

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 22**

St. Clair Civic Centre
Council Chambers
December 3, 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 November 19, 2007 and November 26, 2007
Moore Museum of November 7, 2007

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15pm Doug Henderson
7:30pm Morgan Dalgety – Bluewater Ferry ice breaking

CORRESPONDENCE:

- a) Lars Bouman – campground and signage request

INFORMATION:

- 1) Ontario Property and Environmental Rights Alliance – Bill 136
- 2) County of Lambton – Notice of Hearing plan of subdivision
- 3) Huron Boys Home – newsletter
- 4) Township of St. Clair – Notice of Passing – By-law 68 of 2007
- 5) Lambton Farm Safety – November 5th minutes
- 6) County of Lambton – Council highlights

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Decisions A16/07, A17/07, A18/07, A19/07, B29 & B30/07

PROPERTY STANDARDS OFFICER:

1271 Petrolia Line – order
465 William Street - order

COORDINATOR OF ENGINEERING SERVICES:

St. Clair Parkway – curb and gutter project

DIRECTOR OF ENGINEERING SERVICES:

Engineered wetlands

DIRECTOR OF EMERGENCY SERVICES:

Disposal of rescue truck

CLERK'S REPORT:

OGRA registration

CAO'S REPORT:

In-camera – personnel issue

COORDINATOR OF PLANNING REPORT:

Moore Presbyterian Foundation Rezoning

MOTIONS:

BY-LAWS:

By-law 69 of 2007 – Amendment of Comprehensive Zoning By-law 17 of 2003
By-law 70 of 2007 – Deeming By-law for Plan 729
By-law 71 of 2007 – Parking prohibition ~ Lyndoch Street

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Property Standards Committee – Thursday December 6, 2007 at 7pm
Regular meeting of Council – Monday December 17, 2007 at 7pm
Regular meeting of Council – Monday January 7, 2008 at 7pm
Committee of the Whole – Wednesday January 9, 2008 at 2pm

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. Deputy Mayor Gilliland took exception to the comment recorded on Page 6 during the Public Hearing on the proposed Chinook Rezoning. Deputy Mayor Gilliland requested the word "Not" be deleted from his statement.

Moved by S. Miller

Seconded by P. Carswell

Motion #1 That the minutes of the Council meeting of November 19, 2007 - Session #20, November 26, 2007 – Session #21 and Moore Museum of November 7, 2007 be adopted as printed, circulated and amended.

CARRIED

CORRESPONDENCE:

Moved by P. Gilliland

Seconded by P. Brown

Motion #2 That the letter submitted by Lars Bouman be referred to the Director of Community Services, the Public works Department and the St. Clair Region Conservation Authority for review and comment.

CARRIED

Council review the information correspondence with no question or comment.

Moved by P. Brown

Seconded by S. Miller

Motion #3 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Lars Bouman – Campground and signage request
Inst. See Motion #2

CARRIED

DEPUTATIONS AND APPOINTMENTS:

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed the Committee of Adjustment decisions as listed on the agenda and offered no comment.

PROPERTY STANDARDS OFFICER:

Moved by P. Gilliland

Seconded by D. Randell

Motion #4 That the Property Standard's Officer's report on 1271 Petrolia Line and the order to remedy for this address as well as 465 William Street, be received and accepted.

CARRIED

CORDINATOR OF ENGINEERING SERVICES:

Council reviewed Mr. Graham's report and his recommendation to postpone the construction of the curbing on the St. Clair Parkway, south of Marshy Creek.

Moved by S. Miller

Seconded by P. Brown

Motion #5 That the report submitted by the Coordinator of Engineering Services regarding roadwork on the St. Clair Parkway, stating that the remaining work on the project, including the curb & gutter, asphalt and final restoration, be delayed until next spring be accepted and received.

CARRIED

DIRECTOR OF ENGINEERING SERVICES:

Council reviewed Mr. Burnham's report on Engineered Wetlands and the response received from Engineering Consultant Jacques Whitford.

Moved by P. Carswell

Seconded by P. Brown

Motion #6 That the report submitted by the Director of Engineering Services regarding engineered wetlands, be accepted and received and an opinion be requested from the Ministry of the Environment regarding engineered wetlands.

CARRIED

DIRECTOR OF EMERGENCY SERVICES:

Council reviewed Fire Chief Dewhirst's report on the disposal of the rescue truck stationed at the Corunna Fire Station.

Moved by P. Gilliland

Seconded by J. Agar

Motion #7 That the report submitted by the Fire Department recommending that the old Rescue Truck at the Corunna Fire Station be turned over to the Corunna Firefighters Association, be received and accepted.

