



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #1

Electronic Meeting
January 17, 2022
6:00 p.m.

A Regular Meeting of Council was held Monday, January 17, 2022, at 6:00 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
	C. McClemens	Deputy Clerk
Regrets:	J. Baranek	Clerk

AGENDA:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. ADOPTION OF MINUTES

3.1 Regular Council Meeting - Session #23 – December 20, 2021

4. DELEGATIONS

4.1 PUBLIC MEETING:

- 6:15 p.m. - Court of Revision – Churcher Drain

4.2 PRESENTATION:

- 6:30 p.m. - Brander Park Pedestrian Crosswalk Relocation Request - Jeff Wesley LLB, Anderson Law Group

4.3 PRESENTATION:

- 6:45 p.m. - 2022 Municipal Insurance Program Renewal Report - Tony Commisso, CAIB, Intact Public Entities and Stacey Ewing, HUB International Ontario Ltd.

5. CORRESPONDENCE ITEMS

5.1 Heritage St. Clair – 2022 Project Proposals

5.2 Moore Agricultural Society – Consideration for Financial Assistance Request

6. INFORMATION ITEMS

6.1 Building Permit Report – November 2021

6.2 Municipal Property Assessment Corporation (MPAC) - 2021 Municipal Partnerships Report

6.3 MPAC Assessment Change Summary – St. Clair Township

6.4 Ministry of Municipal Affairs & Housing Notification – Regulations for Bill 276 and Bill 13

6.5 Ministry of Northern Development, Mines, Natural Resources & Forestry – Proposed Excess Soil Regulations

6.6 St. Clair Region Conservation Authority (SCRCA) Meeting Highlights – December 9, 2021

6.7 St. Clair Region Conservation Authority Transition Plan and Accompanying Letter

6.8 County of Lambton - Social Services Division - Discrimination Survey Research Analysis Report

7. REPORTS OF COMMITTEES AND STAFF

7.1 Deputy Clerk/Coordinator of Planning's Report – Enbridge Gas – Standing By-Law for Temporary Modular Buildings Proposal

7.2 Deputy Clerk/Coordinator of Planning's Report – Site Plan Amendment for New Storage Building Clean Harbours – 4090 Telfer Road

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

7.4 Treasurer's Report – Response to December Invoice Inquiries

7.5 Deputy Treasurer's Report – 2022 Tax Due Dates

7.6 Director of Emergency Services' Report – Information

7.7 Director of Public Works' Report – 2021 Water Use Discrepancy

7.8 Coordinator of Operations' (Works) Report – Monthly Report

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

7.10 Drainage Superintendent's Report – Monthly Report

7.11 Drainage Superintendent's Report – CN Rail and Drainage Report

7.12 Director of Community Services' Report – Information

7.13 Director of Community Services' Report – Campground Pavilions

8. BY-LAWS

8.1 By-Law 1 of 2022 – Vote by Mail Procedures for 2022 Municipal Election

8.2 By-Law 2 of 2022 – Confirming By-Law

8.3 By-Law 3 of 2022 – Borrowing By-Law

8.4 By-Law 4 of 2022 – Interim Tax By-Law

8.5 By-Law 5 of 2022 – To Amend By-Law 33 of 2017 to Adjust Prohibited Overnight Parking

8.6 By-Law 6 of 2022 – Enbridge Gas – Standing By-Law for Temporary Modular Buildings

8.7 By-Law 8 of 2022 – Site Plan Amendment – 4090 Telfer Road – Clean Harbours Canada Inc.

9. **NEW BUSINESS/ COUNCILLORS' REPORTS**

10. **UPCOMING MEETINGS**

10.1 Regular Council Meeting – Monday, February 7, 2022, at 3:00 p.m.

10.2 Regular Council Meeting – Tuesday, February 22, 2022, at 6:00 p.m.

10.3 Operating Budget Meeting – Thursday, February 24, 2022, at 5:00 p.m.

11. **IN CAMERA SESSION**

11.1 Municipal Act – Section 239 (2) (d) To review progress on a new contract with OPSEU Local 123

11.2 Municipal Act – Section 239 (2) (f) To receive advice related to compliance with a local site plan

11.3 Municipal Act – Section 239 (2) (f) To receive an update on on-going litigation related to Property Standards

12. **ADJOURNMENT**

1. **CALL TO ORDER**

At the appointed time of 6:00 p.m., Mayor Arnold called the meeting to order.

