

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 15**

St. Clair Civic Centre
Council Chambers
September 17, 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

AMENDED

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of September 4, 2007
Committee of the Whole of September 12, 2007

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:30pm - Public Hearing – Amend Institutional Parking Requirements
7:40pm - Public Hearing – Official Plan Amendment Lots 38 and 39, FC Mooretown
8:00pm – Graham Bentley – Community Health Centre proposal

CORRESPONDENCE:

INFORMATION:

- 1) AMO/LAS – Closed Meetings Investigator Program
- 2) Emmalene Lang – Agris Co-op development
- 3) C.C.P.C. – September 4th minutes
- 4) County of Lambton – Council highlights
- 5) Eric and Kathryn White – Official Plan amendment
- 6) Barry Uitvlugt – Planning report – Part Lots 38 and 39
- 7) Barry Uitvlugt – Planning report – Parking lots
- 8) Township of St. Clair – Notice of public meeting – Part Lots 38 and 39
- 9) Township of St. Clair – Notice of Passing – Blocks “C” and “D”
- 10) Township of St. Clair – Notice of Passing – Accessory structures
- 11) Official Plan Amendment (draft) – Pt. Lots 38 and 39, F.C.
- 12) Sharon Nicol – Proposed Official Plan Amendment
- 13) Murray Dudley – Proposed Official Plan Amendment
- 14) Cindy and James Bullock – Committee of Adjustment Application

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Applications B 24, 25 and 26/07 and A 14/07
-Decisions A12/07, A13/07 and B22 & 23/07

DIRECTOR OF ENGINEERING:

No Frills By-pass Lane

CLERK'S REPORT:

Land leases

CAO'S REPORT:

MOTIONS:

Tile Loan Approval
Capital Asset Management
Nordia property purchase – funding

BY-LAWS:

By-law 57 of 2007 - Site plan agreement - Courtright United Church
By-law 58 of 2007 - Amend Institutional Parking Requirements
By-law 59 of 2007 - Official Plan Amendment Lots 38 and 39, FC Mooretown (pending)
By-law 60 of 2007 – Tile loan rating

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Special Council Tuesday September 18, 2007 @ 5:30pm – Budget Review
Firefighter Awards – Monday October 1, 2007 @ St. Clair Golf Course
Regular Council Meeting Monday October 1, 2007 @ 7:00pm
Committee of the Whole Wednesday October 10, 2007 @ 2:00pm
Regular Council Meeting Monday October 15, 2007 @ 7:00pm

ADJOURNMENT:

AGENDA:

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 Public Works and Operations Committee minutes from the meeting on September 12, 2007, it was pointed out that relative to Motion #23; the committee entered an in-camera

session to discuss a personnel issue. Also at Councillor Carswell's request from the consideration of the report of the Co-ordinator of Operations that the rough road sign be placed on the Brigden Road north of Plank Road. Also that motion #21 regarding native clay back fill be amended to delete the words and accepted.

Moved by P. Gilliland

Seconded by D. Randell

Motion #1 That the minutes of the Council meeting of September 4, 2007 – Session #14 be adopted as printed and circulated and Committee of the Whole meeting of September 12, 2007 be adopted as amended.

CARRIED

CORRESPONDENCE:

Council was advised by Councillor Carswell that the issue raised in the letter from Mrs. Lang relative to the Agris Co-op construction has been solved through discussions between the neighbors and the Co-op Management.

Moved by P. Carswell

Seconded by D. Randell

Motion #2

That the letter from Emmaline Lang regarding the development at the Brigden Agris Co-op site be tabled.

CARRIED

Moved by P. Brown

Seconded by P. Carswell

Motion #3

That the correspondence received for information with the exception of the Emmaline Lang correspondence be received.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed the applications and decisions of the Committee of Adjustment and offered no comment.

Council reviewed the report of the Director of Engineering regarding the No-Frills by pass lane. Mr. Burnham's report detailed the results of the recent tender call for the construction of this project:

Henry Heyink Construction	\$178,000.00
Nordell Excavating	\$190,314.25
Murray Mills Excavating	\$222,496.00
Cope Construction	\$239,696.00

Moved by J. Agar

Seconded by D. Randell

Motion # 4

That the tender submitted by Henry Heyinck Construction Ltd. in the amount of \$178,000.00 (plus G.S.T. & contingency) for the No Frills By-pass Lane project be accepted, that the Mayor and Clerk be authorized to sign the contract and other related documents and that the additional cost be financed from savings on recently tendered projects.

