

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #19**

St. Clair Civic Centre
Council Chambers
November 5, 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:

6:00pm - Brian McDougall – S.C.R.C.A. Guthrie Park Project

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of October 15, 2007
Moore Museum of October 3, 2007

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15pm Doug Henderson – Building Permit Fee

CORRESPONDENCE:

- a) Brigden Optimist – Christmas lights
- b) Corunna Santa Claus Parade – signs
- c) Black Creek Cemetery – application fee
- d) Road improvement – petition
- e) Seaway Kiwanis – bingo
- f) Lambton Federation of Agriculture – request
- g) County of Lambton – winter control agreement
- h) Corunna Santa Claus Parade – road closure

INFORMATION:

- 1) County of Lambton – solicitor
- 2) Clean Harbors – Sept. 18 meeting minutes
- 3) Ministry of Community Safety – seminar
- 4) Doug Henderson – official plan amendment
- 5) Municipal Drinking water – seminar
- 6) Chuck and Leta DeMarsh – thank you
- 7) St. Clair River Trail – request
- 8) Ministry of the Environment – water quality
- 9) Moore Township Foundation – minutes

- 10) Royal Canadian Legion, Branch 635 – November 11
- 11) Paul and Mary Ann Russell – request and damage claim
- 12) St. Clair River Trail - minutes
- 13) Notice of Public Hearing

DRAINS:

By-law #30 of 2007 – Stacey Drain - Amending

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment Decisions A9, A15, B27 and B28/07
Suncor Ethanol Plant Expansion

PROPERTY STANDARDS OFFICER REPORT:

465 William Street
1271 Petrolia Line

PLANNER'S REPORT:

Brigden Service Centre and LCBO Depot

BUILDING INSPECTOR:

Garage

CLERK'S REPORT:

Building Permit Fees

CAO'S REPORT:

MOTIONS:

Turnbull Drain Reassessment
Fire Services Vehicles

BY-LAWS:

By-law 64 of 2007 – Amend site plan agreement for Suncor Ethanol Plant
Expansion
By-law 65 of 2007 – Confirming By-law

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

St. Clair Beacon - expansion

UPCOMING MEETINGS:

Committee of the Whole (Finance & Administration, Public Works &
Engineering) Wednesday November 14, 2007
Regular Council Monday November 19, 2007

ADJOURNMENT:

The Mayor called the meeting to order at 6:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

Councillor Carswell declared a conflict of interest during the discussion on the request to place portable signs in Corunna advertising the Santa Clause Parade and left the Council Chambers.

On behalf of Council Mayor Arnold welcomed Brian MacDougall of the St. Clair Region Conservation Authority and Milo Sterm of Shore Plan Engineering Limited to discuss with Council the plans for the shoreline remediation work at Guthrie Park. Mr. MacDougall said that the engineering is progressing with anticipation of moving forward with the required class environmental application. Mr. Sterm then presented Council with the status report on the condition of the current seawall and the remedial plans which provided for relatively large rip rap with an armour stone cap and five access stairs to allow pedestrian traffic to the waters edge. The total project is approximately 710 metres in length and the estimated cost is 1.7 million dollars. It is anticipated that the work will be phased relative to Provincial grant funds with hopefully the initial phase of the construction to be commenced in the winter of 2008. Mr. MacDougall and Mr. Sterm responded to several questions posed by Council. At the concluding of the presentation it was:

Moved by P. Gilliland

Seconded by D. Randell

Motion #1 That Council approved in principle the Shoreline Remediation Plan for the seawall at Guthrie Park.

CARRIED

MINUTES:

Council proceeded to review the minutes as listed on the agenda.

Moved by P. Brown

Seconded by P. Gilliland

Motion #2 That the minutes of the following meetings be adopted as printed and circulated:

Council meeting of October 15, 2007, Session #18
Moore Museum of October 3, 2007

CARRIED

In discussion of business arising out of the minutes Councillor Randell suggested that after discussion with Fire Chief Dewhirst that the provision for auxiliary power at the Wilkesport Community Centre for possible use as an evacuation centre be included in the draft 2009 Capital Budget.

