

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 3**

St. Clair Civic Centre
Council Chambers
Monday, February 19, 2007
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:

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

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of January 29, 2007
Sombra Museum of January 18, 2007
Committee of the Whole Meeting of February 14, 2007 (Fin. & Adm. – Public Works)
St. Clair River Trail – January 24, 2007

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:30 p.m. - Public Meeting – rezoning – Shell Canada
7:40 p.m. - Public Meeting – rezoning – Enbridge Gas
7:45 p.m. - Public Meeting – rezoning – Wayne Annett

CORRESPONDENCE:

- a) Captain Kidd Days Committee - permission
- b) Lambton News Association – annual meeting – April 12, 2007
- c) Moore Presbyterian Foundation – grant request

INFORMATION:

1. Bluewater Health – 2007-08 budget
2. OMAFRA – drainage course
3. V.O.N. Sarnia-Lambton – fund raiser
4. County of Lambton – C.P.R.
5. Town of Minto – resolution
6. OGRA/ROMA – conference
7. Ministry of Public Infrastructure renewal – information
8. Dr. Richard Cheong – Bluewater Health
9. Ed Linton – grant request
10. Notice of Public Meeting – rezoning Pt Lot 68, Front Concession – Shell Canada
11. Notice of Public Meeting – rezoning Pt Lot 18, Concession 9 – Enbridge
12. Notice of Public Meeting – rezoning Lot 27, Concession 11 – Wayne Annett

13. Barry Uitvlugt – Planning report – Shell Canada
14. Barry Uitvlugt – Planning report – Enbridge Gas
15. Jeff Baranek – Planning report – Wayne Annett
16. AMO – Warden Burns appointment
17. County of Lambton – Council highlights
18. Shell Canada Products – thank you

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment - Decisions B01/07, B02/07, B03/07, B04/07
Committee of Adjustment - Applications A01/07, A02/07

COORDINATOR OF PLANNING REPORT:

- former Colborne St. School Plan of Subdivision

DIRECTOR OF COMMUNITY SERVICES:

- Sombra Museum - 2007 appointments

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

Draft Letter - Ministry of Health & Long Term Care

BY-LAWS:

By-law #10 of 2007 – Confirming
By-law #11 of 2007 – Contract with Totten Sims Hubicki
By-law #12 of 2007 – Agreement Maxess Network
By-law #13 of 2007 – Zoning Amendment R 1/07 – Shell Canada
By-law #14 of 2007 – Zoning Amendment R 2/07 – 912176 Ontario Limited
By-law #15 of 2007 – Zoning Amendment R 3/07 – Wayne & Ruth Anne Annett

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

ADJOURNMENT:

Mayor Arnold 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.

Moved by J. Agar

Seconded by P. Gilliland

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

Council Meeting of January 29, 2007, Session #2
Sombra Museum of January 18, 2007
St. Clair River Trail of January 24, 2007

CARRIED

Moved by P. Gilliland

Seconded by P. Brown

Motion #2 That the minutes of the Committee of the Whole (Combined meeting of Finance & Administration and Public Works & Operations) meeting of February 14, 2006 be adopted as printed and circulated.

CARRIED

BUSINESS ARISING FROM THE MINUTES:

Council reviewed the draft letter offered at the last meeting of the Committee of the Whole by Councillor Agar regarding a disposal site on the north side of Petrolia Line east of Corunna.

Moved by D. Randell

Seconded by S. Miller

Motion #3 That Council authorize the sending of a letter to the Ministry of the Environment based on Councillor Agar's letter regarding a disposal site on the Petrolia Line east of Corunna.

CARRIED

CORRESPONDENCE:

Moved by J. Agar

Seconded by P. Gilliland

Motion #4 That permission be granted for a refreshment tent at the annual Captain Kidd Days to be held August 3rd and August 4th, 2007, subject to the provision of the appropriate policing and security as per Township policy.

CARRIED

Moved by P. Carswell

Seconded by S. Miller

Motion #5 That the memorandum dated February 12, 2007 from the Lambton County Municipal Association be accepted and membership fee paid for 2007.

CARRIED

Moved by P. Carswell

Seconded by P. Gilliland

Motion #6 That the annual grant to the Moore Presbyterian Foundation in the amount of \$6,000.00 be accepted and approved.

