



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #7

Electronic Meeting
April 4, 2022
3:00 p.m.

A Regular Meeting of Council was held Monday, April 4, 2022, at 3:00 p.m. with the following people participating:

| | |
|-------------|-----------------------|
| S. Arnold | Mayor |
| S. Miller | Deputy Mayor |
| R. Atkins | Councillor |
| P. Brown | Councillor |
| J. De Gurse | Councillor (via Zoom) |
| 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 #6 – March 21, 2022

4. DELEGATIONS

4.1 PUBLIC MEETING:

- 3:15 p.m. – Proposed Zoning By-Law Amendment – 2928 Rokeby Line – Gerhard Franz

4.2 PUBLIC MEETING:

- 3:30 p.m. – Courtright Waterfront Washrooms Proposal – John Dobson and Shawn Bogaert

4.3 PUBLIC MEETING:

- 3:45 p.m. – Dog Kennel Concerns at 1239 Stanley Line – Sarah Atkinson

5. CORRESPONDENCE ITEMS

5.1 Courtright Waterfront Washrooms Proposal

5.2 Road Conditions Complaint

5.3 Surface Drainage Issues – Riverside Drive, Port Lambton

5.4 Lambton Kent District School Board - Lighting Issues at Riverview School

5.5 Basement Rental and Sea Can Concerns at 1220 Pulteney Street

5.6 Sombra Optimists – Request for Financial Assistance

6. INFORMATION ITEMS

6.1 Moore Museum Advisory Committee Meeting Minutes – March 2, 2022

7. DRAINS

7.1 DRAFT Drainage By-Law 16 of 2022 – Government Drain No. 3 Improvement

7.2 DRAFT Drainage By-Law 17 of 2022 – Gray Drain East Improvement

7.3 DRAFT Drainage By-Law 18 of 2022 – Chowen Drain Improvement

7.4 DRAFT Drainage By-Law 19 of 2022 – McDonald Drain No. 2 Improvement

8. REPORTS OF COMMITTEES AND STAFF

8.1 Planner's Report – Proposed Zoning By-Law Amendment – 2928 Rokeby Line
– Gerhard Franz

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

8.3 Treasurer's Report – Local Authority Services (AMO Business Services) –
Insurance Information

8.4 Treasurer's Report – 2022 MMAH Municipal Services – Annual Debt
Repayment Limit

8.5 Treasurer's Report – The Beacon – 2022 Online Readership Information

8.6 Deputy Treasurer's Report – 2021 Council Remuneration and Expenses

8.7 Director of Emergency Services' Report – Information

8.8 Director of Emergency Services' Report – Emergency Response to the
Sydenham River, Stag and Fawn Islands

8.9 Director of Public Works' Report – Canadian Wildlife Federation Pollinator
Network Opportunity

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

8.11 Coordinator of Operations' (Works) Report – Drainage Concerns at 4677
Riverside Drive, Port Lambton

8.12 Coordinator of Operations' (Works) Report – 2022 Dust Control

8.13 Coordinator of Operations' (Works) Report – Waste Collection Post-June 30,
2023

8.14 Coordinator of Engineering's Report – Urban Asphalt Resurfacing 2022 -
Corunna

8.15 Coordinator of Engineering's Report – St. Clair Parkway Cold-in-Place (CIP)
Recycling with Expanded Asphalt Mix – Emily Street to Rokeby Line

8.16 Drainage Superintendent's Report – Monthly Report

8.17 Drainage Superintendent's Report – Hubbard Drain - Update

8.18 Drainage Superintendent's Report – Sterling Drain – Culvert at No. 26 Ward Line

8.19 Director of Community Services' Report – Information Report

8.20 Director of Community Services' Report – Corunna Athletic Park Skate Park and Memorial

8.21 Director of Community Services' Report – Parks Equipment

8.22 Director of Community Services' Report – Sombra Hall Repairs

8.23 Director of Community Services' Report – Community Services Staffing Shortages

9. **BY-LAWS**

9.1 By-Law 19 of 2022 – Zoning By-Law Amendment – Gerhard Franz – 2928 Rokeby Line

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

11. **UPCOMING MEETINGS**

11.1 Regular Meeting of Council – Monday, April 18, 2022, at 6:00 p.m.

11.2 Regular Meeting of Council – Monday, May 2, 2022, at 3:00 p.m.

11.3 Regular Meeting of Council – Monday, May 16, 2022, at 3:00 p.m.

12. **IN CAMERA SESSION**

12.1 Municipal Act – Section 239 (2) (b) To discuss tax information about specific properties

12.2 Municipal Act – Section 239 (2) (d) To discuss Labour Relations about at proposed new position

12.3 Municipal Act – Section 239 (2) (d) To discuss ongoing negotiations with OPSEU Local 123

13. **ADJOURNMENT**

1. **CALL TO ORDER**

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

2. **DECLARATION OF PECUNIARY INTEREST**

None declared.