CORRESPONDENCE:

Moved by P. Brown

Seconded by P. Carswell

Motion #3 That Council accepts the request to help the Brigden Optimist for installation of 4 additional plugs for the Christmas lights to be installed this year.

CARRIED

Council discussed the request received from the Corunna Santa Clause Parade Committee regarding the placement of temporary advertising signs on Township property. Councillor Carswell declared a conflict of interest as being a relative of a person in such business and left the Council Chambers.

Moved by J. Agar

Seconded by D. Randell

Motion #4 That Council accepts the request to allow the Corunna Santa Clause Parade Committee to erect portable signs for advertising of this year's parade.

CARRIED

Councillor Carswell returned to the meeting.

Moved by P. Gilliland

Seconded by J. Agar

Motion #5 That Council accepts the request to forgive the application fee for the Bear Creek Cemetery regarding their Committee of Adjustment application.

CARRIED

Council reviewed the petition received for improvements to the Plank Road and referred the issue to engineering for a report.

Moved by P. Carswell

Seconded by P. Brown

Motion #6 That the petition to improve the Plank Road be referred to engineering for a report and inclusion in the initial draft of the 2010 Capital Budget.

CARRIED

Moved by P. Carswell

Seconded by S. Miller

Motion #7 That Council accepts the request of the Kiwanis Club of Seaway to sell bingo cards that support the Children's Animal Farm in Canatara Park, in the Township of St. Clair.

CARRIED

Moved by S. Miller

Seconded by P. Carswell

Motion #8 That Council accepts the request of the County of Lambton, Public Works Department, regarding performance of winter maintenance activities and that the agreement be endorsed by the Mayor and Clerk or their designates.

CARRIED

Moved by J. Agar

Seconded by P. Gilliland

Motion #9 That Council accepts the request of the Corunna Santa Clause Parade Committee to have barricades put up on the streets requested for the procession of the parade on November 24th, 2007.

CARRIED

Council discussed the request received from the Lambton Federation of Agriculture for sponsorship by the Municipality of an Agra Business Directory.

Moved by D. Randell

Seconded by P. Carswell

Motion #10 That the request from the Lambton Federation of Agriculture for sponsorship for an Agri Business Directory be tabled and further that Councillor Randell discuss the issue with the Federation.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #11 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Brigden Optimist – Christmas Lights
Inst. – Motion #3
- b. Corunna Santa Claus Parade - Signs
Inst. – Motion #4
- c. Bear Creek Cemetery – Application Fee
Inst. – Motion #5
- d. Road improvement - petition
Inst. – Motion #6
- e. Seaway Kiwanis – Bingo
Inst. – Motion #7
- e. Lambton Federation of Agriculture – Request
Inst. – Motion #10
- f. County of Lambton – Winter Control Agreement
Inst. – Motion #8
- g. Corunna Santa Claus Parade – Road Closure
Inst. – Motion #9

CARRIED

Council instructed the Clerk to send a letter to the new Lambton County Solicitor congratulated him on his appointment. In view of the information received by way of the Clean Harbours September 18th meeting minutes Deputy Mayor Gilliland said that the two Township Council Representatives were unable to attend the meeting due to a meeting conflict and Deputy Mayor Gilliland expressed his opinion on how important it was for the Municipality to be represented in such a forum. Council reviewed the letter addressed to the Mayor from the Ministry of the Environment regarding water quality in the Wray Drain. Staff was instructed to contact the Ministry to further the earlier Council request that water sampling be done in the Wray Drain. Council discussed the minutes of the recent meeting of the Moore Township Foundation and felt that perhaps the Treasurer was misquoted. Also, in discussion of a request from the Royal Canadian Legion Branch #635 Councillor Carswell volunteered to represent the Municipality at the wreath laying ceremony. Councillor Randell will attend the November 11th ceremonies in Wallaceburg and Mayor Arnold and several others will attend the Corunna Legion ceremony.

At the appointed time Council welcomed Mr. Doug Henderson present to express his concerns to Council for being charged a double building permit fee for a grain bin that was built without the benefit of a permit. Mr. Henderson explained to Council the circumstances surrounding the construction of the grain bin and the fact that he was unaware that a building permit would be required. Council stated that the provision for a double permit fee was authorized by By-law and is a common practice. At the conclusion of the discussion it was:

Moved by S. Miller

Seconded by P. Carswell

Motion #12 That the request for partial refund for the Doug Henderson building permit be denied.