CARRIED

At the appointed time Council welcomed Mr. Doug Henderson, present to speak to Council on behalf of several rate payers regarding Council's decision to pass Official Plan Amendment Number 8, and advance the planning process for a possible residential development of Municipally owned property on Emily Street, north of the Civic Centre. Prior to Mr. Henderson's presentation, Mayor Arnold advised the meeting of his disappointment on apparent intimidation of Members of Council that could be considered to be personal threats. In his verbal presentation, the Mayor touched on several issues including liability protection. Mr. Henderson then read a prepared written statement with comments on what he considers the lack of transparency on behalf of Council on the possible disposition of public property and his belief that the disposal of any public property should be strengthened to improve openness and transparency. Mr. Henderson explained to those in attendance his understanding of the planning process which was that the Official Plan Amendment was approved by Council, the next step in the process would be a rezoning done at the County level and a plan of subdivision issues referred to the Ontario Municipal Board. Mr. Henderson stated that he hoped to avoid a costly hearing before the OMB and also the avoidance of the next step in the planning process which would be consideration of site specific rezoning. Mr. Henderson also stated that in his opinion Council was not being visionary and forward thinking to consider appropriate public uses for the subject property and felt the sale of the property at this time for residential development was premature. At the conclusion of Mr. Henderson's presentation, Mayor Arnold explained to the meeting the process followed relative to the planning issue whereas the Official Plan Amendment and Zoning are considered by Council with objections referred to the OMB. It was pointed out that the zoning process has not as yet been initiated and if and when it is, notice of the required public hearing would be circulated in accordance with the provisions of the Planning Act. Mayor Arnold also took the opportunity to comment on several issues raised in the letter circulate to local residents together with an invitation to attend this meeting of Council. Since Mayor Arnold recognized Mr. Henderson, who identified himself as the spokesman for the group in attendance, he did not recognize any other presenter.

Mr. Lowell Dalgety, owner of the Bluewater Ferry Service from Sombra was present to discuss with Council his appeal to Council for assistance relative to the ice breaking charge imposed by the Canadian Coast Guard. Mr. Dalgety stated that the fee charged for such services is approximately \$56,000 per year and the total billed to Bluewater Ferry to date is \$168,000 which amount is still outstanding. Mr. Dalgety stated that if the fees are imposed as proposed, he will cease winter ferry operation from mid-December to early April, to avoid such charges.

Mr. Dalgety stated that if winter service of the ferry is suspended, it will affect tourists to the village of Sombra as well as a disruption for people using the ferry service on a daily basis for commuting to their places of employment. In response to questions from Council, Mr. Dalgety advised that he does not need the ice breaking service and that in fact the ice breaking for the lake freighters is actually a detriment to his business. Also Mr. Dalgety stated that in the past he has requested ice breaking services to free ferries in distress and both times, the service was denied. Also in response to questions, Mr. Dalgety stated that in his opinion the billing from the Coast Guard was discretionary and that in fact the billing has been postponed for further consideration until the spring of 2008 and with this recent news, his plans are to continue winter operation. In response to Council's questions, Mr. Dalgety stated that the ferry service currently provides transportation for approximately 100 cars per day, with the winter service almost as heavy as the summertime service. He also noted that with the well publicized border crossing delays in Sarnia, the Bluewater Ferry service is becoming more popular due to the reduced wait times. Mr. Tony Wren, a resident of 224 South Main Street, Marine City was present and asked to speak to Council in support of Mr. Dalgety's presentation. Mr. Ray identified himself as the owner of the Unican Duty Free Shop as well as a city Commissioner for Marine City. Mr. Wren stated that if the ferry closes, his business will close with the loss of employment for six employees. Mr. Wren identified that the current economy in Michigan and in particular Marine City is depressed and the closure of the ferry even for the winter months will have a tremendous detrimental effect on the economy and commercial businesses in Marine City. He also stated his opinion that ice breaking activities in the St. Clair River by the Canadian Coast Guard actually make the operation of the Bluewater Ferry more difficult and challenging. At the conclusion of the discussion, it was;

Moved by P. Gilliland

Seconded by D. Randell

Motion #8 That St. Clair Township Council support Bluewater Ferry in its effort of cancellation of ice breaking fees imposed by Canadian Coast Guard and that this resolution be forwarded to Federal Transportation Minister, MPP, MP Pat Davidson, Walpole Island First Nations, City of Sarnia and the County of Lambton with the request that the resolution be supported.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised of the need for an in-camera session to discuss a property and personnel issue.

COORDINATOR OF PLANNING:

Council reviewed the Coordinator of Planning report dated November 29, 2007 regarding the rezoning application filed on behalf of the Moore Presbyterian Foundation.