3. **ADOPTION OF MINUTES**

that the incorporation of the clocktower and any associated costs be the responsibility of the donators; and be it further be resolved that the location and design be to the satisfaction of the Director of Community Services.

CARRIED

4.3 - 3:45 p.m. – Dog Kennel Concerns at 1239 Stanley Line – Sarah Atkinson

At the appointed time of 3:45 p.m., Mayor Arnold welcomed Sarah Atkinson to make her presentation related to concerns of a kennel operating at 1239 Stanley Line.

Mrs. Atkinson stated that the operation of a kennel at 1239 Stanley Line has been disruptive for the neighbourhood causing increased traffic, increased littering, dogs soiling private properties and increased dust. Mrs. Atkinson claimed that traffic to and from the site begins at 5:00 a.m. and extends through 10:00 p.m. According to the complainant, the kennel offers grooming services in addition to the kennel service.

Mrs. Atkinson was of the opinion that abutting property owners should be notified when a kennel licence is proposed for a specific property. Clerk - Jeff Baranek confirmed that the subject kennel is currently licenced and that there are specific requirements to obtain a kennel licence. He advised that when a proponent applies for a kennel licence, an inspector attends to inspect the premises and the facilities to ensure that all requirements are in place. Included in those requirements are an agricultural zone and a large setback, both of which are secured for this location.

Mrs. Atkinson stated that she examined the requirements for a kennel and stated that the subject kennel is in violation as it does not have an owner or operator present at all times as is required by the by-law. Clerk - Jeff Baranek advised that the by-law authorizes the Township to inspect any licenced kennel at any time to ensure all requirements are met.

Councillor Brown advised that, in his opinion, restricting the permitted hours of operation for kennels should be considered.

Mrs. Atkinson concluded her presentation by suggesting that the septic service on-site at 1239 Stanley Line was inadequate and was installed without a permit.

Moved by T. Kingston

Seconded by R. Atkins

Motion 4 Be it resolved that staff be directed to confirm that the septic system was installed with a proper permit; that the kennel operation has an owner or operator on site at all times; and to undertake a traffic count to determine the increase in the neighbourhood due to the establishment of a kennel at 1239 Stanley Line.

CARRIED

5. CORRESPONDENCE

Moved by P. Brown

Seconded by T. Kingston

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

- 5.1 Courtright Waterfront Washrooms Proposal
- 5.2 Road Conditions Complaint
- 5.3 Surface Drainage Issues – Riverside Drive, Port Lambton
- 5.4 Lambton Kent District School Board – Lighting Issues at Riverview School
- 5.5 Basement Rental and Sea Can Concerns at 1220 Pulteney Street
- 5.6 Sombra Optimists – Request for Financial Assistance

CARRIED

5.2 Moved by S. Miller Seconded by B. Myers
Motion 6 Be it resolved that the complaint submitted related to the condition of Indian Creek Road be referred to staff for investigation.
CARRIED

5.5 Moved by S. Miller Seconded by B. Myers
Motion 7 Be it resolved that the complaint related to an illegal second dwelling unit and a sea can at the property known as 1220 Pulteney Street be referred to staff for investigation.
CARRIED

5.6 Moved by S. Miller Seconded by B. Myers
Motion 8 Be it resolved that the request submitted by the Sombra Optimists for financial support to cover the annual membership dues for their members be referred to staff for a report.
CARRIED

6. **INFORMATION ITEMS**

Moved by B. Myers Seconded by S. Miller
Motion 9 Be it resolved that the following item of information be dealt with as per Council's direction:

6.1 Moore Museum Advisory Committee Meeting Minutes -March 2, 2022

CARRIED

7. **DRAINS**

Moved by B. Myers Seconded by J. De Gurse
Motion 10 Be it resolved that the following drainage by-laws be given the first and second readings, and that the Mayor and Clerk be authorized to sign the By-Laws accordingly:

