

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #23**

St. Clair Civic Centre
Council Chambers
December 1, 2008
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 17, 2008
Sombra Museum of October 17, 2008

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:10 pm – Gibb Drainage – Court of Revision
7:15 pm – 150 Forsyth Street - fence exemption

CORRESPONDENCE:

- a) Moore Presbyterian Foundation – request
- b) 150 Forsythe Street, Sombra – fence exemption

INFORMATION:

- 1) County of Lambton – Council Highlights of November 19, 2008
- 2) Lambton Farm Safety Association – Minutes of November 3, 2008
- 3) Sarnia-Lambton Economic Partnership – media release
- 4) County of Lambton – Notice of Public Hearing
- 5) County of Lambton – Notice of Application
- 6) St. Clair River Trail – Minutes of October 29, 2008
- 7) Lambton Group Police Services Board – Minutes of October 15, 2008
- 8) OPP – Estimated 2009 Policing costs
- 9) Ombudsman Ontario – Sunshine Law handbook
- 10) F.C.M. – Infrastructure
- 11) M.P.A.C. – 2008 annual update

DRAINS:

By-law #38 of 2008 – Bolton Drain – amending
By-law #39 of 2008 – Wing Drain – amending

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By-law #40 of 2008 – Coyle Drain – amending
By-law #41 of 2008 – McCallum Drain – amending
By-law #42 of 2008 – Pollock Drain – amending
By-law #43 of 2008 – Whitebread Centre Drain – amending
By-law #44 of 2008 – Reid Drain – amending
By-law #45 of 2008 – 30-31 Sideroad Drain - amending

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS OFFICER:

Status report

DIRECTOR OF PUBLIC WORKS AND OPERATIONS:

Stanley Line Bridge – Load limit
Bentpath Line/Smith Line Water main Loops – Tender results

CLERK'S REPORT:

Royal Canadian Legion – tax exemption
Environment Canada - lease

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-Law #72 of 2008 – Exemption from Taxation
By-law #73 of 2009 - Confirming

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Monday December 8, 2008 ~ 6:00pm
Regular Meeting of Council - Monday December 15, 2008 ~ 3:00 pm
Regular Meeting of Council – Monday January 5, 2009 ~ 7:00pm

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.

Council observed one minute of silence in memory of the late John (Jack) Irwin, former member of Council of the Township of Moore who recently passed away.

MINUTES:

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

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #1: That the minutes of the Council meeting of November 17, 2008 – Session #22 and the Sombra Museum of October 17, 2008 be adopted as printed and circulated.

CARRIED

CORRESPONDENCE:

Moved by D. Randell

Seconded by P. Gilliland

Motion #2: That the request received from the Moore Presbyterian Foundation requesting a donation from St. Clair Township in the amount of \$8540 be granted with payment to be made in 2009.

CARRIED

In response to Deputy Mayor Gilliland's questions, Councillor Carswell-Alexander advised that the Senior's center area of the complex is open to the public and that the facility receives Provincial funding relative to the Township grant.

Moved by P. Carswell-Alexander

Seconded by S. Miller

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

- a. Moore Presbyterian Foundation - request
Inst. See motion #2
- b. 150 Forsythe Street, Sombra – fence exemption
Inst. See motion #5

CARRIED

At the appointed time, Mayor Arnold called to order the Court of Revision called to consider any assessment appeals on the Gibb Drain. In response to Chair Arnold's questions, the Clerk advised that no written appeals have been received on the Gibb Drain and no verbal appeals were presented at the meeting.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #4: That the Engineer's assessment on the Gibb Drain as per the Engineer's report dated October 14, 2008 be accepted and approved and the Court of Revision on the Gibb Drain closed.

CARRIED

At the appointed time, Mayor Arnold welcomed Mrs. Goethals owner of property known as 150 Forsythe Street in Sombra village who was present to present to Council, her request for an exemption of the height restriction in the current Township fencing By-law to allow an existing 6 foot fence to be extended by 1 foot with the construction of decorative lattice work on top of the existing fence. Mrs. Goethals stated that the additional height is requested for privacy and safety reasons. Mrs. Goethals responded to several questions posed by members of Council. After considerable discussion, it was:

Moved by D. Randell

Seconded by P. Gilliland

Motion #5: That the request received from the owners of the property known as 150 Forsythe Street in Sombra to allow a fence with a height of 7 feet be granted.

DEFEATED

Council returned to the consideration of the correspondences listed on the agenda and discussion of the minutes of the Lambton Group Police Services Board. Councilor Miller advised that Mr. Frank Gare, Chair of the Board has recently retired and that advertisements have been placed for interested applicants for consideration by the Mayor's committee on policing.

The Clerk advised of a request received from the Knights of Columbus to conduct a car raffle under the authority of a Provincial License. It was;

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #6: That permission be granted to the local Knights of Columbus councils to conduct their annual car raffle lottery under the authority of a provincial license.

