

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

St. Clair Civic Centre
Council Chambers
May 19, 2009
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
	G. Hackett	Director of Community Services

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council meeting of May 4, 2009 Session #9
Finance and Administration meeting of May 11, 2009
Public Works and Operations meeting of May 11, 2009

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:10 pm Marcel Beaubien – development charges
7:30 pm Beauchamp - rezoning

CORRESPONDENCE:

- a) Marcel Beaubien – Site plan agreement
- b) Gitte Monteith – Vision impaired
- c) Humane Society – Tag days
- d) Bill O’Brien – Brigden hall request
- e) Lambton Sportsman Club – Grant request
- f) Wilkesport Community Center – Flag pole request
- g) Property Standards – Corunna
- h) Property Standards – Corunna
- i) Sacred Heart School – Grant request
- j) Wayne Annett – temporary second house

INFORMATION:

- 1) County of Lambton – Council highlights
- 2) County of Lambton – Hill Street closure
- 3) Moore Women’s Institute – Hall closure
- 4) Corunna Community Policing – May 5th minutes
- 5) Homegrown Ontario – resolution
- 6) OPP – 2008 Statistical report

DRAINS:

Drainage By-law #14 of 2009 – Strangway Drain – amending
Drainage By-law #15 of 2009 – 4th & 5th Conc. Branch of Wheeler Drain – amending
Drainage By-law #16 of 2009 – Fader Drain – amending
Drainage By-law #17 of 2009 – Lamond Drain – amending
Drainage By-law #18 of 2009 – McLellan Drain – amending
Drainage By-law #19 of 2009 – Joiner Drain - amending

REPORTS OF COMMITTEES AND OFFICERS:

PLANNER'S REPORT:

Barry Uitvlugt ~ Beaubien - Development Agreement
Jeff Baranek ~ Beauchamp – Proposed Zoning by-law amendment
Barry Uitvlugt ~ Green Energy Act Bill 150

COORDINATOR OF OPERATIONS (WORKS) REPORT:

Hill Street proposed construction

DIRECTOR OF PUBLIC WORKS & OPERATIONS REPORT:

Rural water tender results

DIRECTOR OF COMMUNITY SERVICES:

ESB – paving tenders
RINC grant program – proposed projects

CLERK'S REPORT:

Summer meeting schedule

CAO'S REPORT:

In-camera - property

MOTIONS:

BY-LAWS:

By-law #25 of 2009 – second residence
By-law #26 of 2009 – Viscount subdivision
By-law #27 of 2009 – Beauchamp rezoning

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Drainage Committee Tuesday June 9, 2009 – 7:00pm ~ Birch Drain South,
Wright Drain & Government #3 Drain – report consideration

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:

Mayor Arnold declared a conflict of interest prior to Council's discussion with Mr. Beaubien regarding development charges. Councillor Carswell-Alexander declared a conflict of interest prior to the discussion of the grant request received from the Lambton Sportsman's Club.

MINUTES:

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

Moved by F. Agar

Seconded by D. Randell

Motion #1: That the minutes of the Council meeting held May 4, 2009 – Session #9 be adopted as printed and circulated.

CARRIED

In discussion of the minutes of the Finance and Administration Committee, it was noticed that Petrolia Line was incorrectly identified as the Courtright Line.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #2: That the minutes of the Finance and Administration Committee Meeting held May 11, 2009 be adopted as corrected and circulated.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #3: That the minutes of the Public Works and Operations Meeting held May 11, 2009 be adopted as printed and circulated.

CARRIED

CORRESPONDENCE:

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

Moved by D. Gilliland

Seconded by J. Agar

Motion #4: That the request from Gitte Monteith with regards to installing a "buzzer" to help the visually impaired be forwarded to the appropriate staff for further investigation.

CARRIED

Staff was instructed to contact the County of Lambton to discuss this request due to the County's part ownership in the traffic signals.

Moved by P Carswell-Alexander

Seconded by S. Miller

Motion #5: That the letter received from Sarnia and District Humane Society asking permission to sell animal identification tags on September 11th and 12th, 2009 be received and the request approved.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #6: That the request from Bill O'Brien regarding some cosmetic work on the Bridgen Community Hall be forwarded to Director of Community Services for further investigation and report.

