

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 13**

St. Clair Civic Centre
Council Chambers
Monday June 19, 2006
7:00 p.m.

The regular semi-monthly meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	J. Dedecker,	Mayor
	S. Arnold	Deputy Mayor
	P. Alexander,	Councillor
	S. Miller,	“
	S. Warner,	“
	P. Gilliland,	“
	D. Randell,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of June 5, 2006
Committee of the Whole of June 14, 2006
Moore Museum Advisory Committee Minutes of June 7, 2006
Sombra Museum Board Committee Minutes of May 18, 2006

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15 – Court of Revision – Stag Island Waterline Debenture
7:30 – Public Hearing – Rezoning Bernard Kraayenbrink
7:45 – Brigden Legion & Brigden Optimist – street closing

CORRESPONDENCE:

- a) Brigden Legion and Brigden Optimist – Street closing
- b) MOE – Clean Harbors
- c) Old River Road Residents – Drainage petition

INFORMATION:

- 1) Township of St. Clair – Public Hearing Notice
- 2) S.C.R.C.A. – update
- 3) Lambton Federation of Agriculture – Farm Market Map
- 4) County of Lambton – Best Start
- 5) County of Lambton – Council Highlights
- 6) County Warden – Health Units
- 7) S.C.R.C.A. – 2006 Annual Tour
- 8) College of Physicians – Licensing
- 9) Western Wardens’ – News Release
- 10) A.M.O. – Municipal Act
- 11) Barry Uitvlugt – Planning Report

DRAINS:

By-law # 24 of 2006 - Whitsett Drain
By-law # 25 of 2006 - Hodge Drain
By-law # 26 of 2006 - Scott Drain
By-law # 27 of 2006 - Whitebread East Drain
By-law # 28 of 2006 – Buckingham North Drain – Buckingham Road
By-law # 29 of 2006 – Shepley Drain

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Applications: B 12/06 and B 13/06

DRAINAGE SUPERINTENDENT'S REPORT:

- Hay Road

COORDINATOR OF ENGINEERING SERVICES:

- Sandstone Street Storm Sewer Reconstruction
- Rural Culvert Replacements
- Greenfield Energy Center – Encroachment Agreement
- Corunna Sewage Treatment Plant - Capacity

TREASURER'S REPORT:

- Self Financing of Stag Island Waterline Debenture

CLERK'S REPORT:

- Animal Control
- Alcohol Management Policy

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-law 33 of 2006 – Kraayenbrink Rezoning
By-law 34 of 2006 – Hill Street Mini Mart Amended Site Plan
By-law 35 of 2006 - Deeming Lots 21, 22, 23 and 24, Plan 3 (Sombra)
By-law 36 of 2006 – Development Agreement – Danbury Developments Inc.
(6 lots created by severance)

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

ADJOURNMENT:

The Mayor called the meeting to order at 7:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

None declared

MINUTES:

Council proceeded to review the minutes as listed on the agenda. In discussion of the minutes Councillor Alexander pointed out that in Motion #5 she had requested that the report from Public Works regarding the requested stop sign include information on traffic counts and speeds.

Also, it was pointed out by the Deputy Mayor that in the Public Works and Operations minutes recommendation No. 15 on page 5 did not provide that the sidewalks in question were approved but rather referred to the 2007 capital budget process for consideration.

In consideration of the Museum Advisory Board minutes Councillor Alexander made a motion that the student fees remain at \$3.50 per student. The motion failed to get a seconder and was defeated.

Moved by S. Warner

Seconded by D. Randell

Motion #1 That the minutes of the following meetings be adopted as printed and circulated:

Council Meeting of June 5, 2006, Session #12 – as amended
Committee of the Whole of June 14, 2006 – as amended
Moore Museum Advisory Committee minutes of June 7, 2006 and the
recommendations contained therein.
Sombra Museum Board Committee Minutes of May 18, 2006

CARRIED

DEPUTATIONS AND APPOINTMENTS:

Council welcomed representatives from the Brigden Legion and the Brigden Optimist Club present to present to Council their request to close the Brigden Road from County Road 80 to Jane Street on August 19, 2006 between the hours of 10:00 p.m. and 12:00 midnight to facilitate an open air street dance. This event is planned to bring people to downtown Brigden for entertainment and shopping. The delegates provided to Council the diagram showing the traffic detours. It was pointed out to the group that the Works Department should be contacted at the appropriate time to arrange for detour signage and road closing barricades.

