



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #8

Electronic Meeting
April 19, 2021
3:00 p.m.

A Regular Meeting of Council was held Monday, April 19, 2021 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
	B. Myers	Councillor
	T. Kingston	Councillor
Staff:	J. Rodey	CAO
	J. Baranek	Clerk

AGENDA:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. ADOPTION OF MINUTES

3.1 Regular Council Meeting - Session #7 – April 5, 2021

3.2 Moore Museum Advisory Committee Meeting – April 7, 2021

3.3 St. Clair River Trail – Planning & Development Meeting – April 7, 2021

4. DELEGATIONS/PRESENTATIONS

4.1 Unauthorized Dock Installation across from 1578 First Street, Courtright:

- 3:15 p.m. – Olivia Nisbet and Norm Leger

- 3:25 p.m. – Randi Stokes

5. CORRESPONDENCE ITEMS

5.1 St. Clair River Trail – Improvement Suggestions

5.2 Samia Transit Service Consideration

5.3 Property Standards Complaint – 301 Lincoln Avenue

6. INFORMATION ITEMS

6.1 News Release – Lambton County Council Highlights – April 2, 2021

6.2 Independent Electricity System Operator – Information Letter to St. Clair Township

7. **DRAINS**

7.1 Drainage By-Law 9 of 2021 – Various Drains – 2020 Maintenance

7.2 Drainage By-Law 10 of 2021 – Various Drains – 2020 Maintenance

7.3 Drainage By-Law 11 of 2021 – Various Drains – 2020 Maintenance

8. **REPORTS OF COMMITTEES AND STAFF**

8.1 Clerk's Report – Temporary Patio Extension Request – Antonio's Pizza – 441-443 Lyndoch Street

8.2 Treasurer's Report – General Accounts Report and Corporate Visa Statement

8.3 Director of Emergency Services' Report – Information

8.4 Deputy Fire Chief's Report – Fire Department Prevention and Fire Safety Education Activities

8.5 Deputy Fire Chief's Report – Fire Department Training and Health & Safety Activities

8.6 Coordinator of Operations' (Works) Report – Maintenance/Repair of St. Clair River Trail and Sidewalks

8.7 Coordinator of Operations' (Works) Report – Request for Quotes Results for Miscellaneous Concrete and Asphalt Repairs

8.8 Coordinator of Operations' (Water) Report – Monthly Report

8.9 Coordinator of Operations' (Water) Report – Access to Sombra Lagoon for Volunteers Associated with Birds Canada Atlas Project

8.10 Coordinator of Engineering's Report – Association of Municipalities of Ontario Gas Tax Doubling – Recommended Projects

8.11 Coordinator of Engineering's Report – Emergency Services Building HVAC Upgrades

8.12 Coordinator of Engineering's Report – Hill and Queen Streets Signalized Intersection

8.13 Coordinator of Engineering's Report – Request for Proposal – Slope Stability Detailed Design on St. Clair Parkway and Wilkesport Line

8.14 Coordinator of Engineering's Report – Wilkesport Line Rehabilitation – Highway 40 to Baby Road

8.15 Director of Community Services' Report - Information

8.16 Director of Community Services' Report – Facility User Group Insurance

8.17 Coordinator of Facilities and Parks' Report – Brigden Optimists Park Splashpad Information

9. **BY-LAWS**

9.1 By-Law 18 of 2021 – Confirming By-Law

10. NEW BUSINESS

10.1 Campground Opening Procedures due to COVID-19 for 2021

11. COUNCILLORS' REPORTS

12. UPCOMING MEETINGS

12.1 Regular Council Meeting - Monday, May 3, 2021 at 3:00 p.m.

12.2 Regular Council Meeting – Monday, May 17, 2021 at 3:00 p.m.

12.3 Regular Council Meeting – Monday, June 7, 2021 at 3:00 p.m.

13. IN CAMERA SESSION

13.1 Municipal Act – Section 239 (2) (b) Personal matters about a convenor of a recreational hockey league at Moore Sports Complex

13.2 Municipal Act – Section 239 (2) (c) Proposed lease of a township land for private dock installation

13.3 Municipal Act – Section 239 (2) (e) Potential litigation related to an unauthorized dock installation

14. ADJOURNMENT

1. CALL TO ORDER

At the appointed time of 3:00 p.m., Mayor Arnold called the meeting to order and welcomed Council, staff and those watching on other platforms.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. ADOPTION OF MINUTES

Moved by J. De Gurse

Seconded by S. Miller

Motion 1 Be it resolved that the Minutes from the Regular Council Meeting Session #7 held on April 5, 2021, be received and accepted as printed.

