

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 10**

St. Clair Civic Centre
Council Chambers
June 4, 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 May 22, 2007, Session #9

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15 p.m. – Michael Watson

7:30 p.m. – Dan Whitton Brigden Gas Bar – Amended Site Plan Agreement

7:45 p.m. – Clean Harbors – Tim Bechard, General Manager – Amended Site Plan Amendment

8:00 p.m. – George Mallay - presentation

CORRESPONDENCE:

- a) Robert Murray – Chinook Canada request
- b) Captain Kidd Days – Request
- c) Sombra Sports & Recreation – Request
- d) Property Standards – Cameron St.
- e) Edward Powell – Building request
- f) Councillors St., Courtright – Petition
- g) Joseph & Joanne DeGurse – Off Road Vehicle Track

INFORMATION:

- 1) Michael Watson – Assessment
- 2) S. D’Agostino – Conflict of Interest
- 3) Best Start – Invitation
- 4) MacFarlane – Invitation
- 5) Township of St. Clair – Notice of Passing
- 6) Hon. Tony Clement - COMRIF

DRAINS:

By-law #20 of 2007 – Arnold #1 Drain – Amending
By-law #21 of 2007 – Hetherington Drain - Amending

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Decisions A 17/07, B 6-19/07

DRAINAGE SUPERINTENDENT:

- Taylor Drain

DIRECTOR OF ENGINEERING SERVICES:

- Tender results McIntosh Drain

DEPUTY CLERK/COORDINATOR OF PLANNING:

- Brigden Gas Station/Car Wash – Site Plan Amendment
- Clean Harbors Canada Inc. – Site Plan Amendment

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-law 34 of 2007 – Yard Maintenance
By-law 35 of 2007 – Sale of Temperance Hall property
By-law 36 of 2007 – Confirming By-law
By-law 37 of 2007 – Site Plan Agreement – Dan Whitton – Brigden Gas Bar
By-law 38 of 2007 – Site Plan Agreement – Clean Harbors

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

- Kimball Road – A.T.V. complaint

UPCOMING MEETINGS:

Committee of the Whole, Wednesday, June 13, 2007 – 2:00 p.m.
Regular Council, Monday, June 18, 2007 – 7:00 p.m.

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 of May 22, 2007 meeting of Council. In discussion of business arising out of the minutes Council questioned if a response had been received from the Ministry of the Environment regarding the disposal lagoon on the Petrolia Line. Council was advised that the Ministry of the Environment have advised that no specific inspection date has yet been set. Also it was pointed out that on Page 9 of the minutes the Petrolia Line was incorrectly identified as the Courtright Line.

Moved by D. Randell

Seconded by P. Gilliland

Motion #1 That the minutes of the Council meeting of May 22, 2007 – Session #9 be adopted as printed, circulated, and corrected.

CARRIED

CORRESPONDENCE:

Council reviewed the Correspondence received from Mr. Robert Murray on behalf of Chinook Canada Limited regarding the status of the Chinook water pump house and water intake line located on the unopened portion of the Holt Line between the St. Clair River and the St. Clair Parkway. Council was advised that it is apparently the desire of Chinook Canada Limited to verify the status of their installation prior to the possible sale of the facility. Council was advised that staff's advice would be to enter into an Encroachment Agreement with Chinook Canada for a two year period with provisions for renewal with the agreement of both parties.

Moved by D. Randell

Seconded by S. Miller

Motion #2 That staff be directed to proceed with the drafting of the appropriate Encroachment Agreement with Chinook Canada Limited, it will legitimize the status of Chinook Canada facilities on the unopened portion of the Holt Line between the St. Clair River and the St. Clair Parkway.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #3 That the Captain Kidd Days scheduled for August 3rd and August 4th be declared as a Community Festival and the municipal permission be given for the establishment of their refreshment tent facility subject to the Township's Alcohol Management Policy which includes provision of paid duty OPP Officers.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #4 That the Annual Sombra Days scheduled to be held July 13, 14 and 15, 2007 be declared as a Community Festival and further that municipal permission be granted for the establishment of a refreshment tent subject to the Township's Alcohol Management Policy which is to include the provision of paid duty OPP Officers.

CARRIED

Council reviewed the property standards complaint on a property identified as being on Cameron Street in Corunna.