CARRIED

While present Mr. Henderson also advised Council of crop damages resulting from drainage work on his property that he was not compensated for. Mr. Henderson shared with the meeting that the drain in question was the Taggart Drain and construction took place in 2004. The Clerk advised that now that the name of the drain has been identified he would refer the issue to the Drainage Superintendent for his comment and further stated that allowances are not paid for crop damages resulting from routine drain maintenance but only for capital work prescribed under an engineers report.

Council reviewed the request received from Paul and Maryann Russell regarding the current situation with topsoil material stockpiled to a height of approximately 6 feet, 2 feet from their boundary fence. The letter stated that the mound of earth is used by off road vehicles. Also, in the letter of concern the Russell's filed a claim to the Township for fencing materials totaling \$75.00 necessitated by a fire set on their fence by possible vandals.

Moved by P. Gilliland

Seconded by J. Agar

Motion #13 That the Paddock Green Developer be requested to lower the mound of earth to the rear of the residential lots on Dantiki Court to a maximum height of 3 feet.

CARRIED

Moved by S. Miller

Seconded by P. Carswell

Motion #14 That the damage claim in the amount of \$75.00 filed by Paul and Maryann Russell be denied.

CARRIED

DRAINS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #15 That Drainage By-law #30 of 2007, being a by-law to raise the sum of \$151.71 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Stacey 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 report of the recent discussions of the Committee of Adjustment and offered no comment.

Council reviewed the Coordinator of Planning report on the Suncor Ethanol Plant expansion.

Moved by P. Gilliland

Seconded by D. Randell

Motion #16 That the Township of St. Clair approve the Suncor Ethanol Plant amended site plan to expand the current ethanol production from 210 million litres per year to 420 million litres per year with a separate Development Agreement to be required before the building permits are issued.

CARRIED

PROPERTY STANDARDS OFFICER REPORT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #17 That the Property Standards Officer's report, be received and accepted and a follow up inspection will determine the next course of action.

CARRIED

PLANNER'S REPORT:

Council reviewed the report received from Planner Jeff Baranek regarding the Brigden Service Centre and the LCBO Depot. This report was requested by Council following Mr. Whiton's attendance at the last meeting of Council.

A motion by Councillor Carswell to amend the recommendation by deleting the words "and accepted" did not get a seconder and failed.

Moved by D. Randell

Seconded by J. Agar

Motion #18 That the report submitted by the Planning Department on the Brigden Service Centre and LCBO Depot be received and accepted.

CARRIED

BUILDING INSPECTOR'S REPORT:

Moved by S. Miller

Seconded by P. Brown

Motion #19 That the Building Inspector's report on the Dan Brousseau's garage, be received and accepted as information.

CARRIED

CLERK'S REPORT:

Council reviewed the report prepared by Clerk addressing the concerns raised earlier in the meeting by Mr. Henderson.

Moved by S. Miller

Seconded by P. Carswell

Motion #20 That the Clerk's report on building permit fees, be received and accepted as information.

CARRIED

CAO'S REPORT:

Mr. Rodey circulated to Council the draft strategic plan overview prepared by City Media with a request for review and feedback to the CAO. Also, the CAO advised of a property and personnel issue to be discussed in camera.

MOTIONS:

Moved by P. Brown

Seconded by P. Carswell

MOTION #21 That Spriet and Associates be appointed to produce a new assessment schedule for the future maintenance of the Turnbull Drain with all associated costs paid by Suncor.

CARRIED

Moved by P. Carswell

Seconded by S. Miller

MOTION #22 That the provisions of the Township procurement policy be waived and that a 2007 GMC 550 series truck equipped with a 18.5 ft. rescue body be purchased for use by the Township fire service, at an estimated cost of \$167,000.00 plus applicable taxes out of the fire equipment reserve fund to be reimbursed from the 2008 capital budget.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #23 That By-law Number 64 of 2007, a by-law to authorize execution of an Amended Site Plan Agreement with Suncor Ethanol Plant Expansion 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 D. Randell

Seconded by P. Gilliland

Motion #24 That By-law Number 65 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 October 19th, 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

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised Council of attending several municipal related functions in the last 2 weeks and also advised of the solution to several issues raised by various ratepayers with the assistance of Staff.