CARRIED

Moved by B. Myers

Seconded by P. Brown

Motion 2 Be it resolved that that the Minutes from the following boards and committees be accepted as information:

- Moore Museum Advisory Committee – April 7, 2021

- St. Clair River Trail – Planning & Development – April 7, 2021

CARRIED

4. DELEGATIONS/PRESENTATIONS

4.1 Unauthorized Dock Installation across from 1578 First Street, Courtright:

Olivia Nesbit and Norm Leger – 1586 St. Clair Parkway

At the appointed time of 3:15 p.m., Mayor Arnold welcomed Olivia Nesbit and Norm Leger of 1586 St. Clair Parkway to make their presentation. Mrs. Nesbit summarized their concerns from their previous deputation held on April 5, 2021 and emphasized that the neighbourhood was focused on this file and that other

property owners have expressed their desire to install docks should Mrs. Stokes be authorized to complete her installation.

Mayor Arnold thanked them for their submissions and reminded them that consideration for the dock would be conducted at the end of the meeting, in-camera.

Randi Stokes – 1578 First Street, Courtright

At the appointed time of 3:25 p.m., Mayor Arnold welcomed Randi Stokes of 1578 First Street to make her presentation.

Mrs. Stokes advised that she consulted with Mrs. Nesbit in advance of any installation and noted that, at that time, the plan was for a dock and not for a swim platform as had been reported previously. Mrs. Stokes apologized for installation without permission and explained that she was not aware of the process. In her opinion, Mrs. Stokes believes this situation to be unique given the wedge of township land separating her property from the riverbank and, as such would not create a precedent.

Mayor Arnold thanked Mrs. Stokes for her submission and reminded her that consideration for the dock would be conducted at the end of the meeting, in-camera.

5. CORRESPONDENCE ITEMS

Moved by B. Myers

Seconded by P. Brown

Motion 3 Be it resolved that Council accept the following items of correspondence as per Council's direction:

5.1 St. Clair River Trail – Improvement Suggestions

5.2 Sarnia Transit Service Considerations

5.3 Property Standards Complaint – 301 Lincoln Avenue

CARRIED

5.1 Moved by R. Atkins

Seconded by P. Brown

Motion 4 Be it resolved that the suggested trail improvements submitted by the St. Clair River Trail Committee be referred to staff for consideration.

CARRIED

5.3 Moved by P. Brown

Seconded by S. Miller

Motion 5 Be it resolved that the Property Standards Complaint received against the property known as 301 Lincoln Drive be referred to the County of Lambton for investigation.

CARRIED

6. INFORMATION ITEMS

Moved by S. Miller

Seconded by R. Atkins

Motion 6 Be it resolved that the following items of information be dealt with as per Council's direction:

6.1 News Release – Lambton County Council Highlights – April 2, 2021

6.2 Independent Electricity System Operator – Information Letter to St. Clair Township

CARRIED

7. DRAINS

Moved by J. De Gurse

Seconded by P. Brown

Motion 7 Be it resolved that the following drainage by-laws be given all three readings and be thereby passed, and that the Mayor and Clerk be authorized to execute the By-Laws:

- 7.1 Drainage By-Law 9 of 2021 – Being a by-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Lukey Drain, Marwood Drain, McKellar Drain, Miller Drain, Miller Moffat Drain, Moody Drain, Nantais Drain, Noble Drain, O’Leary Drain West and O’Mara Drain;
- 7.2 Drainage By-Law 10 of 2021 – Being a by-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Osborne Drain, Payne Drain, Racher Drain, Reid Drain, Robb Drain, Robinson Drain, Rowden Drain, Scott Drain, Second Concession Drain and Stokes Drain South;
- 7.3 Drainage By-Law 11 of 2021 – Being a by-law to raise the sum of money being expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Sweeney Drain, Towns Drain, Tucker Drain, VanCouter Drain, Walker Drain, Walton Drain at Ward and Wark Drain.