CARRIED

At the appointed time, Council welcomed Mr. Marcel Beaubien and Mr. Mike Burke present to discuss with Council the request for Council reconsideration in the development charges and the parkland dedication prescribed in the draft development agreement. Prior to the discussion, Mayor Arnold declared a conflict of interest as a resident in the subject building, left the Counsel Chambers and did not participate in the discussion. Deputy Mayor Gilliland was in the chair. Mr. Beaubien presented to Council his opinion that he

considers the work done at the subject property to be a renovation and not a new development partly because the footprint of the building was unchanged. Mr. Beaubien explained that he is well aware of the rationale behind the impositions of development charges, due to the additional stress put on municipal infrastructure but in this case he feels there is no additional burden put on such facilities due to the relatively intense use of the property over the years practically when it was used as a motel and restaurant facility. Mr. Beaubien felt that by the Township imposing these fees at this time, it is in fact double-dipping and he is assuming that some type fees were paid back in the 1960's when the property was first developed. Mr. Rodey pointed out that typically development charges, previously referred to as impost fees were imposed on residential properties and not commercial or industrial properties. If this property was developed as a commercial site, no such impost or development charges would have been applicable.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #7: That the request received from Marcel Beaubien and Mike Borque regarding 1590 St. Clair Parkway to reconsider the charges related to new development and parkland dedication be referred to staff for report.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #8: That the report submitted by Barry Uitvlugt recommending that Council give approval in principle to the condominium agreement provided all municipal concerns are addressed financially and otherwise.

CARRIED

Mr. Beaubien thanked Council for their consideration of his request. Mayor Arnold returned to the meeting and reassumed the position of chair. At the appointed time Mayor Arnold opened the Public meeting to consider the rezoning applied for by Jeff and Linda Beauchamp, owner of property known as 393 Beresford Street, Corunna, Lot 381, Plan 413, geographic Township of Moore, Township of St. Clair. Mayor Arnold explained to those in attendance the purpose and the protocol that would be followed at this meeting and anyone wishing to do so, would have an opportunity to comment on the rezoning proposal. He then turned the meeting over to Planner, Jeff Baranek who presented his Planner's Report on the issue dated April 5th, 2009. Mr. Baranek advised the meeting that the current zoning on the property is central commercial and the proposed zoning is Residential 1 with a shoreline constraint. This zoning provides for the necessity of filing with the municipality a geotechnical study to determine bank stability. Mr. Baranek pointed out that the subject lot is approximately one hundred and eighty-seven feet wide on Beresford Street and the proposal is, by successful application for consent to the Township's Committee of Adjustment, create a vacant residential lot. At the conclusion of the report and in response to questions from Council, Mr. Baranek advised that the geotechnical report has been received and has been forwarded to the St. Clair Region Conservation Authority for comment. In response to the Mayor's questions, no one spoke against the proposed rezoning and no one spoke in favour of the rezoning. Hearing no further comments or questions, the Mayor declared the Public Hearing closed.

Moved by S. Miller

Seconded by P. Brown

Motion #9: That By-law Number 27 of 2009, being a by-law to amend the Comprehensive Zoning By-law Number 17 of 2003, for property known as 393 Beresford Street, Corunna be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed there to and finally passed.

CARRIED

DIRECTOR OF COMMUNITY SERVICES REPORT:

Council reviewed the Director of Community Services Report on possible projects at the Sports Complex for possible application for grant funding under the newly announced RINC project. The total proposed by Mr. Hackett is approximately \$3,600,000.00. Mayor Arnold advised of discussions with M.P. Pat Davidson's office that projects for consideration under this grant funding program would be more successful if they were in the amount of approximately \$1,000,000.00. Council asked Mr. Hackett to provide them

copies of the project list proposed to be submitted under the Building and Canada Fund. Mr. Hackett was allowed time to produce the previous list.

Council returned to the consideration of the communications as listed on the agenda. Prior to the discussion of the grant request received from the Lambton Sportsman's Club. Councillor Carswell-Alexander declared a conflict of interest as a member of the club, left the council chambers and did not participate in the discussion.

Moved by P. Gilliland

Seconded by D. Randell

Motion #10: That the request received from Lambton Sportsman's Club for donation be denied.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #11: That the Township donate and install a flag pole at the Wilkesport Community Center as requested at an estimated cost of approximately \$1,800.00 plus installation.

