

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION #11**

St. Clair Civic Centre  
Council Chambers  
June 8, 2009  
9:00 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:

	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
Absent:	S. Arnold	Mayor

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Council Meeting of May 19, 2009 Session #10

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

8:15 pm Eric Cartier – second accessory building

**CORRESPONDENCE:**

- a) Eric Cartier – second accessory use
- b) Doctors Borek, Wakely and O’Mahony – funding request
- c) Bryan Spiegelberg – dock request
- d) Sacred Heart School – paving request

**INFORMATION:**

**DRAINS:**

Drainage By-law #20 of 2009 – Horley Drain West – amending  
Drainage By-law #21 of 2009 – O’Leary Drain East – amending  
Drainage By-law #22 of 2009 – O’Leary Drain West – amending  
Drainage By-law #23 of 2009 – McBean Drain No. 2 – amending  
Drainage By-law #24 of 2009 – Watson Drain – amending  
Drainage By-law #25 of 2009 – Rivers-Lapish Drain – amending  
Drainage By-law #26 of 2009 – Rowden Drain – amending  
Drainage By-law #27 of 2009 – Waring Drain - amending

**REPORTS OF COMMITTEES AND OFFICERS:**

**PLANNER’S REPORT:**

Walnut Grove Townhouse Development/Site Plan Agreement

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**CLERK'S REPORT:**

**CAO'S REPORT:**

1590 St. Clair Parkway – request  
In camera – property  
In camera - legal

**MOTIONS:**

Committee of the Whole tender and Regional WWTP, Polymore Drive and Urban Resurfacing

**BY-LAWS:**

By-law #29 of 2009 the renaming of Balmoral Drive  
By-law #30 of 2009 – Regional WWTP contract  
By-law #31 of 2009 – Temporary second accessory building

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

Drainage Committee – June 9, 2009 ~ 7:00pm  
Regular meeting of Council – June 22, 2009 ~ 7:00pm  
Committee of the Whole – July 6, 2009 ~ 6:00pm  
Regular meeting of Council – July 20, 2009 ~ 7:00pm

**ADJOURNMENT:**

In the Mayor's absence, Deputy Mayor Gilliland called the meeting to order at 8:10 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.

Moved by D. Randell

Seconded by J. Agar

**Motion #1:** That the minutes of the Council meeting held May 19,2009 – Session #10 be adopted as printed and circulated

**CARRIED**

On behalf of Council, Deputy Mayor welcomed Mr. Eric Cartier, owner of property known as 650 St. Clair Parkway to present his request for permission to allow the two accessory buildings on his property to remain until the new accessory building is completed. Mr. Cartier pointed out that he has applied successfully to the Committee of Adjustment for a minor variance to allow his new storage building and is requesting that his current storage buildings be allowed to be used until the new facility is constructed.

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #2:** That the request from Eric Cartier and Tracey Prouse regarding permission to keep existing accessory buildings while building a new one be granted.

**CARRIED**

**CORRESPONDENCE:**

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

Council reviewed the request for additional funding in the amount of \$1000 per month for the blood clinic in Corunna submitted by Dr.'s Borek, Wakely and O'Mahony. The letter briefly stated the new testing protocols due to the fact that lab tests will no longer be conducted by Bluewater Health at its Sarnia site but rather the services will be provided by private labs. A motion by Councillor Carswell-Alexander to table the request pending further information on the possibility of expanding the service at the Corunna facility to include patients for other physicians did not get a seconder and was declared failed.

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #3:** That the letter received from Doctors Borek, Wakely and O'Mahony requesting that the subsidy for services be increased by \$1000 per month be received and accepted.

**DEFEATED**

Council reviewed the request received from Mr. Bryan Spiegelberg, a resident in Port Lambton for permission to expand by way of a 16 foot walkway to accommodate an aluminum boat lift on property owned by the Township. Council is aware of the fact of permission granted last summer to Mr. Spiegelberg by way of an agreement to allow the construction of a deck on the subject property. Mr. Spiegelberg hopes to now construct a small temporary dock that would only be used seasonally and would be removed following boating season every fall and re-installed every spring prior to the typical boating season.

Moved by S. Miller

Seconded by D. Randell

**Motion #4:** That the letter received from Bryan Spiegelberg asking for permission to construct an aluminum boat lift and walk way be granted.

**CARRIED**

Council reviewed the letter received from Sacred Heart School Parent Advisory Committee regarding the paving of the area between the roadway and sidewalk adjacent to the school in Port Lambton.

Moved by D. Randell

Seconded by J. Agar

**Motion #5:** That the request received from the Sacred Heart School Parent Advisory Committee regarding the paving of the area between the roadway and sidewalk be referred to 2010 capital budget deliberations.