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #5 That the property standards issue identified for property on Cameron Street in Corunna be forwarded to the Property Standards Officer for the appropriate action.

CARRIED

Council reviewed the request received from Mr. Edward Powell regarding municipal permission to allow the establishment of an accessory building to be used to store equipment, tools and building materials during the construction of his home at 708 St. Clair Parkway.

Moved by P. Gilliland

Seconded by S. Miller

Motion #6 That Mr. Edward Powell be given permission to establish an accessory building on his property at 708 St. Clair Parkway provided that building permits are issued for the accessory building and the single family detached home at the same time.

CARRIED

Moved by P. Brown

Seconded by J. Agar

Motion #7 That the property standards complaint for property identified as Councillors Street in Courtright be forwarded to the Property Standards Officer for the appropriate action.

CARRIED

Council reviewed the communication received from Joseph and Joanne DeGurse regarding possibility of establishing ATV track near their property identified as Part of Lot 16, Concession 10. Council was advised by staff that the activities apparently taking place on the subject property are not in contravention to any municipal by-laws, however, if a commercial ATV track is established Council would be in a position to take the appropriate action.

Moved by P. Gilliland

Seconded by S. Miller

Motion #8 That the letter of Joseph and Joanne DeGurse expressing concerns about a possible ATV track be received for information.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

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

- a. Robert Murray – Chinook Canada request
Inst. See Motion #2
- b. Captain Kidd Days - Request
Inst. See Motion #3
- c. Sombra Sports & Recreation - Request
Inst. See Motion #4
- d. Property Standards – Cameron St.
Inst. See Motion #5
- e. Edward Powell – Building request
Inst. See Motion #6
- f. Councillors St., Courtright – Petition
Inst. See Motion #7
- g. Joseph & Joanne DeGurse – Off Road Vehicle Track
Inst. See Motion #8

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At the appointed time Mayor Arnold Welcomed Mr. Michael Watson present to discuss with Council, what he considers to be an unfair assessment for a coverall building constructed on his farm as well as other issues regarding Township activities including his opinion on the proposed Shell Refinery development. Mr. Watson stated that the construction of the coverall type building on his property increased his property assessment by \$14,000.00 and to date he has been unable to get a satisfactory response from the Municipal Property Assessment Corporation.

Mr. Watson raised a variety of issues including immigration, apparent unwillingness for local industry to train their own workforces, but rather depend on the education system and what he considers excessive property taxes. Mr. Watson suggested that a letter be sent to all new industries locating in the Township encouraging them to hire their workforces locally. At the conclusion of the discussion Council thanked Mr. Watson for his input.

At the appointed time Council considered the Deputy Clerk/Coordinator of Planning Report on the proposed Site Plan amendment submitted by Dan Whitton on behalf of the Brigden Gas Bar. Mr. Whitton was present for the discussion to answer any questions Council may have. Hearing no further questions, it was;

Moved by D. Randell

Seconded by J. Agar

Motion #10 That the Council of the Township of St. Clair approve the amended site plan submitted by Dan Whitton to permit the Owner to construct an 8.3 metre by 7.6 metre addition on the East end of the convenience store to accommodate a LCBO outlet store (27' by 25'). Approval also permits the relocation of the Parr Drain North, as agreed with the ratepayers present at the on site meeting.

CARRIED

Council reviewed the communication received from the Honourable Tony Clement regarding COMRIF funding. Council instructed staff to contact MP Pat Davidson regarding recent new Federal Funding initiatives with the request for information how St. Clair Township may be able to participate. Council reviewed the communication from the County of Lambton regarding the closing of the Moore Landfill Site. Council suggested that staff investigate ways of providing this information to the public, such as Tax Bill inserts and the web site.

DRAINS:

Moved by P. Gilliland

Seconded by J. Agar

Motion #11 That Drainage By-law #20 of 2007, being a by-law to raise the sum of \$9,132.93 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Arnold #1 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. Brown

Seconded by P. Carswell-Alexander

Motion #12 That Drainage By-law #21 of 2007, being a by-law to raise the sum of \$1,932.05 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Hetherington 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 the Committee of Adjustment decisions as listed on the agenda. Deputy Mayor Gilliland as a member on the Committee of Adjustment responded to the Mayor's questions regarding the deferral of the decision on Application A 17/06 and B 6 to B 19/07. Deputy Mayor Gilliland pointed out that the decisions were deferred pending the outcome of property ownership review.