CARRIED

8. REPORTS OF COMMITTEES AND STAFF

- 8.1 Moved by S. Miller Seconded by J. De Gurse
Motion 8 Be it resolved that the *Temporary Patio Extension Request – Antonio’s Pizza – 441-443 Lyndoch Street* report submitted by Clerk - Jeff Baranek be received and that a temporary patio be approved subject to the execution of the attached agreement and its removal once the interior capacity is able to be fully utilized according to provincial order.

CARRIED

- 8.2 Moved by R. Atkins Seconded by B. Myers
Motion 9 Be it resolved the *General Accounts and Corporate Visa Statement* report submitted by Treasurer - Charlie Quenneville be received as information and the following vendor invoices be approved for the period of March 1 to March 31, 2021 totaling \$8,706,363.43 along with the CIBC Visa charges for the period of January 25, 2021 to February 24, 2021 totaling \$12,295.07.

CARRIED

- 8.3 Moved by S. Miller Seconded by J. De Gurse
Motion 10 Be it resolved that the *Information Report* as submitted by Director of Emergency Services - Walt Anderson be received as information.

CARRIED

- 8.4 Moved by P. Brown Seconded by R. Atkins
Motion 11 Be it resolved that the *Fire Department Prevention & Fire Safety Education Activities* report submitted by Deputy Chief – Andrew McMillan be received as information.

CARRIED

- 8.5 Moved by J. De Gurse Seconded by B. Myers
Motion 12 Be it resolved that the *Fire Department Training and Health & Safety Activities* report submitted by Deputy Chief – Steve Bicum be received as information.

CARRIED

- 8.6 Moved by B. Myers Seconded by P. Brown
Motion 13 Be it resolved that the *Maintenance/Repair of St. Clair River Trail and Sidewalks* report submitted by Coordinator of Operations – David Neely be received as information and that a By-Law be passed to include obligations, restrictions, and fines for the repair/replacement of sidewalks and the St. Clair River Trail when damaged by property owners and/or contractors.

CARRIED

Moved by P. Brown

Seconded by J. De Gurse

Motion 20 Be it resolved that staff be directed to undertake a full traffic study to determine the necessity for traffic lights or other safety measures at the intersection of Queen and Hill Street.

CARRIED

8.13 Moved by S. Miller

Seconded by T. Kingston

Motion 21 Be it resolved that the *Slope Stability Detailed Design on St. Clair Parkway and Wilkesport Line – Request for Proposal* report submitted by Coordinator of Engineering - Paul daSilva be received as information and that the proposal submitted by GHD Ltd. in the amount of \$86,295 plus HST be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

8.14 Moved by T. Kingston

Seconded by B. Myers

Motion 22 Be it resolved that the *Wilkesport Line Rehabilitation – Highway 40 to Baby Road* report submitted by Coordinator of Engineering - Paul daSilva be received as information and that the tender submitted by 1197245 Ontario Limited in the amount of \$781,244.20 plus HST be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

8.15 Moved by B. Myers

Seconded by J. De Gurse

Motion 23 Be it resolved that the *Monthly Report* submitted by Director of Community Services - Kendall Lindsay be received as information.

CARRIED

8.16 Moved by T. Kingston

Seconded by R. Atkins

Motion 24 Be it resolved that the *Facility User Group Insurance* report as submitted by the Director of Community Services - Kendall Lindsay be received as information and that Council approve the additional annual cost to Community Services of an estimated \$2,500.00 to provide insurance coverage to our recreational user groups.

CARRIED

8.17 Moved by S. Miller

Seconded by J. De Gurse

Motion 25 Be it resolved that the *Brigden Optimist Park Splashpad* report as submitted by Coordinator of Facilities and Parks – Sue Knight be received as information.