7.1 DRAFT Drainage By-Law 16 of 2022 – Government Drain No. 3 Improvement

7.2 DRAFT Drainage By-Law 17 of 2022 - Gray Drain East Improvement

7.3 DRAFT Drainage By-Law 18 of 2022 - Chowen Drain Improvement

7.4 DRAFT Drainage By-Law 19 of 2022 - McDonald Drain No. 2 Improvement

CARRIED

8. **REPORTS OF COMMITTEES AND STAFF**

8.1 Moved by S. Miller Seconded by J. De Gurse
Motion 11 Be it resolved that that the *Proposed Zoning By-Law Amendment - 2928 Rokeby Line - Gerhard Franz* report as submitted by Planner - Ezio Nadalin dated March 14, 2022, be received as information and Draft By-Law 19 of 2022 to amend the zoning By-Law 17 of 2003 be considered for approval.
CARRIED

8.2 Moved by S. Miller Seconded by J. De Gurse
Motion 12 Be it resolved that the *Vendor Invoices and CIBC Visa Charges* report as submitted by Treasurer - George Lozon, dated March 27, 2022, be received and that the vendor invoices be approved for the period of February 27, 2022, to March 26, 2022, totaling \$1,985,781.05; along with the CIBC Visa charges for the period of January 25, 2022, to February 24, 2022, totaling \$14, 153.18.
CARRIED

- 8.3 Moved by T. Kingston Seconded by R. Atkins
Motion 13 Be it resolved that the *Insurance Information* report as submitted by Treasurer - George Lozon dated March 27, 2022, be received as information.

CARRIED

- 8.4 Moved by S. Miller Seconded by B. Myers
Motion 14 Be it resolved that the *Annual Debt Repayment Limit* report as submitted by Treasurer - George Lozon dated March 27, 2022, be received as information.

CARRIED

- 8.5 Moved by T. Kingston Seconded by S. Miller
Motion 15 Be it resolved that the *2022 Online Readership Information - The Beacon* report as submitted by Treasurer - George Lozon dated March 27, 2022, be received as information.

CARRIED

- 8.6 Moved by P. Brown Seconded by S. Miller
Motion 16 Be it resolved that the *2021 Council Remuneration and Expenses* report as submitted by Deputy Treasurer - Eric Hicks dated March 11, 2022, be received as information.

CARRIED

- 8.7 Moved by R. Atkins Seconded by B. Myers
Motion 17 Be it resolved that the *Fire Dept. - Information* report as submitted by Director of Emergency Services - Richard Boyes dated March 29, 2022, be received as information.

CARRIED

- 8.8 Moved by B. Myers Seconded by P. Brown
Motion 18 Be it resolved that the *Emergency Response to the Sydenham River, Stag and Fawn Islands* report as submitted by Director of Emergency Services - Richard Boyes be received as information.

CARRIED

Moved by T. Kingston Seconded by S. Miller
Motion 19 Be it resolved St. Clair Fire Department only respond to emergencies on Fawn and Stag Island via the operational ferries; and that staff be directed to produce a draft comprehensive policy for emergency response on both islands and in the Sydenham River for consideration.

CARRIED

- 8.9 Moved by S. Miller Seconded by P. Brown
Motion 20 Be it resolved that the *CWF Pollinator Network Opportunity* report as submitted by the Director of Public Works - Brian Black be received as information and that a membership with the Canadian Wildlife Fund's Pollinator Network be approved and;

Further, be it resolved that the Township property around the Sanitary Lagoons be approved as potential sites for the planting of designated wildflowers for the purpose of enhancing pollinator sustainability in Southwestern Ontario.

CARRIED

- 8.10 Moved by T. Kingston Seconded by B. Myers
Motion 21 Be it resolved that the *Works - Monthly Report* as submitted by Coordinator of Operations (Works) - Dave Neely dated March 29, 2022, be received as information.

CARRIED

8.11 Moved by S. Miller

Seconded by B. Myers

Motion 22 Be it resolved that the *4677 Riverside Drive - Drainage Concerns* report as submitted by Coordinator of Operations - David Neely be received as information and that a new catch basin be installed along the roadside, in front of No. 4677 Riverside Drive to collect any surface water runoff from the road surface.

CARRIED

8.12 Moved by T. Kingston

Seconded by P. Brown

Motion 23 Be it resolved that the *2022 Dust Control* report as submitted by Coordinator of Operations - David Neely be received as information and that the Township procurement policy be waived for economic benefits and that the quote submitted by Pollard Highway Products Ltd. in the amount of \$0.085 per litre for the 2022 Supply and Application of Chloride Based Liquids for Dust Suppressant be accepted.