Moved by P. Alexander

Seconded by S. Arnold

Motion #2 That permission be granted to the Brigden Legion and the Brigden Optimist Club to close a portion of the Brigden Road between County Road 80 and Jane Street on August 19, 2006 from the hours of 10:00 p.m. to 12:00 midnight to facilitate an open air festival subject to the appropriate notification to Emergency Response Services and the appropriate road signage and barricades.

CARRIED

CORRESPONDENCE:

Council reviewed the communication received from the Ministry of the Environment requesting the Township's opinion as to the application of Clean Harbors located at 4090 Telfer Road to construct a new building to be used in conjunction with its waste disposal facility.

Moved by S. Arnold

Seconded by P. Alexander

Motion #3 That Council officially petition the Director to order a public hearing in regards to the application of Clean Harbors to expand its facility.

DEFEATED

Moved by S. Miller

Seconded by P. Gilliland

Motion #4 That the Township offer no objection to the proposed new building and equipment at the Clean Harbors facility located at 4090 Telfer Road.

CARRIED

Council reviewed the drainage petition received from several residents owning property adjacent to Brander Park asking for Township consideration to improve drainage at Brander Park.

Moved by S. Arnold

Seconded by S. Warner

Motion #5 That the drainage request received from residents adjacent to Brander Park be referred to the Director of Community Services and the Drainage Superintendent for investigation and report to the next meeting of the Public Works and Operations Committee.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #6 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Brigden Legion and Brigden Optimist – Street closing
Inst. See Motion #3
- b. MOE – Clean Harbors
Inst. See Motion #4
- c. Old River Road Residents – Drainage petition
Inst. See Motion #5

CARRIED

At the appointed time Council called to order the Court of Revision called to consider the assessment on the Stag Island watermain extension local improvement.

Moved by S. Arnold

Seconded by P. Alexander

Motion #7 That all members of Council be appointed to the Local Improvement Court of Revision with the Mayor as Chair.

CARRIED

The Clerk explained the purpose of the meeting and Council's authority acting as Court of Revision was to address assessment appeals and to correct gross or manifest errors. Mr. Terry Gray the project's consulting engineer was present and advised that the final cost of the project is \$681,000.00 compared to the original estimate of \$684,750.00, and that all lots paid the same unit price at \$5,706.00. Mr. Gray also stated that the President of the Stag Island Fraternity has been made aware of the costs of the project as they have progressed and is in agreement with all the invoices that were paid. No written or verbal appeals were received on the local improvement assessment.

Moved by S. Warner

Seconded by S. Arnold

Motion #8 That the assessment on the Stag Island Watermain Extension local improvement as per By-law 40 of 2005 be confirmed and the Court of Revision close.

CARRIED

Council returned to order.

At the appointed time the Mayor called to order the meeting of the public hearing called to consider an application for rezoning submitted by Mr. Bernard Kraayenbrink, owner of property known as the North Part of Lot 1, Concession 10.

Mayor Dedecker explained the procedures that would be followed at this public hearing and that everyone wishing to do so would have the opportunity to comment or question the merits of the application. The Mayor then called upon Mr. Barry Uitvlugt to provide his planning merit report on the application.

Mr. Uitvlugt explained that the rezoning before Council tonight is connected to a application filed by the owner for consent and if approved the rezoning would prevent the construction of a dwelling unit on the remnant property, and also legitimize the size and

the use of the single family unit proposed to be conveyed through consent. Mr. Uitvlugt acknowledged that there is a small accessory building situated on the property, as such would be straddling the proposed new lot line. Mr. Uitvlugt is recommending that Council, if it approves the application, give the corresponding by-law the 1st and 2nd reading and to provisionally adopt it and hold final passage until the building is moved or removed.

The Mayor then called for questions or comments by members of Council or the public.

The Clerk advised that no written comments were received and no verbal comments were offered.

Hearing no further comments the Mayor declared the public hearing closed and Council returned to order.