DRAINAGE SUPERINTENDENT:

Moved by P. Brown

Seconded by S. Miller

Motion #13 That legal counsel be retained to review the proposed Pipeline Crossing Agreement from BP Canada Energy Company, regarding the construction of the Taylor Drain across their pipeline on the north side of Oil Springs Line in Lot 17.

CARRIED

DIRECTOR OF ENGINEERING SERVICES:

Council reviewed the report listing the tender results for the construction on the McIntosh Drain. Tenders were as follows:

B. F. Environmental Consultants Ltd.	\$31,823.32
Murray Mills Excavating and Trucking Ltd.	\$35,282.10
Van Bree Drainage and Bulldozing Ltd.	\$40,783.31

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #14 That the tender submitted by B. F. Environmental Consultants Ltd. from Port Lambton in the amount of \$31,823.32 (including GST) for the construction of the McIntosh Drain south of Oil Springs Line in Lots 10, 11 and 12, Front Concession be accepted, and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Mr. Tim Bechard of Clean Harbors was present to discuss with Council Clean Harbor Canada Inc. amended Site Plan Agreement. Mr. Bechard in response to Council's questions advised that the site plan amendment was a prerequisite for the issuing of a Building Permit for a new building to be used in the treatment process. Mr. Bechard advised that the construction of the building will allow for a different treatment method and there will be no more or no less material treated and disposed on site with or without the proposed building.

Moved by S. Miller

Seconded by P. Brown

Motion #15 That the Council of the Township of St. Clair approve the amended site plan submitted by Clean Harbors Canada Inc. to construct a 15 metre by 14.4 metre engineered steel pretreatment building and necessary appurtenances, within the existing waste disposal site, subject to maintaining the regulations set out in the amended Certificate of Approval.

CARRIED

DIRECTOR OF COMMUNITY SERVICES:

Council reviewed Mr. Hackett's report on the results of the tender called for the purchase of a new fairway mower for the Parkway Golf Course. Tenders were as follows:

Duke Equipment	\$44,533.00
Podolinsky	\$45,198.00
Turf Care	\$48,153.00

It was noted that the Duke Equipment mower did not meet the tender specifications.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #16 That the tender of Podolinsky Equipment in the amount \$45,198.00 for the purchase of a fairway mower be accepted.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

The CAO advised Council that information received today regarding the successful application for COMRIF funding to help finance the Township's Asset Management Program. COMRIF funding has granted approximately \$11,000.00 towards the estimated \$16,000.00 cost of that portion of the project.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #17 That the draft agreement to provide for COMRIF funding to financially assist in the Township's Asset Management Program be accepted and that the Mayor and Chief Administrative Officer be authorized to sign the agreement and any other appropriate document on behalf of the municipality.

CARRIED

Mr. George Mallay of the Sarnia Lambton Economic Partnership was present at Council's invitation to outline some of the activities being conducted by the Economic Partnership. Mr. Malay pointed out that strategic direction to community diversification is being developed to diversify the local industrial base beyond the traditional petrochemical industries. Mr. Malay pointed out that considerable attention is being paid to alternate energy sources including industrial biotechnology.

The Partnership is working with Lambton College in the UWO Research Park improving training and skill levels of the local labour force. After the presentation and in response to Council's questions Mr. Malay advised that he is working with the owners of the Century Truss facility to determine possible interest in establishing another business enterprise in the facility, and took note of the Mayor's comments relative to possible abandonment of the CSX Railway through the urban areas of the municipality, as well as his desire for efforts directed towards improving the hospitality and service sector in St. Clair Township. At the conclusion of the presentation Council thanked Mr. Malay for his informative presentation.