CARRIED

Moved by P. Brown

Seconded by P. Carswell Alexander

Motion #12: That the property standards complaint regarding;

220 Blackthorn Crescent, Corunna
216 Blackthorn Crescent, Corunna
359 Brentwood Crescent, Corunna
320 Willow Crescent, Corunna
507 Colborne Street, Corunna
341 Brentwood Crescent, Corunna
475 Colborne Street. Corunna
306 Ashwood Crescent, Corunna

be forwarded on to the Property Standards Officer for further investigation and report.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #13: That the property standards complaint regarding the north east corner of Fane and Baird Streets be forwarded on to the Property Standards Officer for further investigation.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #14: That the request received from the Scared Heat School Anniversary Committee for a \$250.00 donation to support the 50th anniversary of the school be granted.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #15: That the resolution offered by Homegrown Ontario to promote purchases of local agricultural products be endorsed.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #16: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Marcel Beaubien – site plan agreement
Inst. See motion #7
- b. Gitte Monteith – vision impaired
Inst. See motion #4
- c. Humane Society – tag days
Inst. See motion #5

- d. Bill O'Brien – Brigden hall request
Inst. See motion #6
- e. Lambton Sportsman Club – grant request
Inst. See motion #10
- f. Wilkesport Community Center – Flag pole request
Inst. See motion #11
- g. Property Standards - Corunna
Inst. See motion #12
- h. Property Standards - Corunna
Inst. See motion #13
- i. Sacred Heart School – grant request
Inst. See motion #14
- j. Homegrown Ontario - resolution
Inst. See motion #15

DIRECTOR OF COMMUNITY SERVICES REPORT:

Council continued its discussion with Mr. Hackett relative to possible projects. For funding under the RINC Program, Council reviewed Mr. Hackett's list and suggested that the projects be approved in ranked order as per Mr. Hackett's report dated May 15, 2009, with the inclusion of accessibility upgrades with the total project cost of approximately \$1,000,000.00.

Moved by S. Miller

Seconded by D. Randell

Motion #17: That staff be instructed to apply for funding under the RINC Program for Sports Complex improvements including accessibility upgrades as per the Director of Community Services report dated May 15th, 2009 with a total project cost of approximately \$1,000,000.00.

CARRIED

Council reviewed Mr. Hackett's report dated May 15th, 2009 regarding the tender results for two asphalt projects.

Fire and Police Services Building

Quotes were received as follows for the reconstruction of the parking lot at the Fire and Police Services building in Corunna:

1. Sevcon	\$58,313.73
2. Nordell	\$66,313.30
3. Brandon	\$73,196.00
4. Cope	\$75,297.00
5. Westhoek	\$80,034.38
6. Mills	\$82,219.00

Budget for this work totaled \$70,000.00. Engineering cost is \$8,000.00 making total cost \$66,313.73.

Brander Park

Quotes for the paving of Brander Park (east) parking lot where received as follows:

1. Sevcon	\$24,999.59
2. Cope	\$27,975.00
3. Nordell	\$29,111.30

Budget for this work \$35,000.00.

Moved by P. Brown

Seconded by P. Gilliland

Motion #18: That the bid from Sevcon Construction in the amount of \$58,313.73 be accepted for paving at the Emergency Services building and further that the bid of Sevcon Construction in the amount of \$24,999.59 for the paving of the east parking lot at Brander Park be accepted.

CARRIED

Council proceeded to review the information items on the correspondence. Council discussed at length the letter received from the Moore Centre Women's Institute regarding the termination of activities in the building as of June 30th. Council requested staff to investigate the ownership of the building since it was at one time the property of the Township of Moore. Also, Councillor Carswell-Alexander suggested an effort should be made to relocate the commemorate plaques in the hall to an appropriate place such as the Moore Museum. Council asked that the Director of Community Services to investigate the relocation of the plaques with permission of the Moore Centre Women's Institute.

Moved by d. Randell

Seconded by P. Gilliland

Motion #19: That staff be instructed to conduct a title search to determine ownership of the Moore Centre Women's Institute Hall.

CARRIED

BY-LAWS:

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #20: That Drainage By-law #14- of 2009, being a by-law to raise the sum of \$4,133.18 being money expended out of the General Funds of the Township of St. Clair for the expenditures to the Strangway 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 J. Agar

Motion #21: That Drainage By-law #15 of 2009, being a by-law to raise the sum of \$4,298.90 being money expended out of the General Funds of the Township of St. Clair for the expenditures to the 4th & 5th Conc. Branch of Wheeler 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 S. Miller

Motion #22: That Tile Drainage By-law #16 of 2009, being a by-law to raise the sum of \$9,252.43 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Fader 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 J. Agar

Seconded by D. Randell

Motion #23: That Tile Drainage By-law #17 of 2009, being a by-law to raise the sum of \$7,291.22 being money expended out of the General Funds of the Township of St. Clair for the maintenance repairs to the Lamond 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 #24: That Drainage By-law #18 of 2009, being a by-law to raise the sum of \$9,956.10 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the McLellan Drain be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Council Meeting Minutes
May 19, 2009

Moved by D. Randell

Seconded by J. Agar

Motion #25: That the Drainage By-law #19 of 2009, being a by-law to raise the sum of \$558.77 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Joiner Drain be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

PLANNER'S REPORT:

Moved by J. Agar

Seconded by D. Randell

Motion #26: That the report submitted by Barry Uitvlugt, Planner dated May 14, 2009 regarding the Green Energy and Green Economy Act 2009 be received and accepted as information.