Moved by D. Randell

Seconded by S. Warner

Motion #9 That By-law Number 33 of 2006, a by-law to rezone property known as Part of Lot 1, Concession 10, geographic Township of Sombra, Township of St. Clair owned by Bernard Kraayenbrink be given the First and Second Readings and be provisionally adopted.

CARRIED

DRAINS:

Moved by S. Warner

Seconded by D. Randell

Motion #10 That Drainage By-law #24 of 2006, being a by-law to raise the sum of \$1,523.27 being money expended out of the General funds of the Township of St. Clair for the maintenance repairs to the Whitsett Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Alexander

Seconded by P. Gilliland

Motion #11 That Drainage By-law #25 of 2006, being a by-law to raise the sum of \$2,897.61 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Hodge Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by S. Arnold

Seconded by S. Warner

Motion #12 That Drainage By-law #26 of 2006, being a by-law to raise the sum of \$10,672.80 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Scott Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Gilliland

Seconded by P. Alexander

Motion #13 That Drainage By-law #27 of 2006, being a by-law to raise the sum of \$7,991.25 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Whitebread Drain East be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by S. Warner

Seconded by S. Arnold

Motion #14 That Drainage By-law #28 of 2006, being a by-law to raise the sum of \$2,187.39 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Buckingham North Drain – Buckingham Road be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Alexander

Seconded by S. Miller

Motion #15 That Drainage By-law #29 of 2006, being a by-law to raise the sum of \$1,014.47 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Shepley Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed Applications to the Committee of Adjustment identified as B 12/06 and B 13/06 and offered no comment or opinion.

DRAINAGE SUPERINTENDENT'S REPORT:

Council reviewed the report prepared by Mr. DePooter on the results of tenders called for the improvement of the given road known as the Hay Road:

G.J.S. Excavating	\$11,277.54
Bishop Contracting	\$12,577.85
McGee Brothers Farm Drainage	\$12,716.95

Moved by P. Alexander

Seconded by D. Randell

Motion #16 That the recommendation of the Drainage Superintendent to approve the quote of \$11,277.54 from G.J.S. Excavating for the Hay Road improvements, subject to the landowner's agreement, to be paid out of the 2006 spring 'Provincial One Time Road and Bridges Funding'.

CARRIED

COORDINATOR OF ENGINEERING SERVICES:

Council reviewed Mr. Burnham's report on the tenders recently called for the Sandstone Street Storm Sewer Reconstruction:

Murray Mills Excavating & Trucking Ltd.	\$30,716.00
Delway Contractors	\$33,000.00
Henry Heyink Construction Ltd.	\$37,000.00

Moved by S. Miller

Seconded by D. Randell

Motion #17 That the recommendation of the Coordinator of Engineering Services to approve the tender submitted by Murray Mills Excavating & Trucking Ltd. in the amount of \$30,716.00 plus GST, for the Sandstone Street Storm Sewer be accepted and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Council reviewed Mr. Burnham's report on the results of the tenders recently called for Rural Culvert Replacements in various locations:

B.F. Environmental Consultants Ltd.	\$60,401.00
Van Bree Drainage & Bulldozing Limited	\$60,840.00
McKenzie & Henderson	\$67,870.00
Henry Heyink Construction Ltd.	\$72,500.00
Delway Contractors	\$78,650.00
Murray Mills Excavating & Trucking Ltd.	\$82,671.00

Moved by S. Arnold

Seconded by P. Alexander

Motion #18 That the recommendation of the Coordinator of Engineering Services to approve the tender submitted by B.F. Environmental Consultants Ltd. in the amount of \$60,401.00 plus GST, for the Rural Culvert Replacements be accepted and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Moved by S. Miller

Seconded by D Randell

Motion #19 That the Township enter into an Encroachment Agreement with Greenfield Energy Center LP and that the Mayor and Clerk be authorized to sign the agreement or other related documents.

CARRIED

Council reviewed Mr. Burnham’s report on the Corunna Sewage Treatment Plant capacity.

Moved by P. Gilliland

Seconded by S. Warner

Motion #20 That the flow from the proposed Durocher residential development east of Bentinck Street and north of St. Clair Blvd. be accepted as part of the existing capacity into the Corunna Sewage Treatment Plant.