CARRIED

CLERK'S REPORT:

The Clerk presented a verbal report on the results of a meeting held last week with Councillor Randell and representatives from the Rural Lambton Stewardship network regarding development at the Port Lambton Lagoon site. The Clerk advised that there are 3 agricultural leases involved in the property subject to a proposed wetland development.

Moved by D. Randell

Seconded by J. Agar

Motion # 5

That the Clerk be instructed to advise the 3 agricultural tenants on property referred to as the Port Lambton Lagoon Site be advised that all leases will be terminated at the conclusion of the 2007 crop year.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised of consideration of a property issue at an in-camera session.

MOTIONS:

Moved by D. Randell

Seconded by J. Agar

Motion # 6

That the following applications for loans under the Tile Drainage Act be approved subject to Provincial program funding:

- | | |
|---------------------------------|-------------|
| 1) Darryl Holmes – Lot 1, Con 1 | \$27,600.00 |
| 2) John Brown – Lot 5, Con 3 | \$ 5,100.00 |
| 3) Ed Walsh – Lot 1, Con 11 | \$27,400.00 |
| 4) Leigh Irwin – Lot 1, Con 4 | \$ 7,760.00 |

CARRIED

Moved by P. Carswell

Seconded by S. Miller

Motion # 7

That the Capital Asset Management and Reporting Framework and the tangible Capital Asset Policy, as detailed in the Treasurer's report to the Finance Committee, dated August 28, 2007 be approved.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion # 8

That the funding for the initial purchase of the property at the intersection of Lyndoch and Hill street in Corunna, known as the former Hill Street School (Nordia building) be financed from the Moore Property Reserve Fund.

CARRIED

BY-LAWS:

Moved by S. Miller

Seconded by P. Brown

Motion # 9

That By-law 57 of 2007, a By-law to authorize a site plan agreement with Courtright United Church, 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 P. Carswell

Seconded by D. Randell

Motion # 10

That By-law 60 of 2007, being a By-law imposing special annual drainage rates upon land and respect of which money is borrowed under the Tile Drainage Act be given the necessary readings be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland:

Deputy Mayor Gilliland advised attending a meeting of the Southwest Area Recreational Guild on behalf of the Mayor. The meeting centered around fitness and wellness promotion.

Jeff Agar:

Councillor Agar identified an item to be discussed as new business.

Darrell Randell:

Councillor Randell advised that the St. Clair River work plan for the remedial action plan has been drafted and is ready to file.

At the appointed time, Mayor Arnold called to order the public meeting called to consider a proposed zoning by-law amendment to exempt hard surfaced parking lots in institutional zones on all lands within the Township. Mayor Arnold explained to those in attendance the procedure that would be followed at the public hearing and everyone wishing to speak in support of or opposition to the proposed rezoning would be given an opportunity to do so. Mayor Arnold then called upon Mr. Barry Uitvlugt of the Lambton County Planning Department who presented his merit report on the issue dated September 11, 2007. In his report Mr. Uitvlugt identified that the issue before Council this evening was initiated on behalf of the St. Andrew's Presbyterian Church in Corunna. The church stated financial hardship as the reason for seeking this by-law amendment. In his report, Mr. Uitvlugt is not recommending the exception of hard surface paving for such uses but suggested that perhaps a community improvement plan could be used to assist such institutional uses. Mayor Arnold then called upon comments from those in attendance;

Mr. Gary Smith: 1212 St. Clair Parkway; stated his opinion that exception should not be permitted for institutional uses but the Township may be of assistance of such groups by way of a repayable loan to finance the required paving.

Hearing no further comments, the Mayor declared the public hearing closed.

Council returned to order. Council requested a report from Mr. Uitvlugt on how the community improvement plan process might help to address the issue of parking lot paving for institutional uses.

