information.

**CARRIED**

9.21 Moved by T. Kingston

Seconded by S. Miller

**Motion 42** Be it resolved that the *Opening of Community Halls* report as submitted by Director of Community Services - Kendall Lindsay be received and that the community halls remain closed and the status be reassessed at the October 5, 2020 Council meeting.

**CARRIED**

9.22 Moved by P. Brown

Seconded by S. Miller

**Motion 43** Be it resolved that the *McDonald Park Diamond Move and Fence* report be submitted by Director of Community Services - Kendall Lindsay be received as information and the recommendations to award the fence project to Neptune Security Services at a cost of \$120,000.00 and the moving of the diamonds project to Van Roestel Contracting Ltd. at a cost of \$75,422.20 be approved.

**CARRIED**

9.23 Moved by J. De Gurse

Seconded by T. Kingston

**Motion 44** Be it resolved that the *User Group Insurance* report as submitted by the Director of Community Services - Kendall Lindsay be received as information and that all user groups be required to provide the Mooretown Sports Complex with valid insurance with the Township of St. Clair listed as an additional insurer for the event dates specified within their specific rental agreements.

**CARRIED**

9.24 Moved by S. Miller

Seconded by B. Myers

**Motion 45** Be it resolved that the *Museum Openings* report as submitted by Director of Community Services - Kendall Lindsay be received and that both museums remain closed and the status be reassessed at the September 8, 2020 Council meeting.

**CARRIED**

9.25 Moved by P. Brown

Seconded by T. Kingston

**Motion 46** Be it resolved that the *Re-Opening of Mooretown Sports Complex* report as submitted by Director of Community Services - Kendall Lindsay be received as information and the following 6 recommendations be approved:

1. Be it resolved that the "Mooretown Sports Complex Return to Play Plan" be approved.
2. Be it resolved that staff be authorized to submit an application to the Ontario Government, which if approved would increase our facility "gathering/spectator" numbers.
3. Be it resolved that the mandatory use of either surgical or cloth masks while moving throughout our facility upon reopening be approved.
4. Be it resolved that the withdrawal of all current memberships (relative to the March 16, 2020 COVID-19 closing date) be approved and that refunds be provided to said membership users.
5. Be it resolved that the proposed fees for reopening after the COVID-19 closure be approved and these fees be maintained throughout the 2021 budgetary year.
6. Be it resolved that the construction of an asphalt path from the West Lobby Two Exit to the North parking lot be approved.

**CARRIED**

**10. BY-LAWS:**

Moved by J. De Gurse

Seconded by P. Brown

**Motion 47** Be it resolved that following By-laws receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- 10.1 43 of 2020 – Temporary Use Agreement - Enbridge Pipelines Inc. (912176 Ontario Ltd.) - 1693 Kimball Road
- 10.2 44 of 2020 – Confirming By-Law
- 10.3 45 of 2020 – To Amend By-Law 12 of 2019 - Authorize Civil Marriage Solemnization in St. Clair Township
- 10.4 46 of 2020 – Authorize Site Plan Agreement Amendment - Xplornet Communications Inc - 1666 Baby Road

**CARRIED**

**11. IN CAMERA SESSION**

Moved by S. Miller

Seconded by B. Myers

**Motion 48** Be it resolved that the meeting enter an in-camera session to discuss:

- 11.1 Municipal Act Section 239 (2) (c) A proposed land lease of Township owned land in Wilkesport
- 11.2 Municipal Act Section 239 (2) (b) personal matters about an identifiable individual related to a compensation request

**CARRIED**

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

No motions were moved.

**12. COUNCILLORS' REPORTS:**

**Deputy Mayor Miller**

Deputy Mayor Miller noted he had participated in many Zoom meetings since the last meeting of Council.

**Councillor Brown**

Councillor Brown noted that he has participated in many Zoom meetings including the St. Clair Region Conservation Authority meeting and the Emergency Services Committee.

Councillor Brown asked that a report from staff be provided for the September 8, 2020 meeting discussing the re-opening of the Civic Centre in Mooretown.

**Councillor Atkins**

Councillor Atkins asked staff to improve the entrance to the public dock in Port Lambton as rising water has made it very slippery.

**Councillor Myers**

Councillor Myers asked staff for updates on several property standard files in the Village of Sombra.

**Councillor Kingston**

Councillor Kingston reported that she has received a high volume of calls from local residents both in favour and in opposition to Mandatory Mask By-laws.

Moved by T. Kingston

Seconded by S. Miller

**Motion 49** Be it resolved that staff be directed to consider the merger of all Facebook pages into one to eliminate department specific pages.

**CARRIED**

**Councillor De Gurse**

Councillor De Gurse noted that he may require specific accommodations once council meetings return to the Chamber.

**Mayor Arnold**

Mayor Arnold noted that the St. Clair Region Conservation Authority was seeking comments on their Planning Review process and asked staff to investigate a possible illegal modification to a culvert on Pretty Road.

Mayor Arnold closed by noting that he has received many calls and emails related to masks and noted that they are almost equally for and against Mandatory Mask By-laws.

**13. UPCOMING MEETINGS**

- 13.1 Regular Council Meeting - Tuesday, September 8, 2020 at 3:00 p.m.
- 13.2 Regular Council Meeting – Monday, September 21, 2020 at 6:00 p.m.

**13. ADJOURNMENT**

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

Moved by T. Kingston

Seconded by B. Myers

**Motion 50** Be it resolved that the meeting do hereby adjourn.

**CARRIED**

The meeting was adjourned at 5:45 p.m.

  
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Mayor – Steve Arnold

  
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Clerk – Jeff Baranek