Jeff Agar

Councillor Agar announced details of a recent Hockey Tournament to be hosted this weekend in the Sports Complex.

Darrell Randell

Councillor Randell advised of receiving concerns about the condition of the Buckingham Road following recent repaving. Councillor Randell advised those who had contacted him that the road surface would improve once the road had sufficient traffic to set the top course material. Councillor Randell also advised of a request received to host a tour of the Sombra Lagoon by a high school environmental class. Councillor Randell offered to conduct the tour.

Pat Carswell

Councillor Carswell asked Staff to investigate the need of crossing improvement at the CSX tracks at Hill Street. Also, Councillor Carswell advised of the December 2nd Brigden Christmas Tree lighting festival to be held at 6:45 p.m. Councillor Carswell also questioned the Clerk on the status of an appointment of an Open's Meeting Investigator.

The Clerk advised that he has drafted a report for consideration at the next Finance and Administration Committee meeting. Councillor Carswell also requested Council's permission to attend the Community Safety Seminar and the Municipal Drinking Water Seminar.

Moved by D. Randell

Seconded by P. Gilliland

Motion #25 That interested members of Council be authorized to attend the Ministry of Community Safety Seminar and the Municipal Drinking Water Seminar with the appropriate fees and expenses to be paid.

CARRIED

Pat Brown

Councillor Brown announced the recent "Poor Boy Luncheon" scheduled for later in November. Councillor Brown also requested Council consideration for the installation of two street lights at the intersection of Lyndoch and St. Clair Boulevard and Lyndoch and Hill Street.

Moved by P. Brown

Seconded by P. Gilliland

Motion #26 That Staff be instructed to install street lights at the intersections of Lyndoch and St. Clair Boulevard and the intersection of Lyndoch and Hill Street.

The motion was defeated.

Moved by S. Miller

Seconded by D. Randell

Motion #27 That the request for additional street lighting in Corunna be tabled for Staff investigation and report on costs.

CARRIED

Steve Arnold

Mayor Arnold briefed Council on several events he attended and advised that he has spoken to two hotel chain representatives. Mayor Arnold also advised of an invitation received on behalf of Suncor to attend an Awards Presentation in Toronto.

NEW BUSINESS:

Council discussed the information provided by the Clerk as to the possibility of expanding the St. Clair Beacon to double its current size. The Clerk advised that the current monthly cost to produce the Beacon is approximately \$1,450.00 and the price to produce an issue with twice the content would be approximately \$2,128.00 per month.

A motion by Councillor Carswell to authorize an expanded issue of the Beacon for December at an estimated cost of \$2,128.00 and that the continuation of the expansion be referred to the 2008 Operating Budget with Staff input as to possible advertising revenue and did not get a seconder and failed.

Moved by P. Gilliland

Seconded by J. Agar

Motion #28 That the St. Clair Beacon be expanded to an eight page volume for the December issue at an estimated cost of \$2,128.00.

CARRIED

Moved by P. Carswell

Seconded by S. Miller

Motion #29 That the issue of the expanded St. Clair Beacon and the corresponding increase in costs be referred for discussion in the 2008 Operating Budget.

CARRIED

As an item of new business Mayor Arnold advised of receiving a letter from the Wilkesport Community Centre Board asking for Council consideration in the 2008 budget for an operating grant increase for the Community Centre from \$12,000.00 to \$15,000.00 to help off set increased operating costs.

Moved by P. Gilliland

Seconded by J. Agar

Motion #30 That the meeting enter an in camera session to discuss a property and personnel issue.

CARRIED

In camera CAO Rodey briefed Council on the status of the possibility of purchasing a piece of property in the municipality.

Meeting returned to order.

ADJOURNMENT:

Moved by P. Carswell

Seconded by S. Miller

Motion #31 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:30 p.m.

MAYOR

CLERK