CARRIED

8.13 Moved by R. Atkins

Seconded by B. Myers

Motion 24 Be it resolved that the *Waste Collection Post-June 30, 2023*, as submitted by Coordinator of Operations - David Neely be received as information and that staff be directed to request a quotation from Waste Management (WM) to extend the curb-side collection of waste for two additional years past the current expire of June 30, 2023.

CARRIED

8.14 Moved by T. Kingston

Seconded by S. Miller

Motion 25 Be it resolved that the *Urban Asphalt Resurfacing 2022 - Corunna* report as submitted by Coordinator of Engineering - Paul daSilva be received as information and that the tender submitted by 1197245 Ontario Ltd. (Sevcon Paving) in the amount of \$284,055.15 net HST be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

8.15 Moved by R. Atkins

Seconded by P. Brown

Motion 26 Be it resolved that the *St. Clair Parkway CIP Recycling with Expanded Asphalt Mix - Emily Street to Rokeby Line* report as submitted by Coordinator of Engineering - Paul daSilva be received as information and that the tender submitted by 1197245 Ontario Ltd. (Sevcon Paving) in the amount of \$830,409.34 net HST be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

8.16 Moved by J. De Gurse

Seconded by B. Myers

Motion 27 Be it resolved that the *Drainage - Monthly Report* as submitted by Drainage Superintendent - Jason Brunt be received as information and the following recommendations be approved:

1. That the request for maintenance on the Sterling Drain submitted by Bernard Kraayenbrink be accepted and that Staff be directed to obtain a suitable and qualified contractor to complete the required work in accordance with Township policy.
2. That a private road crossing culvert into the Shaw Drain be approved and that it be installed by a suitable and qualified contractor, in accordance with Township policy for private tile drain crossing roads.
3. That the request for maintenance on the Forbes Drain be received, and that the drain be cleaned by a suitable and qualified contractor, as a maintenance expense to the drain.

4. That the request for maintenance on the Government Drain #3 be received, and that the drain be cleaned by a suitable and qualified contractor, as a maintenance expense to the drain.
5. That the request for maintenance on the Elliot Drain be received, and that the drain be cleaned by a suitable and qualified contractor, as a maintenance expense to the drain.
6. That the request from Dave Huey be received, and that staff be directed to obtain a suitable and qualified contractor to complete the work in accordance with Township policy, and that all expenses be paid by the adjoining landowner as a special benefit to the property.

CARRIED

8.17 Moved by P. Brown

Seconded by B. Myers

Motion 28 Be it resolved that the *Hubbard Drain - Update* report as submitted by Drainage Superintendent - Jason Brunt be received as information and that a portion of Township owned lands known as Pt. Lot D, Concession 6, former Sombra Township (current property containing the sewage lagoons) be considered as suitable lands, to be used in creating 8,000m² of offsetting measures in accordance with the Department of Fisheries and Oceans requirements.

CARRIED

8.18 Moved by T. Kingston

Seconded by S. Miller

Motion 29 Be it resolved that the *Sterling Drain - Culvert at No. 26 Ward Line* report as submitted by Drainage Superintendent - Jason Brunt be received as information and that the following recommendations be approved:

1. That the Director of Public Works be authorized to sign a section 78 Drainage Act request (improvement request) representing the road authority, requesting an enclosure of the open drain, to address roadside bank slumping /erosion, east of the existing access culvert to No. 26 Ward Line.
2. That the request submitted by the owner of No. 26 Ward Line (Tekoa Farms Ltd) to replace the existing access culvert within the Sterling Drain be received.
3. That R. Dobbin Engineering be appointed to prepare a new report under Section 78, to enclose a portion of the Sterling Drain immediately east of the existing access culvert for No. 26 Ward Line to eliminate roadside bank slumping and erosion, and to include replacement of the access culvert to No. 26 Ward Line.

CARRIED

8.19 Moved by J. De Gurse

Seconded by P. Brown

Motion 30 Be it resolved that the *Community Services - Information* report as submitted by Director of Community Services - Kendall Lindsay be received as information.

CARRIED

8.20 Moved by T. Kingston

Seconded by P. Brown

Motion 31 Be it resolved that the *CAP Skate Park and Memorial* report as submitted by Director of Community Services - Kendall Lindsay be received as information and that the following recommendations be approved:

1. Canadian Ramp Company's price of \$200,000.00 before HST to install a skate park and pump track and;
2. A memorial plaque for Darren Turner to be installed at the skate park; and
3. That the Corunna Athletic Skate Park be responsible for 50% of the cost of installation and that they have five years to make the payments.