Moved by S. Miller

Seconded by P. Carswell

Motion #9 That the Council of the Township of St. Clair amend the Motion passed November 19, 2007 giving zoning by-law 69 of 2007 first and second readings with the third reading being considered after draft plan of subdivision approval. It is recommended that the by-law be given three readings and the property placed in a holding zone to permit the sale of the property at the corner of Fane and Murray Street, Corunna

CARRIED

BY-LAWS:

Moved by P. Carswell

Seconded by S. Miller

Motion #10 That By-law #69 of 2007, being a by-law to rezone a property known as the Moore Foundation Property in Corunna to a residential holding zone be read the required number of times, be finally passed, signed and sealed.

CARRIED

In discussion of By-law #70 of 2007, being a deeming by-law for Plan 729 Council asked for further information on this by-law to be provided at Council's next meeting.

The Clerk explained to Council the provisions of By-law #71 of 2007 which would impose parking regulation on both entrances of the plaza which hosts the Corunna OPP office. This request for restricted parking is in an effort to increase visibility and vehicular safety.

Moved by P. Carswell

Seconded by S. Miller

Motion #11 That By-law #71 of 2007, that being a by-law to regulate vehicular parking and authorize the placement of the appropriate signs, 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 asked staff to investigate the developer's plans to repair the entrance sign for the Nash Landing subdivision.

Darrell Randell

Councillor Randell in support of the earlier motion in regard to the Bluewater Ferry stated that meetings of the Bpac Committee are being held alternatively in Marine City and Sombra as an aide to members who find crossing the ferry much more time efficient than the Bluewater Bridge. Councillor Randell also attended the annual general meeting of the Friends of the St. Clair Committee at which time he was re-elected as committee chair. Councillor Randell also pointed out that recent generous grant funding provided by the Ontario Great Lakes Renewal Fund to support several naturalists' projects in St. Clair Township.

Moved by D. Randell

Seconded by P. Carswell

Motion #12 That a letter of support and thanks be sent to the Ontario Great Lakes Renewal Fund in appreciation of the projects undertaken in St. Clair Township with the financial assistance of the fund.

CARRIED

Steve Miller

Councillor Miller advised of receiving several negative comments relative to the fact that the yard waste pick up did not pick up the bagged leaves particularly in the Port Lambton area and further disappointment that the material was not picked up in the regular weekly trash collection.

Pat Carswell-Alexander

Councillor Carswell advised of attending the recent Brigden Firefighters fundraising activities as well as the Brigden Christmas tree lighting. Also, while attending the Brigden Firefighters fundraising activity, she received a question from several county emergency medical services employees regarding certain operational protocols if attendants are stationed at various locations within the county. Deputy Mayor Gilliland offered to pose the question to the general manager responsible for the EMS function.

Pat Brown

Councillor Brown advised of attending with Councillor Agar, the recent Clean Harbors meeting at which time the annual report was discussed. It was also pointed out that the annual report for the local facility will be on the Clean Harbors website in the near future. Councillor Brown also attended the fundraising activities hosted at the Corunna Fire hall in support of the local Operation Christmas Tree effort.

Steve Arnold

Mayor Arnold advised Council of several municipally related functions he has attended since the last meeting and also briefed Council on a petition he received earlier this evening from various Eighth Street residents regarding truck traffic on Eighth Street. As well, the information included MSDS sheets on fly ash material.

Moved by S. Miller

Seconded by D. Randell

Motion #13 That the petition received by the Mayor from concerned residents on Eighth Street regarding truck traffic be received.

NEW BUSINESS:

The Clerk advised Council on receiving the Livestock Valuers Report recommending compensation for herd damage caused by possibly coyotes or wolves. The claim was in the amount of \$1025.

Moved by D. Randell

Seconded by P. Carswell

Motion #14 That Council accept the Livestock Valuers Report dated November 27, 2007 in the amount of \$1025 in favor of Mr. Roy Sharpe for herd damages be paid.

CARRIED

Councillor Brown questioned Council as to knowledge of any plans to continue the Guthrie Park seawall into Talfourd Creek. Council suggested that staff contact the St. Clair Region Conservation Authority for information on any such plans either now or in the future.

Mr. John DenBore, a resident of St. Clair Parkway, asked to address Council. Mr. DenBore stated that he was in attendance for the earlier meeting and asked Council to consider improvements for the acoustics because those in attendance had difficulty hearing members of Council. Mr. DenBore also thanked Council for the progress made on the St. Clair Parkway turning lane adjacent to the No Frills Store. Mr. DenBore also asked several questions relating to Council's procedure and asked Council to consider an open forum portion in its regular meetings to allow citizens the opportunity to address Council without being placed formally on the agenda.

Mr. Gaston Drapeau, a resident of St. Clair Parkway suggested the Township consider improvements of its circulation protocols for invitation to public hearings relative to planning applications.

Moved by S. Miller

Seconded by P. Brown

Motion #15 That the meeting enter an in-camera session with the Mayor as chair to discuss property and personnel issues.

CARRIED

Meeting returned to order.

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:45 p.m.

MAYOR

CLERK