At the appointed time, Mayor Arnold called to order the public hearing called to consider a draft official plan amendment for property know as Parts Lot 38 & 39, Front concession, Mooretown, Township of St. Clair. Mayor Arnold explained to those in attendance the process that would be followed at this public hearing to consider the proposed official plan amendment, that those wishing to speak in support and in opposition would be given an opportunity to do so. The Mayor called upon Mr. Barry Uitvlugt of the Lambton County Planning Department, who presented his planning merit report on the issue dated August 27, 2007. In his report, Mr. Uitvlugt is recommending that the draft adopting by-law be deferred until the public input can be fully gathered and reviewed by staff. Mayor Arnold then called upon Members of Council and those in attendance to present questions and comments on the official plan amendment proposal. Councillor Carswell questioned Mr. Uitvlugt on his comments made in the presentation of his report on the reduction of current site requirements. Mr. Uitvlugt advised that the proposal was to reduce the current 50 foot frontage requirement to 46 feet with a slightly less minimum square footage. In response to Councillor Brown's questions, Mr. Uitvlugt advised that the setback from the rail line would be subject to the noise study being carried out by the proponents.

Mr. Roger Belling: representing the proponent stated that the housing development being proposed would be attractive for retirees due to the proximity to the golf course and the Mooretown Recreation Complex. It was pointed out that the development calls for single family units and townhouse units with no semi-detached units being proposed.

The Mayor then called upon comments from those in attendance;

Marion Zammit: a resident of 1195 Emily Street questioned if members of Council were in a conflict of interest as both the vendor of the property and planning authority. Councillor Randell advised that in his opinion, there was no conflict of interest because no member of Council will receive any personal financial gain from the proposal. Mrs. Zammit further questioned Council as to the use the Municipality would make from the proceeds of the sale and questioned how many vacant properties are appropriately zoned awaiting residential developments.

Mr. Bruce Strangway: resident of 1193 Emily Street stated that in his opinion Mooretown was a quiet, rural community and this proposal would turn Mooretown into more of a Corunna type development. Mr. Strangway further stated that he is opposed to any such development.

Bev Byers: owner of property at 1173 St. Clair Parkway questioned the cost of the infrastructure that would be required to support the development and assumed the cost would be born by the Municipality. Mr. Byers was advised by Mayor Arnold that all such infrastructure costs would be the responsibility of the developer. Mr. Byers furthered questioned specifics for the proposal such as storm drainage outlets, and stated in his opinion that the noise and activity at the adjacent campground would be an irritant to owners of the proposed homes.

Mr. Murray Dudley: owner of property known as 1099 Emily Street expressed his opinion that a 46 foot lot is too small as a host site for an executive home. Councillor Brown advised the meeting that this is the first time Council has seen the proposed layout of the development and the configuration of the development is not the subject of this public hearing.

Rick Annett: owner of 1117 St. Clair Parkway stated that he opposed this development and would be prefer that the area in question remain green, open space.

Rob Ferguson: owner of 1113 St. Clair Parkway asked what the current and proposed zoning is and questioned if the Township had done a housing needs study and a sanitary sewer capacity study. Mr. Ferguson stated that he is generally in support of growth.

Casey Vanwynan: a resident of Moore Line questioned Council as to why the municipality needs to sell the property from a financial point of view.

Christine Eller: a resident of Moore Line, felt the development would lead to a disruption in the traffic pattern and the CSX rail and the campground activities would be an irritant to the owners of the homes and the proposed subdivision.

Sharon Nicol: Ms. Nicol questioned if the Township investigated how it originally acquired the property and questioned if the developer looked at other possible property options.

Cathy Ferguson: Ms. Ferguson was of the opinion that open space should not be taken for residential development and that the proposal should be relocated on a more appropriate site.

Sue Sherred: Ms. Sherred supported the proposal as an opportunity for increased residential development in the Mooretown area and felt that there was no local community support for local businesses.

Dan O'Brien: owner of property known as 1916 St. Clair Parkway questioned Council on its property disposal policy and questioned if the property has been appraised. Mayor Arnold advised that the property was subject to an earlier appraisal.

Gary Smith: 1212 St. Clair Parkway questioned if the offer is subject to the success of the planning process. Mayor Arnold responded in the affirmative.

Hearing no further comment, Mayor Arnold declared the public hearing closed and Council returned to order.