2. **DECLARATION OF PECUNIARY INTEREST**

None declared.

3. **ADOPTION OF MINUTES**

3.1 Moved by J. De Gurse

Seconded by R. Atkins

Motion 1 Be it resolved that the Minutes from the Regular Council Meeting Session #23 held on December 20, 2021, be received and accepted as printed.

CARRIED

4. **DELEGATIONS**

4.1 - **6:15 p.m. – Court of Revision – Churcher Drain**

At the appointed time of 6:15 p.m., Mayor Arnold declared open the Court of Revision for the Churcher Drain.

Deputy Clerk - Carlie McClemens confirmed that the Township has not received any appeals for assessments in the new report dated December 31, 2020.

Seeing no forthcoming appeals, Mayor Arnold declared the Court of Revision closed and asked for any motions.

Moved by T. Kingston

Seconded by B. Myers

Motion 2 Be it resolved that the report dated December 31, 2020, for the Churcher Drain be approved and that the assessments prescribed within be confirmed.

CARRIED

4.2 - 6:30 p.m. – Brander Park Pedestrian Crosswalk Relocation Request - Jeff Wesley LLB, Anderson Law Group

At the appointed time of 6:30 p.m., Mayor Arnold welcomed Jeff Wesley of the Anderson Law Group to make his presentation.

Mr. Wesley presented his report which was in support of relocating the pedestrian walkway at Brander Park further south to a straighter, and in his opinion, safer portion of St. Clair Parkway.

Councillor Brown asked staff for clarification on why the lights are required on the crosswalk in this location.

Mayor Arnold thanked Mr. Wesley for the presentation and asked for any forthcoming motions.

4.3 - 6:45 P.M. – 2022 Municipal Insurance Program Renewal Presentation

At the appointed time of 6:45 p.m. Mayor Arnold welcomed Tony Commisso and Stacey Ewing to make their presentation related to the Township's 2022 insurance renewal.

The premiums increase by 16% (up from the 13% increase for the 2021 calendar year). Mr. Commisso noted that this was lower than the provincial average which was north of 20%. Mr. Commisso noted that extreme weather events continue to challenge the insurance market.

He also noted that Township claims have showed a downward trend in the past few years which was unusual for the current climate.

Moved by T. Kingston

Seconded by S. Miller

Motion 3 Be it resolved that 2022 Municipal Insurance Program offered by Intact Public Entities for a renewal amount of \$712,632 excluding taxes be approved, and that staff be directed to consult with the provider for potential cost saving opportunities.

CARRIED

5. CORRESPONDENCE

Moved by P. Brown

Seconded by B. Myers

Motion 4 Be it resolved that Council accept the following items of correspondence as per Council's direction:

5.1 Heritage St. Clair – 2022 Project Proposals

5.2 Moore Agricultural Society – Request for Additional Financial Support

CARRIED

- 7.3 Moved by B. Myers Seconded by R. Atkins
Motion 11 Be it resolved that the *General Accounts Report and Corporate Visa Statement* report as submitted by Treasurer - George Lozon dated January 10, 2022, be received and that the vendor invoices be approved for the period of November 28, 2021, to January 8, 2022, totaling \$7,605,366.07; along with the CIBC Visa charges for the period of October 25 to November 24, 2021, totaling \$30,841.74.

CARRIED

- 7.4 Moved by S. Miller Seconded by B. Myers
Motion 12 Be it resolved that the *Response to December Invoice Inquiries* report as submitted by Treasurer - George Lozon dated December 21, 2021, be received as information.