CARRIED

TREASURER’S REPORT:

Moved by S. Arnold

Seconded by P. Alexander

Motion #21 That the Township finance the Stag Island Waterline financial shortfall in the Capital Fund in the amount of \$16,183.00 at 4.8% over the ten year debenture period.

CARRIED

CLERK’S REPORT:

Council considered the Clerk’s report which contained a summary of proposals received for the position of Animal Control Officer. Council was advised by the Clerk that after a review of the applications and resume’s one candidate seemed to have the demonstrated experience to carry out the job, however, one of the other candidates was being contacted for a brief telephone interview.

<u>Bidder</u>	<u>Option A (Ward 1 Only)</u>	<u>Option B (Ward 2 Only)</u>	<u>Option C (Ward 1 & 2)</u>
1. Susan Taylor	\$600.00	\$600.00	\$1,200.00
2. Cathy Sterling			\$1,200.00
3. Gayle Farr	\$700.00	\$700.00	\$1,400.00
4. Vicky Kyle		\$1,031.00	
5. Beth Hunter	\$1,000.00	\$1,000.00	\$2,000.00
6. Brian White	\$2,800.00	\$2,800.00	\$3,500.00
7. Darren Romphf	\$1,010.00	\$500.00	\$1,510.00
8. Chris Brown	No bid – resume - only		

Moved by P. Gilliland

Seconded by S. Warner

Motion #22 That the Clerk be authorized to select the appropriate candidate for the position of Animal Control Officer from the list of those filing a proposal based on his opinion on the most experienced person to carry out the function.

CARRIED

The Clerk also provided Council a report on the meeting held on June 15th relative to the Alcohol Management Policy review. In his report the Clerk advised that a second and possible subsequent meetings would be held to draft a policy in consultation with stake holders for review by Council.

CHIEF ADMINISTRATIVE OFFICER’S REPORT:

Mr. Rodey advised that the Director of Community Services has obtained a cost quote for roadside mowing along the St. Clair Parkway south of the Oil Springs Line. The quoted price was \$180.00 per cut.

Moved by S. Arnold

Seconded by S. Warner

Motion #23 That the Director of Community Services be authorized to accept the quote in the amount of \$180.00 per cut for roadside mowing on the St. Clair Parkway south of the Oil Springs Line.

CARRIED

Moved by S. Arnold

Seconded by S. Warner

Motion #24 That the Director of Community Services be authorized to work in cooperation with the Treasurer to obtain a credit card for use by the appropriate designated staff at the St. Clair Township Golf Course.

CARRIED

COUNCILLORS REPORTS:

Steve Arnold

Deputy Mayor Arnold advised of attending various functions on behalf of the municipality and attended a Friday meeting with MPP Caroline DiCocco. Items of interest to the Township were brought to Ms. DiCocco's attention, such as the Township's endeavours to develop a new St. Clair Township Community Policing Office, electricity transmission capabilities and several other items of interest to the municipality that have provincial implications.

Darrell Randell

Councillor Randell advised Council of projects he is involved with known as the Friends of the St. Clair Photo Contest and his involvement with the Ontario Great Lakes Renewal Foundation. Councillor Randell is suggesting that this Foundation has invested considerable dollars into St. Clair Township projects and he feels it would be appropriate to provide some sort of letter of recognition and thanks to the group. Councillor Randell to draft the letter for consideration.

Pat Alexander

Councillor Alexander requested the Public Works Department to cut the grass on the Brigden Road bridge north of the Village of Brigden. Councillor Alexander also advised Council of her recollection of perceived concern about hydro transmission lines through urban areas such as Brigden.

Pete Gilliland

Councillor Gilliland also attended several local municipal functions and as well advised Council of a problem helping in a land clearing operation near the Sir John Moore School on undeveloped property owned by Paddock Green. Councillor Gilliland has discussed the issue with the tenant farmer and senses a degree of willingness to cooperate on his behalf. Councillor Gilliland also advised of a complaint received regarding the location of the Bruce Gibson Chip Truck at Guthrie Park. Apparently due to the way the chip truck is situated customers are standing on the River Trail and could be blocking the path for pedestrians and cyclists and injuries could result, it was suggested the Clerk contact Mr. Gibson to discuss alternative locations.