CARRIED

INFORMATION:

The information provided by the Ontario Ministry of Agriculture and Food regarding training opportunities was tabled for further discussion at the first Council meeting in April.

Moved by P. Carswell

Seconded by S. Miller

Motion #7 That the resolution of the Town of Minto regarding Royal Canadian Legions be endorsed and appropriately circulated.

CARRIED

Mayor Arnold briefed Council on his recent meeting with David Caplin, Minister of Public Infrastructure renewal arranged by MPP Caroline DiCocco.

Moved by S. Miller

Seconded by D. Randell

Motion #8 That the letter from Ed Linton requesting financial assistance to purchase a piece of fire training equipment be referred to budget deliberations.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #9 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Captain Kidd Days Committee - permission
Inst. See Motion #4
- b. Lambton News Association – annual meeting – April 12, 2007
Inst. See Motion #5
- c. Moore Presbyterian Foundation – grant request
Inst. See Motion #6

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At the appointed time Mayor Arnold called to order the public hearing called to consider the application for rezoning submitted by Shell Canada. The Mayor then called upon Mr. Barry Uitvlugt who provided in detail his planning report on the application.

Mr. Uitvlugt explained that the proposed rezoning would see the area in question rezoned from Open Space 1 to Site Specific M3 to allow the establishment of a marine facility and accessory building. Mr. Uitvlugt also explained, in response to questions later, that the establishment of the facility was a requirement from Environment Canada. The Mayor then opened the floor for questions and comments. In response to Council's questions Mr. Uitvlugt explained that the proposed building is approximately 20 ft. by 30 ft. and there was concern expressed regarding the loss of the river view in that specific location. Council was reminded that the facility would be subject to the site plan process. It was also pointed out that verbal approval of the proposal has been received from the St. Clair Region Conservation Authority and written approval is forthcoming. No one in attendance spoke in opposition to the proposal. Hearing no further comments Mayor Arnold declared the public hearing closed.

Moved by P. Brown

Seconded by S. Miller

Motion #10 That By-law Number 13 of 2007, being a by-law to amend Zoning By-law 17 of 2003 affecting lands described as Part Lot 68 and Water Lot 68, Front Concession, Geographic Township of Moore, to permit a marine facility and uses accessory thereto, be given the necessary readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Mayor Arnold called to order the public hearing called to consider an application for rezoning submitted by Enbridge. In his planning report Mr. Uitvlugt pointed out that Enbridge Gas has purchased a property to the north of their present compressor site on Tecumseh Road and proposed to construct a new office facility in a larger maintenance shop. The zoning in question is Agricultural and the proposed zoning would be M5-2 EP-WD. At the conclusion of Mr. Uitvlugt's presentation Mayor Arnold invited comments and questions from the floor.

Mr. Bill Watson, the owner of an adjacent property, advised that he had no objections to the Enbridge proposal, but had three concerns that he hoped would be addressed in the process. Mr. Watson is concerned as to the continued viability of the Laur Drain, and concerned about maintenance of the property line between his property and that owned by Enbridge. Mr. Watson stated in the past that the bush lot on the property over the years tends to encroach across the property line. Also, Mr. Watson expressed his concern that the sale of the property to Enbridge may set an unrealistically high comparison value for property assessments by MPAC. The meeting was advised that Township staff and a consulting engineer have met on site for examination of the Laur Drain in preparation of an Engineer's Report to provide for the work required by the Enbridge proposal.

Mr. Terry Chupka, Land Administrator for Enbridge stated that he has discussed Mr. Watson's issues and Enbridge will endeavour to maintain the integrity of the boundary line between the Enbridge property and that owned by Mr. Watson. Mr. Uitvlugt also pointed out that the development would be subject to the site plan process. Hearing no further questions or comments Mayor Arnold declared the public hearing closed.