Moved by D. Randell

Seconded by P. Carswell

Motion # 11

That the proposed draft official plans amendment to redesignate property known as Part Lot 38 & 39 1155 Emily Street, geographic Township of Moore, Township of St. Clair be deferred pending further information.

CARRIED

Mayor Arnold welcomed on behalf of Council, Mr. Graham Bentley, Mr. Mac Redmond, and Marion Clouse representing the West Lambton Community Health Centre to present to Council the results of a needs survey conducted earlier this year. Mr. Bentley stated that the purpose of this study was to identify health needs, gaps and opportunity. Mr. Bentley stated that in summary that the survey demonstrated that there is no immediate need for the establishment of a satellite of the West Lambton Community Health Centre at this time due to low projected growth and the results of the survey which demonstrated only 10% of the respondents did not have a family physician. It was also pointed out that the current West Lambton Community Health centre in Sarnia has very low participation from St. Clair Township residents and improved health services are proposed for the community of Wallaceburg. Mr. Bentley pointed out that in his opinion the need should be reassessed in the next 3 to 4 years relative to the number of family physicians servicing ST. Clair Township residents, but he did feel that there was the need for more health promotion programs in St. Clair Township. AT the conclusion of the presentation Council was generally of the opinion that it hoped an additional study would be done in the next few years and that the anticipated changing dynamics of the community may warrant an establishment of a satellite of the West Lambton Community Health Centre.

COUNCILLORS REPORTS continued:

Steve Miller:

Councillor Miller requested staff to investigate and have repaired the exterior lighting to the Civic Centre.

Pat Carswell-Alexander:

Councillor Carswell asked Mayor Arnold to bring the issue of dead trees between Brigden and Kimball Road to the attention of the appropriate County of Lambton staff.

Pat Brown:

Councillor Brown asked staff to investigate the playground equipment in Parkdale Park and have the graffiti removed. Councillor Brown also questioned the omission in the draft 2008 Capital Budget of the traffic light at St. Clair Blvd. and Lyndoch Streets and the sled hill at CAP Park.

Steve Arnold:

Mayor Arnold asked staff to investigate the status of the roof replacement at the Port Lambton Fire hall and questioned staff as to the status of the busing proposal discussed earlier by Council. Staff was also asked to investigate the setbacks for a house at 3071 St. Clair Parkway and asked Council to consider the establishment at 2008 of a volunteer awards committee. Staff was also instructed to ask the Fire Chief about the proposal to go to a 3 station response protocol due to lack of volunteer firefighter turn out. Staff was also asked to prepare a status report on the progress of the St. Clair sanitary sewer extension south of the Courtright Line.

NEW BUSINESS:

Councillor Agar made a presentation relative to the 4 way stop requested at the intersection of Bentinck and Fane in Corunna. It was pointed out by Deputy Mayor Gilliland that this issue was discussed at the last meeting of the Public Works and Operations Committee and the Committee did not recommend that this traffic control installation.

Moved by P. Gilliland

Seconded by D. Randell

Motion #12:

That the issue of the traffic control signage at the intersection of Bentinck and Fane Streets in Corunna be opened for reconsideration.

CARRIED

In the discussion of the issue it was pointed out that there was a 4 way stop at this intersection until approximately 20 years ago and the signage and the traffic control pattern was changed at that time.

Moved by J. Agar

Seconded by P. Gilliland

Motion # 13:

That Council approve the proposal to install a 4 way stop at the intersection of Bentinck and Fane Streets in Corunna and that further that the Clerk be authorized to draft the appropriate authorization by-law.

CARRIED

A recorded vote was requested:

Councillor Randell	yes
Councillor Agar	yes
Deputy Mayor Gilliland	yes
Councillor Miller	no
Councillor Carswell	no
Councillor Brown	no
Mayor Arnold	yes

Moved by S. Miller

Seconded by D. Randell

Motion # 14:

That the meeting enters an in-camera session with the Mayor as chair to discuss a property issue. CAO Rodey led Council into discussion of the possibility of selling a parcel of property in Corunna.

The meeting returned to order.

ADJOURNMENT:

Moved by S. Miller

Seconded by P. Gilliland

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 10:05 p.m.

MAYOR

CLERK