CARRIED

- 7.5 Moved by R. Atkins Seconded by P. Brown
Motion 13 Be it resolved that the *2022 Tax Due Dates* report as submitted by Deputy Treasurer - Eric Hicks dated January 11, 2022, be received and that the following due dates be approved:

Interim Installment 1 - Thursday February 24, 2022

Interim Installment 2 – Thursday, April 28, 2022

Final Installment 1 – Thursday, July 28, 2022

Final Installment 2 – Thursday, September 29, 2022

CARRIED

- 7.6 Moved by S. Miller Seconded by J. De Gurse
Motion 14 Be it resolved that the *Fire Department - Information* report as submitted by Director of Emergency Services/Fire Chief - Richard Boyes be received as information.

CARRIED

- 7.7 Moved by B. Myers Seconded by S. Miller
Motion 15 Be it resolved that the *St. Clair Township 2021 Water Use Discrepancy* report as submitted by the Director of Public Works - Brian Black be received as information and that staff be directed to work with Lambton Area Water Supply System (LAWSS) to place water meters or other locking devices on uncontrolled industrial water supply sources and;

Be it further resolved that staff be directed to work with LAWSS and the associated industrial consumers to move the industrial water meters to an alternate location outside of the consumer's property closer to the LAWSS Main to deal with water service integrity issues and provide for a more efficient process for calibrating the industrial water meters and;

Be it finally resolved that staff be directed to work with LAWSS to design and install a check meter on the LAWSS watermain at the boundary of St. Clair Township.

CARRIED

- 7.8 Moved by J. De Gurse Seconded by R. Atkins
Motion 16 Be it resolved that the *Works - Monthly Report* as submitted by the Coordinator of Operations (Roads) - Dave Neely be received as information.

CARRIED

- 7.9 Moved by P. Brown Seconded by T. Kingston
Motion 17 Be it resolved that the *Water - Monthly Report* as submitted by the Coordinator of Operations (Water) - Chris Westbrook be received as information.

CARRIED

7.10 Moved by T. Kingston

Seconded by B. Myers

Motion 18 Be it resolved that the *Drainage - Monthly Report* as submitted by Drainage Superintendent - Jason Brunt be received as information and that the following recommendations be approved:

1. That the Section 78 request for improvement of the Miller Moffat Drain be accepted, and further, that R. Dobbin Engineering be appointed under section 78 of the Drainage Act to investigate and write a report for an improvement to the Miller Moffat Drain within St. Clair Township;
2. That the maintenance request to clean out the Burton Creek East Drain be approved, and that staff be directed to complete such maintenance and repair, using a suitable and qualified contractor as a maintenance expense to the drain.
3. That the petition from Tom Wilson be accepted, and that Spriet and Associates Ltd. be appointed to investigate and write a report for the installation of a new Municipal Drain, which will serve the area requiring drainage.
4. That the request from Alan Ferguson be accepted and that staff be directed to complete such requested work, using a suitable and qualified contractor, in accordance with the most recent Drainage Report and By-Law #10 of 2016.

CARRIED

7.11 Moved by S. Miller

Seconded by J. De Gurse

Motion 19 Be it resolved that the *CN Rail and Drainage* report as submitted by Drainage Superintendent - Jason Brunt be received as information and that staff be directed to submit a letter in support of Minister of Agriculture's letter to CN dated December 23, 2021.

CARRIED

7.12 Moved by T. Kingston

Seconded by S. Miller

Motion 20 Be it resolved that the *Community Services – Information* report as submitted by Director of Community Services - Kendall Lindsay be received as information.

CARRIED

7.13 Moved by J. De Gurse

Seconded by R. Atkins

Motion 21 Be it resolved that the *Campground Pavilions* report as submitted by Director of Community Services - Kendall Lindsay be received as information and that the fees contained within the report for the private use of campground pavilions be approved.