CARRIED

DRAINS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #7: That Drainage By-law #38 of 2008, being a by-law to raise the sum of \$764.00 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Bolton 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 S. Miller

Seconded by P. Carswell-Alexander

Motion #8: That Drainage By-law #39 of 2008, being a by-law to raise the sum of \$650.37 being money expended out of the General Funds of the Township of St. Clair for the tile repairs to the Wing 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 D. Randell

Seconded by P. Gilliland

Motion #9: That Drainage By-law #40 of 2008, being a by-law to raise the sum of \$987.88 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Coyle 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 D. Randell

Seconded by P. Gilliland

Motion #10: That Drainage By-law #41 of 2008, being a by-law to raise the sum of \$543.21 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the McCallum 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. Carswell-Alexander

Seconded by P. Brown

Motion #11: That Drainage By-law #42 of 2008, being a by-law to raise the sum of \$840.75 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Pollock 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. Carswell-Alexander

Seconded by P. Brown

Motion #12: That Drainage By-law #43 of 2008, being a by-law to raise the sum of \$739.47 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Whitebread Center 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 D. Randell

Seconded by P. Gilliland

Motion #13: That Drainage By-law #44 of 2008, being a by-law to raise the sum of \$4,376.07 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Reid 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 D. Randell

Seconded by P. Gilliland

Motion #14: That Drainage By-law #45 of 2008, being a by-law to raise the sum of \$253.04 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the 30-31 Sideroad 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:

PROPERTY STANDARDS OFFICER'S REPORT:

Council reviewed the report of the Property Standards officer relative to the status of several outstanding issues.

Moved by J. Agar

Seconded by D. Randell

Motion #15: That the Property Standards Officer be instructed to issue an appropriate order relative to the current condition of the property known as 440 Colborne Street.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #16: That the report submitted by the Property Standards/By-law Enforcement Officer be received and accepted as information.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #17: That the report submitted by the Director of Public Works and Operations dated November 26, 2008 recommending that a weight limit of a maximum of 10 tonnes total be imposed on the Stanley Line bridge across Bear Creek with the appropriate signage to be placed be received and accepted.

CARRIED

Moved by S. Miller

Seconded by P. Brown

Motion #18: That the report from the Director of Public Works and Operations recommending that all tenders submitted on November 18, 2008 for the Bentpath Line/Smith Line Watermain Loops be rejected and the project be re-tendered in the spring of 2009 as the low tender was approximately 39% more than the 2008 approved Capital Budget be received and accepted with the provision that the 2008 capital budget allocation for the project be carried forward as a project reserve for 2009.

CARRIED

CLERK'S REPORT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #19: That the report dated November 21, 2008 submitted by the Clerk recommending that the current practice of exempting Royal Canadian Legions branch 447 and 635 be continued for a 10 year period as authorized by By-law #72 of 2008 be received and accepted.

CARRIED

Moved by S. Miller

Seconded by P. Brown

Motion #20: That the report dated November 27, 2008 submitted by the Clerk recommending that the current lease with Environmental Canada for use of the former Port Lambton water pump house be extended to December 31, 2013 at the rental rate of \$100.00 per month and that the Mayor and Clerk be authorized to sign the lease agreement be received and accepted.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #21: That By-law #72 of 2008, being a by-law to exempt from taxation the premises used and occupied by the Royal Canadian Legion Ontario Branch 447, Corunna and Branch 635, Brigden to be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #22: That By-law #73 of 2008, 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 November 17, 2008 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 that some repair work has been done on the Hill Street CSX crossing. Deputy Mayor Gilliland also advised Council of attending the November 26th grand opening of the Cataract Unit at CEE Hospital in Petrolia and the Deputy Mayor also attended the November 27th Enbridge ribbon cutting ceremony, the recent fire fighters Christmas party and the Corunna Santa Claus parade.

Jeff Agar

Councillor Agar advised Council that he attended the recent fire fighters Christmas party and the Santa Claus parade held this past Saturday in Corunna.

Darrell Randell

Councillor Randell advised of attending a November 20th meeting of the Friends of the St. Clair annual general meeting at which time he was re-elected as Committee chair. Councillor Randell also attended the November 30th presentation to Allan Mann at the Sombra Museum and will attend the meeting of the BPAC Committee on December 4th.

Pat Carswell-Alexander

Councillor Carswell-Alexander asked staff to examine and comment on the shouldering work done on Highway #40 during the recent reconstruction project. Councillor Carswell-Alexander thinks the shoulders slope is too steep and would not safely permit a disabled car to pull off the traveled section of the road.

Pat Brown

Councillor Brown advised Council that he attended the recent Poor Boy luncheon as a fundraiser for Operation Christmas Tree, attended a recent meeting of the Clean Harbors Liaison Committee as well as the recent fire fighters Christmas dinner, the Santa Claus parade and the presentation at the Sombra Museum. Councillor Brown also led Council in a discussion of the possibility of erecting "Welcome to St. Clair Township" signs at all north and south roads, including Township roads, County roads and Highway #40. Mayor Arnold advised that such signage was requested in the past and the items referred to staff.

Steve Arnold

Mayor Arnold advised that he as well attended the Poor Boy luncheon, the meeting of the St. Clair Region Conservation Authority, the meeting of the Task Force on physician recruitment, the Enbridge ribbon cutting, the fire fighters Christmas party, the Santa Claus Christmas party and the recent Chamber of Commerce dinner. Mayor Arnold also mentioned to Council the passing of MP Pat Davidson's mother this past weekend. Staff was requested to investigate the lighting at the Port Lambton Community Hall, particularly on the east side of the building as well investigate the condition of the guardrail on the north side of Emily Street at the CSX crossing.

Hearing no further business it was;

ADJOURNMENT:

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

Seconded by D. Randell

CARRIED

The meeting adjourned at 8:00 p.m.

MAYOR

CLERK