CARRIED

8.21 Moved by S. Miller

Seconded by B. Myers

Motion 32 Be it resolved that the *Parks Equipment* report as submitted by Director of Community Services - Kendall Lindsay be received as information and that the procurement process be waived for the purchases listed below and that they be funded from Park Equipment Reserves:

1. Kubota tractor from South Point Equipment for \$16,450.00;
2. Vermeer 700 xi brush chipper for \$31,000;

Further, be it resolved that the Director of Community Services be authorized to purchase a Toro 3500D tractor at a cost not to exceed \$25,000 to be funded from the Park Equipment Reserves.

CARRIED

8.22 Moved by J. De Gurse

Seconded by R. Atkins

Motion 33 Be it resolved that the *Sombra Hall Repairs* report as submitted by Director of Community Services - Kendall Lindsay be received as information.

CARRIED

8.23 Moved by P. Brown

Seconded by J. De Gurse

Motion 34 Be it resolved that the *Community Services Staffing Shortages* report as submitted by Director of Community Services - Kendall Lindsay and Human Resources Coordinator - Kelly Gibson be received as information.

CARRIED

9. BY-LAWS

Moved by T. Kingston

Seconded by B. Myers

Motion 35 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 19 of 2022 - Zoning By-Law Amendment - Gerhard Franz - 2928
Rokeby Line

CARRIED

10. NEW BUSINESS/COUNCILLORS' REPORTS:

Councillor Atkins

Councillor Atkins had nothing to report.

Councillor Brown

Councillor Brown attended the recent Community Awareness Emergency Response and St. Clair Region Conservation Authority meetings.

Councillor De Gurse

Councillor De Gurse had nothing to report.

Councillor Kingston

Councillor Kingston reported a sidewalk repair need on the north side of Courtright Line in Brigden and asked staff to consult with the County for the repair.

She also participated in a webinar facilitated by the Township insurance provider, Intact.

Councillor Myers

Councillor Myers thanked Jim Townsend for his devoted service on the Moore Museum Board as well as Laurie Mason for her service as Moore Museum Curator and extended his congratulations on her retirement.

Councillor Myers asked staff to look into a water meter leaking on Sydenham Road in Brigden.

Deputy Mayor Miller

Deputy Mayor Miller participated in the St. Clair Region Conservation Authority meeting.

He asked staff to contact Cogeco as the owner of 507 Moore Street in Port Lambton has reported damage to his driveway as a result of the boring done by Cogeco for the installation of fibre optic internet cable.

Mayor Arnold

Mayor Arnold asked staff to confirm with Cogeco when the new fibre optic service will be available in specific communities.

He noted that several gravel roads in the Township require maintenance including White Line.

Mayor Arnold also asked staff to contact the County of Lambton to determine when the scheduled safety improvements will be installed in Brigden on Courtright Line and Kimball Road.

11. UPCOMING MEETINGS

- 11.1 Regular Meeting of Council – Monday, April 18, 2022, at 6:00 p.m.
- 11.2 Regular Meeting of Council – Monday, May 2, 2022, at 3:00 p.m.
- 11.3 Regular Meeting of Council – Monday, May 16, 2022, at 6:00 p.m.

12. IN CAMERA SESSION

Moved by P. Brown

Seconded by S. Miller

Motion 36 Be it resolved that the meeting enter an in-camera session to consider the following:

- 12.1 12.1 Municipal Act - Section 239 (2) (b) To discuss tax information about specific properties
- 12.2 Municipal Act - Section 239 (2) (d) To discuss Labour Relations about a proposed new position
- 12.3 Municipal Act - Section 239 (2) (d) To discuss ongoing negotiations with OPSEU Local 123

CARRIED

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

Moved by P. Brown

Seconded by R. Atkins

Motion 37 Be it resolved that the negotiated contract inclusive of the amended terms and annual wage increases between the Township and OPSEU Local 123 be ratified and confirmed for a three-year term retroactive to September 30, 2021.

CARRIED

Moved by B. Myers

Seconded by J. De Gurse

Motion 38 Be it resolved that the public be welcomed back into Council Chambers for in-person meetings but, that the livestream still be broadcast on the internet.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion 39 Be it resolved that a third Deputy Fire Chief position be approved and that the job description be amended to the satisfaction of the Fire Chief and Director of Human Resources prior to posting.

CARRIED

13. ADJOURNMENT

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

Moved by T. Kingston

Seconded by B. Myers

Motion 40 Be it resolved that the meeting do hereby adjourn.

CARRIED

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



Mayor – Steve Arnold



Clerk – Jeff Baranek