Moved by P. Gilliland

Seconded by J. Agar

Motion #11 That By-law Number 14 of 2007, being a by-law to amend Zoning By-law 17 of 2003 affecting lands described as Part Lot 19 of Concession 8 and Part Lots 20 and 21 of Concession 9, Geographic Township of Moore, Township of St. Clair by changing the zone symbols from A1 and EP-WD to M5-2 and EP-WD as shown on Schedule A-1-6 and A1 to EP-WD as shown on Schedule A-1-7, be given the necessary readings, be signed by the mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

At the appointed time Mayor Arnold called to order the public hearing called to consider the rezoning of property known as Part Lot 27, Concession 11, Geographic Township of Sombra, Township of St. Clair. Mr. Uitvlugt pointed out that in accordance with Provincial Policy the subject property was granted a severance for the residential unit on the property, and that the remnant farm property as a condition of the consent required a rezoning that would not allow the development of a residential unit on the remnant parcel. No one spoke in opposition to the proposal and hearing no comments or questions Mayor Arnold declared the public hearing closed.

Moved by S. Miller

Seconded by P. Carswell

Motion #12 That By-law Number 15 of 2007, being a by-law to amend zoning by-law 17 of 2003 affecting lands described as Part Lot 27, Concession 11, Geographic Township of Sombra, by changing the Zone symbols which applies to the lands from A1 to A1-R and A1-ND, be given the necessary readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed Decisions B01/07, B02/07, B03/07 and B04/07 and Applications A01/07 and A02/07. The only comment received was that from Councillor Carswell who supported Application A01/07.

COORDINATOR OF PLANNING REPORT:

Council proceeded to review the report of the Coordinator of Planning regarding the former Colborne Street School plan of subdivision. Several members of Council expressed their concern and disappointment that the former Colborne Street School has not been maintained to a higher standard. Council discussed in general provisions of its Property Standards By-law and ways to encourage the owner to improve the appearance of the building. After considerable discussion, it was;

Moved by S. Miller

Seconded by P. Carswell

Motion #13 That the Council of the Township of St. Clair support the draft plan of subdivision for the Colborne Street School providing; consent Application B 17/06 is completed, and the owner enters into a subdivision agreement with the Corporation of the Township of St. Clair.

The 3 metre walkway from the cul-de-sac to CAP should be deeded to the municipality. An easement for the proposed storm sewer through CAP Park to Colborne Street should be given to the Township with all legal and survey costs paid by the owner.

It is also recommended that the municipality approve the proposed street name of the cul-de-sac as a condition of draft approval.

CARRIED

DIRECTOR OF COMMUNITY SERVICES REPORT:

Moved by P. Carswell

Seconded by P. Gilliland

Motion #14 That the membership to the Sombra Museum Board as detailed in the Director of Community Services Report dated January 25, 2007 be accepted and approved.

CARRIED

CLERK'S REPORT:

The Clerk advised that he had several items to present to Council and would be done so under the new business category.

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised that he had a property matter to discuss with Council at an in camera session.

MOTIONS:

Council reviewed the draft letter to Sherry Cassin of the Ministry of Health and Long Term Care regarding physician recruitment. Mayor Arnold took exception to the portion of the letter that says that St. Clair Township is currently partnering with the Sarnia/Lambton Task Force on Health Care Worker Recruitment and has no intention to terminate this participation. Councillor Carswell also stated that Petrolia has asked to join the efforts of the task force. After considerable discussion, it was;

Moved by P. Carswell

Seconded by D. Randell

Motion #15 That the discussion on the draft letter to the Ministry of Health and Long Term Care be tabled for a period of one month.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #16 That By-law Number 10 of 2007, the By-law for the Township of St. Clair to confirm the resolutions and motions of St. Clair Township which were adopted up to and including the January 29th, 2007 Council meeting, having been given the necessary three readings, be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

Moved by S. Miller

Seconded by P. Carswell

Motion #17 That By-law 11 of 2007, a by-law to authorize the execution of an agreement with, Totten Sims Hubicki Associates (1997) Limited, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #18 That By-law 12 of 2007, a by-law to authorize, MaXess Network a Division of Enwin Energy Ltd. to construct, use and operate works required for the transmission of Telecommunication cables along certain roads in the Township, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland briefed Council on his attendance at various meetings and functions in the last several weeks including the Youth Appreciation Dinner sponsored by

the Moore Optimist Youth Justice Forum, the Enbridge tour, the Bluewater Health discussion attended on behalf of the County and the recent Climate Change Seminar hosted at the UWO Research Park.