BY-LAWS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #17 That By-law Number 34 of 2007, the by-law to establish maintenance standards for yards be given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #18 That By-law Number 35 of 2007 being a by-law to authorize the sale of property known as the Temperance Hall to Enbridge Gas, 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-Alexander

Motion #19 That By-law Number 36 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 may 22, 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. Brown

Motion #20 That By-law Number 37 of 2007, a by-law to authorize execution of an Amended Site Plan Agreement with 1476341 Ontario Limited, (Brigden Gas Bar) 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 J. Agar

Seconded by P. Gilliland

Motion #21 That By-law Number 38 of 2007, a by-law to authorize execution of an Amended Site Plan Agreement with Clean Harbors Canada Inc. 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

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised of attending the recent Moore Optimist Club 40th Anniversary celebration at the Courtright Community Hall. Also, Council was advised of

the retirement of Sandy Bunker from his position on the Township's Committee of Adjustment. Deputy Mayor Gilliland also attended the June 1st appreciation breakfast for employers employing summer students, and as well as brought greetings from the Township at the recent Brigden Pull and Shine. Also, while at the Brigden Fair Grounds members of the Moore Agricultural Society expressed thanks for the municipal assistance and the establishment of an improved entrance at the West gate.

Darrell Randell

Councillor Randell advised of receiving positive comments from area residents thanking the municipality for assistance to the Moore Centre Women's Institute Hall maintenance. Councillor Randell also attended a two day workshop to consider the Bluewater Sustainability Initiative and information received on bio-reclamation.

Steve Miller

Councillor Miller advised of attending a recent meeting of the Port Lambton Community Hall Board at which time tenders were called for the improvements of the hall to increase handicapped accessibility and interior paneling. Also, attended with staff a meeting last week with the residents affected by the Riverside Drive Bridge replacement project. One of the main areas of concern with the affected ratepayers was security for their homes and vehicles while the bridge is out of service. Council requested that staff prepare a report for the next meeting of the Public Works Committee to brief Council on the measures being taken to minimize the disruption of the area residents.

Pat Carswell-Alexander

Councillor Carswell-Alexander also attended the recent Moore Optimist Club 40th Anniversary and briefed Council on an upcoming initiative sponsored by the Corunna Community Policing Committee regarding use of the internet on June 12th at Sir John Moore School. Councillor Carswell-Alexander also briefed Council on a recent discussion with Sergeant Paul Futers regarding the chronic speeding problem on Hill Street and a possible suggestion that the Township recommend to the County the establishment of a community safety zone on Hill Street. Councillor Carswell-Alexander also questioned the status of the plan to honour Bradley Huey on his athletic achievements. Council directed staff to prepare a report on the established municipal protocol for such recognition.

Pat Brown

Councillor Brown also advised that he attended the recent Optimist Club 40th Anniversary celebrations. In a recurring problem with the relatively long grass on the boulevard in the area of the intersection of St. Clair Boulevard and Bentinck Street this issue has been discussed with the Director of Community Services.

Moved by P. Brown

Seconded by P. Gilliland

Motion #22 The Community Services staff be directed to keep the roadside boulevard mowed at the intersection of St. Clair Boulevard and Bentinck Street in Corunna.

CARRIED

Steve Arnold

Mayor Arnold also attended the Optimist Club 40th Anniversary and was advised by the event organizer that the Optimist Club was required to rent dishes, tablecloths and cutlery due to the inadequacy of supply at the hall. Council suggested that the list of items rented and a possible cost to purchase the items for the hall be forwarded to the Director of Community Services.

Mayor Arnold has provided to the County Infrastructure Department the photos provided at the last meeting by Mr. Janess regarding possible vegetation kill on the south road shoulder on the Courtright Line through Brigden. The Mayor also asked for a staff report on the status of the Brigden Road reconstruction.

Also, staff was directed to contact MP Pat Davidson regarding the status of rural mail boxes particularly those on the St. Clair Parkway North of Courtright. Mayor Arnold also provided staff with information received regarding a recent basement damage claim in Corunna. This information is to be provided to the appropriate staff and Members of Council.

Mayor Arnold then briefed Council on his recent attendance to the Federation of Canadian Municipalities Conference in Calgary during which time he and several other County delegates were hosted to a tour of the tar sands project.

UNFINISHED BUSINESS:

The Clerk verbally briefed Council on the investigation by the By-law Enforcement Officer of the ATV complaint discussed at the last meeting of Council from a Kimball resident. The By-law Enforcement Officer investigation has determined that the ATV's in question are operated by the property owner and their guests on private property and is not in any way a commercial operation. The operators of the ATV's have offered to discuss the issue with the complaining neighbour to try to minimize the disturbance.

ADJOURNMENT:

Moved by S. Miller
That the meeting do hereby adjourn.

Seconded by D. Randell

CARRIED

The meeting adjourned at 9:10 p.m.

MAYOR

CLERK