CARRIED

9. BY-LAWS:

Moved by T. Kingston

Seconded by R. Atkins

Motion 26 Be it resolved that the following By-law receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

9.1 By-Law 18 of 2021 – Confirming By-Law

CARRIED

10. NEW BUSINESS

Moved by P. Brown

Seconded by R. Atkins

Motion 27 Be it resolved that *Campground Opening Procedures due to COVID for 2021* report submitted by Director of Community Services Kendall Lindsay be received and that Township campgrounds be authorized to open May 1 for snowbirds and seasonal camping subject to authorization by Provincial and Federal Order related to COVID-19 and Lambton Health Unit Guidelines; and that

transient camping be permitted when allowed by Provincial and Federal Order subject to all required protocols.

CARRIED

11. COUNCILLORS' REPORTS:

Councillor Atkins

Councillor Atkins participated in the St Clair River Trail Committee meeting. She asked if the Township could promote the safe operation of ORV's on social media platforms.

Councillor Atkins noted that she has had discussions with Wellings about a transportation system they would like to initiate post COVID lockdowns.

Moved by R. Atkins

Seconded by T. Kingston

Motion 28 Be it resolved that community signs for Sombra, Courtright, and Mooretown be purchased and installed in 2021 to be funded by the Road Reserve.

CARRIED

Councillor Brown

Councillor Brown participated in the St. Clair Region Conservation Authority meeting.

He noted that the sidewalk at Courtright Park requires a curb cut at the entrance to the park and that lifesaving rings are missing at some of the community docks.

Councillor De Gurse had nothing to report.

Councillor Kingston

Councillor Kingston had nothing to report.

Councillor Myers

Councillor Myers noted that Heritage St. Clair is working on phase two of their hamlet sign project and plans to have them installed in 2021.

Deputy Mayor Miller

Deputy Mayor Miller participated in the recent St. Clair Region Conservation Authority meeting and noted that General Manager Brian McDougal has announced his retirement for fall 2021.

Deputy Mayor Miller also reminded staff to consult the local community prior to installation of the parking area at McDonald Park.

Mayor Arnold

Mayor Arnold has represented the Township at many virtual events and participated in many zoom meetings.

He asked staff to produce a presentation including timelines for the upcoming renovations at the Moore Sports Complex so that he can engage industry for possible donations.

12. UPCOMING MEETINGS

12.1 Regular Council Meeting – Monday, May 3, 2021 at 3:00 p.m.

12.2 Regular Council Meeting – Monday, May 17, 2021 at 3:00 p.m.

12.3 Regular Council Meeting – Monday, June 7, 2021 at 3:00 p.m.

13. IN CAMERA SESSION

Moved by J. De Gurse

Seconded by P. Brown

Motion 29 Be it resolved that the meeting enter an in-camera session to consider the following:

- 13.1 Municipal Act – Section 239 (2) (b) Personal matters about a convenor of a recreational hockey league at Moore Sports Complex
- 13.2 Municipal Act – Section 239 (2) (c) Proposed lease of a township land for private dock installation
- 13.3 Municipal Act – Section 239 (2) (e) Potential litigation related to an unauthorized dock installation

CARRIED

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

Moved by P. Brown

Seconded by B. Myers

Motion 30 Be it resolved that the request to install a dock at the Second Street road allowance in Port Lambton be denied in response to advice provided by the Township Solicitor that leasing the subject land is not lawful according to covenants on title introduced by the Province of Ontario at time of acquisition by the Township.

CARRIED

Moved by T. Kingston

Seconded by R. Atkins

Motion 31 In response to advice from the Township Solicitor who deemed a lease unlawful in this location, be it resolved that the owners of 1578 First Street who installed a frame for a dock on water lot known as PIN 43306-0051 in Courtright be ordered to remove all material associated with the dock inclusive of in the water, in the water-bed, and on shore, no later than June 30, 2021 where failure to have it fully removed will result in its removal by the Township at the full expense of the installer.

CARRIED

14. ADJOURNMENT

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

Moved by P. Brown

Seconded by T. Kingston

Motion 32 Be it resolved that the meeting do hereby adjourn.

CARRIED

The meeting was adjourned at 4:50 p.m.



Mayor – Steve Arnold



Clerk – Jeff Baranek