CARRIED

8. **BY-LAWS**

Moved by B. Myers

Seconded by P. Brown

Motion 22 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:

8.1 By-Law 1 of 2022 – Vote by Mail Procedures for 2022 Municipal Election

8.2 By-Law 2 of 2022 – Confirming By-Law

8.3 By-Law 3 of 2022 – Borrowing By-Law

8.4 By-Law 4 of 2022 – Interim Tax By-Law

8.5 By-Law 5 of 2022 – To Amend By-Law 33 of 2017 to Adjust Prohibited Overnight Parking

8.6 By-Law 6 of 2022 – Enbridge Gas Temporary Modular Buildings

8.7 By-Law 8 of 2022 – Site Plan Amendment – 4090 Telfer Road – Clean Harbors Inc.

CARRIED

9. NEW BUSINESS/COUNCILLORS' REPORTS:

Councillor Atkins

Councillor Atkins had nothing to report.

Councillor Brown

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

He asked staff for clarification on justification for different classifications of pedestrian crosswalks in certain locations.

Councillor De Gurse

Councillor De Gurse had nothing to report.

Councillor Kingston

Councillor Kingston participated in the Moore Museum Meeting and reported that their new executive has been named.

She also participated in the Committee of Adjustment meeting and met with the Corunna Community Policing Committee members.

Councillor Myers

Councillor Myers advised that he will be participating in the Heritage St. Clair meeting scheduled for January 19, 2022.

Moved by B. Myers

Seconded by T. Kingston

Motion 23 Be it resolved that the location of the pedestrian crosswalk planned to be enhanced at Brander Park be RECONSIDERED.

MOTION LOST

Councillor Myers asked staff to reexamine the parking at Brander Park to eliminate on-street parking and to increase enforcement of on-street parking in this area.

Deputy Mayor Miller

Deputy Mayor Miller participated in the recent St. Clair Region Conservation Authority meeting where he was advised that extensions for the 40-year floodway leases for the D'Arcy McKeough Floodway were nearing completion. Deputy Mayor Miller continues to lobby for consultation with affected landowners and has been advised such consultation has not yet taken place. Staff was directed to contact MPP Bailey's office to pursue consultations.

Mayor Arnold

Mayor Arnold asked staff for an update on recruitment of a Township planner.

Mayor Arnold also asked staff to continue to pursue the removal of some rail line in the southern part of the Township nothing several hundred feet of track have already been removed in the area of French Line. Mayor Arnold asked staff to continue to pursue the removal of the track over Lambton Line.

10. UPCOMING MEETINGS

10.1 Regular Council Meeting – Monday, February 7, 2022, at 3:00 p.m.

10.2 Regular Council Meeting – Tuesday, February 22, 2022, at 6:00 p.m.

10.3 Operating Budget – Thursday, February 24, 2022, at 5:00 p.m.

11. IN CAMERA SESSION

Moved by J. De Gurse

Seconded by P. Brown

Motion 24 Be it resolved that the meeting enter an in-camera session to consider the following:

- 11.1 Municipal Act – Section 239 (2) (d) To review progress on a new contract with Local OPSEU 123
- 11.2 Municipal Act – Section 239 (2) (f) To receive advice related to compliance with a local site plan
- 11.3 Municipal Act – Section 239 (2) (f) to receive an update on on-going litigation related to Property Standards

CARRIED

Mayor Arnold asked for any forthcoming motions stemming from the in-camera session.

Moved by P. Brown

Seconded by T. Kingston

Motion 25 Be it resolved that a request be sent to the LKDSB School Board to comply with the site plan and to shut off the lights on the south parking lot west of the building at Riverview Public School when there is no after-hours event taking place.

CARRIED

12. ADJOURNMENT

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

Moved by T. Kingston

Seconded by B. Myers

Motion 26 Be it resolved that the meeting do hereby adjourn.

CARRIED

The meeting was adjourned at 7:40 p.m.



Mayor – Steve Arnold



Deputy Clerk – Carlie McClemens