CARRIED

COORDINATOR OF OPERATIONS (WORKS) REPORT:

Council reviewed Mr. DePooter's report on the County project to widen the portion of Hill Street in Corunna.

Moved by P. Carswell- Alexander

Seconded by P. Brown

Motion #27: That the report submitted by the Coordinator of Operation (Works) dated May 13, 2009 regarding the Hill street proposed construction be received as information.

CARRIED

Moved by P. Carswell- Alexander

Seconded by D. Randell

Motion #28: That the County of Lambton be requested to lengthen to the east, the turning lane proposed to be constructed on Hill Street adjacent to Brooktree.

CARRIED

DIRECTOR OF PUBLIC WORKS REPORT:

Moved by D. Randell

Seconded by J. Agar

Motion # 29: That the report submitted by the Director of Public Works and Operations dated May 13, 2009 recommending that the tender submitted by Robinson Farm Drainage in the amount of \$196,400.00 (excluding GST) for rural water construction on West Holt Line from the CSX tracks to Baseline Road, Holt line from Brigden Road to Mandaumin Road, West Smith Line from the CSX tracks to Baseline Road and West Bentpath Line from the CSX tracks to Baseline Road be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents be received and accepted.

CARRIED

CLERK'S REPORT:

Councilor's reviewed the Clerk's report relative to the proposed summer meeting schedules.

Moved by J. Agar

Seconded by D. Randell

Motion #30: That the report received from the Clerk dated May 15, 2009 recommending that the summer meeting schedule for Council for 2009 be received and accepted and the following meeting schedule be established accordingly;

Committee of the Whole, Monday, June 8, 2009 @ 6:00 p.m.

Council, Monday, June 8, 2009 @ 8:00 p.m.

Council, Monday, June 22, 2009 @ 7:00 p.m.

Committee of the Whole, Monday, July 6, 2009 @ 6:00 p.m.

Council Meeting Minutes
May 19, 2009

Council, Monday, July 20, 2009 @ 7:00 p.m.

Committee of the Whole, Monday, August 10, 2009 @ 6:00 p.m.

Council, Monday, August 24, 2009 @ 7:00 p.m.

Council, Tuesday, September 8, 2009 @ 7:00 p.m.

Committee of the Whole, Monday, September 14, 2009 @ 6:00 p.m.

Council, Monday, September 21, 2009 @ 7:00 p.m.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

The CAO advised of the need for an in-camera session to discuss property issues.

BY-LAWS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #31: That the By-law #25 of 2009, being a by-law to authorize an agreement on property municipally known as 2773 Bickford Line Township of St. Clair for the temporary use of an existing house while a new one is being constructed 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 D. Randell

Motion #32: That the By-law #26 of 2009, being a by-law to authorize the execution of a development agreement with T. Mag Marketing Inc. for Lot 172 and Plan 413 (Viscount Subdivision) be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Jeff Agar

Councillor Agar noted that the former Colborne Street School demolition is proceeding well with approximately one half of the building being demolished.

Pete Gilliland

Councillor Gilliland questioned the status of the clean-up of the property known as 1784 Petrolia Line. The Clerk advised that attempts to contact Ministry of the Environment officials has not been successful but as soon as information is received, it would be conveyed to the members of Council.

Steve Miller

Councillor Miller asked staff to take the appropriate action to relative to two derelict cars on the Holt Line between the St. Clair Parkway and the CSX crossing.

Steve Arnold

Mayor Arnold briefed Council on several information items and asked staff to provide a schedule from the Engineer for the three petition drainage projects in Courtright.

Moved by P. Brown

Seconded by D Randell

Motion #33: The meeting entered an in camera session to discuss property issues.

CARRIED

Council Meeting Minutes
May 19, 2009

Meeting returned to order.

ADJOURNMENT:

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

Seconded by P. Brown

CARRIED

The meeting adjourned at 9:15 p.m.

MAYOR

CLERK