Darrell Randell

Councillor Randell advised that the Sombra Museum will host the pot luck dinner on behalf of the Lambton Historical Society on March 22nd at the Sombra United Church. Councillor Randell also congratulated Mayor Arnold in his recent election as Vice Chair to the St. Clair Region Conservation Authority. Also Councillor Randell volunteered to present to Council power point presentation developed by the Friends of the St. Clair River Group. The presentation takes approximately twenty-five minutes and will be scheduled for the next meeting of the Committee of the whole.

Steve Miller

Councillor Miller advised Council that the Port Lambton Community Hall in conjunction with the Port Lambton Volunteer Firefighters Association will host this Saturday a ham and turkey raffle as a joint sponsored fund raiser. Councillor Miller also attended the recent open house to discuss the Joe Dedecker link of the St. Clair River Trail north of Sombra Village. Councillor Miller expressed some concern as to pedestrian safety if the trail is located on the west side of the St. Clair Parkway.

Pat Carswell

Councillor Carswell apologized for her inability to attend the OPG function and the Optimist Youth Appreciation Dinner due to illness. Also Council was advised that Ethyl Corporation has contributed \$400.00 towards the Legion Memorial Wall at the St. Clair Civic Square. Also, Councillor Carswell expressed concern received from a ratepayer in Brigden regarding lack of enforcement on a parking regulation through Brigden. Councillor Carswell was advised that the parking prohibition in question was imposed by Lambton County and could not be enforced through the Township's by-law enforcement protocols. It was suggested that the concerned ratepayer forward a letter on the issue to the Lambton County Infrastructure Committee. Also Councillor Carswell received a concern from a Pt. Edward ratepayer regarding relatively high chlorine residuals in the Lambton Area Water Supply System flows. Council suggested that the Pt. Edward ratepayer's concern would be more appropriately directed to the L.A.W.S.S. Committee.

Pat Brown

Councillor Brown advised that despite the concerns expressed on winter control activities at the last meeting of the Public Works Committee, his street was, in fact, attended to the afternoon of the recent storm.

Steve Arnold

Mayor Arnold briefed Council on his many activities in the last several weeks and shared with Council a draft letter to Federal Health Minister Tony Clement regarding infrastructure projects proposed by the Township. Mayor Arnold advised that an audience had been arranged on Monday, February 26th commencing at 8:50 a.m. to express the Township's related concerns to Minister Clement.

Councillor Randell also advised that he had a presentation and information on the St. Clair River water quality that he would like to see included in the information package to Minister Clement.

NEW BUSINESS:

The Clerk briefed Council on the resolution passed by the Moore Museum Advisory Committee regarding the Adopt a Project Program for 2007.

Moved by P. Carswell

Seconded by J. Agar

Motion #19 That the Moore Museum be authorized to proceed with their annual Adopt a Project Program soliciting community support for various museum fundraisers.

Council reviewed the report prepared by Barry Uitvlugt regarding Brownfields and Industrial Community Improvement Plans. CAO Rodey explained that the proposed initiative is for the Municipality to develop a community improvement plan and as a planning process a public meeting will be required.

Moved by S. Miller

Seconded by D. Randell

Motion #20 That staff be instructed to proceed with the proposal to develop a Brownfield and Industrial Community Improvement Plans and that the required public meeting be scheduled for Monday, March 19, 2007.

CARRIED

Mayor Arnold advised that he would be absent at the regularly scheduled meeting of Council for June 3rd due to his attendance at the Federation of Canadian Municipalities Conference as a County delegate.

Moved by S. Miller

Seconded by P. Carswell

Motion #21 That the meeting enter an in camera session with the Mayor as Chair to discuss a property issue.

CARRIED

CAO Rodey briefed Council as to a counter offer received for an earlier offer made by the municipality to acquire a parcel of property in Corunna.

The meeting returned to order.

ADJOURNMENT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #22 That the CAO be authorized to respond to the counter offer received for the possible purchase of a property in Corunna.

CARRIED

Moved by S. Miller

Seconded by P. Carswell

Motion #23 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 10:15 p.m.

MAYOR

CLERK