Steve Miller

Councillor Miller advised of the upcoming Classic Auto Show being hosted by the Sombra Optimist at Brander Park and requested Community Service staff to investigate and clean as required the seaweed and debris from the four beach areas at the park. Also in response to Councillor Miller's questions staff advised that no word has yet been received from the OPP regarding draft building plans.

Joe Dedecker

Mayor Dedecker advised of attending a recent meeting of the Chamber of Commerce called to discuss electricity transmission capabilities in this area in a meeting to discuss the

Lambton Health Study at which time it was determined the Federal Government may participate in the full funding of the project. Mayor Dedecker also received a call from Mrs. Connie Russell regarding neighbourhood yard sales and a concern from Mr. Arsneau a resident at 208 Fane St. regarding poison ivy in a roadside boulevard tree.

BY-LAWS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #25 That By-law Number 34 of 2006, a by-law to authorize execution of an Amended Site Plan Agreement with Hill Street Mini Mart, geographic Township of Moore, Township of St. Clair, be given the necessary three readings, signed by the mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by S. Warner

Seconded by D. Randell

Motion #26 That By-law Number 35 of 2006 a Deeming By-law, Lots 21, 22, 23 and 24, Plan 3, geographic Township of Sombra, Township of St. Clair, be given the necessary readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #27 That By-law 36 of 2006, a by-law to authorize execution of a Development Agreement with Danbury Developments Inc., Township of St. Clair, County of Lambton, (Committee of Adjustment, Application B 11 – B 16/06, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

NEW BUSINESS:

The Clerk advised of a request received today on behalf of the Brigden Two Pitch Men's League requesting municipal permission to locate a refreshment tent during their upcoming tournament on July 21, 22 and 23 of 2006 at the Brigden Ball Park. The Clerk advised Council of discussion with the Tournament Coordinator and Sgt. Paul Futers of the OPP and the need for paid duty officers to provide security due the nature and relatively small size of the event.

Moved by S. Warner

Seconded by D. Randell

Motion #28 That permission be granted to the Brigden Men's Two Pitch League for the placement of a refreshment tent at the Brigden Park on July 21, 22 and 23 2006 subject to the provision of appropriate security.

CARRIED

Council reviewed the request received from Susan Simpson for increased by-law enforcement to enforce the parking prohibition on the St. Clair Parkway adjacent to the northwest portion of the main part of Brander Park. The Clerk advised Council of his review of the situation with the Director of Public Works and the fact that the Public Works Department have re-established the damage or missing No Parking signs in the area. It was pointed that Ms. Simpson's request to Council revolved around the enforcement of the By-law. Council was reminded that it passed By-law 61 of 2005 in June of 2005 to impose parking prohibition on both sides of the St. Clair Parkway from property known municipally as 4530 St. Clair Parkway to the north line of the entrance to the park. After considerable discussion, it was;

Moved by S. Arnold

Seconded by S. Miller

Motion #29 That the appropriate staff be instructed to investigate and report on options to enlarge parking on the northwest portion of the main part of Brander Park with the proposed new parking area to be accessed from the existing parking area and not by an additional access onto the St. Clair Parkway.

CARRIED

Council discussed the concept of waiving the No Parking prohibition during special events such as the upcoming Optimist sponsored Classic Car Show.

Moved by S. Arnold

Seconded by D. Randell

Motion #30 That By-law Number 61 of 2005 be amended to allow parking on the west side of the St. Clair Parkway in the area from 4530 St. Clair Parkway to the north entrance into Brander Park.

DEFEATED

Moved by S. Arnold

Seconded by S. Miller

Motion #31 That By-law Number 37 of 2006 being a by-law to repeal By-law Number 61 of 2005 and to allow vehicular parking on the west side of the St. Clair Parkway from property known municipally as 4530 St. Clair Parkway to the north entrance into Brander Park while prohibiting parking on the east side of the Parkway in this specific location be read the required number of times and be finally passed signed and sealed.

CARRIED

ADJOURNMENT:

Moved by S. Warner

Seconded by P. Gilliland

Motion #32 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:15 p.m.

MAYOR

CLERK