**CARRIED**

Moved by D. Randell

Seconded by P. Carswell-Alexander

**Motion #6:** That a letter be sent to Sacred Heart School Advisory Committee with a suggestion that the Advisory Committee lobby the St. Clair Catholic District School Board for the paving requested and for a cost share agreement with the Municipality.

**CARRIED**

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #7:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Eric Cartier– second accessory use  
**Inst.** See motion #2
- b. Doctors Borek, Wakely and O'Mahony – funding request  
**Inst.** See motion #3

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- c. Bryan Spiegelberg – dock request  
**Inst.** See motion #4
- d. Sacred Heart School – paving request  
**Inst.** See motion #5 & 6

**CARRIED**

**DRAINS:**

Moved by J. Agar

Seconded by D. Randell

**Motion #8:** That Drainage By-law #20 of 2009, being a by-law to raise the sum of \$2,821.23 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Horley Drain West be given the necessary three readings and be 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 #9:** That Drainage By-law #21 of 2009, being a by-law to raise the sum of \$882.64 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the O’Leary Drain East be given the necessary three readings and be 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 #10:** That Drainage By-law #22 of 2009, being a by-law to raise the sum of \$2,451.04 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the O’Leary West Drain be given the necessary three readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by S. Miller

**Motion #11:** That Drainage By-law #23 of 2009, being a by-law to raise the sum of \$2,992.61 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the McBean Drain No. 2 be given the necessary three readings and be 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 #12:** That Drainage By-law #24 of 2009, being a by-law to raise the sum of \$9,341.03 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Watson Drain be given the necessary three readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by S. Miller

**Motion #13:** That Drainage By-law #25 of 2009, being a by-law to raise the sum of \$7,022.40 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Rivers-Lapish Drain be given the necessary three readings and be 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 #14:** That Drainage By-law #26 of 2009, being a by-law to raise the sum of \$3,279.21 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Rowden Drain be given the necessary three readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by S. Miller

Seconded by P. Brown

**Motion #15:** That Drainage By-law #27 of 2009, being a by-law to raise the sum of \$3,909.19 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Waring Drain be given the necessary three 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:**

Council discussed Mr. Uitvlugt's report dated June 3, 2009 on the Walnut Grove Townhouse development site plan agreement. Council discussed in detail the existence of sidewalks and the possible need for internal sidewalks in the development.

Moved by J. Agar

Seconded by D. Randell

**Motion #16:** That the report submitted by Barry Uitvlugt, Planner dated June 3, 2009 regarding the Walnut Grove Townhouse Development/Site Plan Agreement recommending that Council review the agreement for the development of 60 dwelling units in Townhouse form and Council gives approval in principle to the subdivision agreement (without the need for a sidewalk), provided all municipal concerns are addressed financially and otherwise be received and accepted.

**CARRIED**

A motion by Councillor Carswell-Alexander to amend the motion to require internal sidewalks within the proposed Walnut Grove residential development failed to get a seconder and was defeated, main motion was carried.

**CHIEF ADMINISTRATIVE OFFICER'S REPORT:**

Council reviewed the CAO's report dated June 8, 2009 regarding the request received from the owners of property known as 1590 St. Clair Parkway for relief on the proposed parkland in lieu levy and Development Charges Act charges. After considerable discussion it was;

Moved by J. Agar

Seconded by P. Brown

**Motion #17:** That the request received from the owners of the property known municipally as 1590 St. Clair Parkway for relief from the imposition of the Development Charges Act fees and 5% cash in lieu of Parkland fees be denied.

**CARRIED**

Moved by S. Miller

Seconded by P. Brown

**Motion #18:** That the report from the CAO dated June 8, 2009 regarding 1590 St. Clair Parkway be received as information.

**CARRIED**

**MOTIONS:**

Moved by S. Miller

Seconded by D. Randell

**Motion #19:** That all the recommendations made to Council at the June 8, 2009 meeting of the Finance and Administration Committee and the Public Works and Operations Committee be accepted and confirmed.

**CARRIED**

**BY-LAWS:**

Moved by P. Carswell-Alexander

Seconded by P. Brown

**Motion #20:** That By-law Number 29 of 2009, the By-law for the Township of St. Clair to change the name of Balmoral Drive in the geographic Township of Moore, Township of St. Clair, County of Lambton, under the Municipal Act 2001 having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

**CARRIED**

Moved by P. Brown

Seconded by P. Carswell-Alexander

**Motion #21:** That By-law Number 30 being a by-law to authorize the acceptance of the tenders and the signing of the appropriate contracts for the construction of the Regional WWTP in Courtright and the Corunna pump station 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-Alexander

Seconded by S. Miller

**Motion #22:** That By-law Number 31 of 2009, being a by-law to authorize an agreement with Eric Cartier and Tracey Prouse on property municipally known as 650 St. Clair Parkway Township of St. Clair for the temporary use of an existing accessory building 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**

**COUNCILLORS REPORTS:**

**Steve Miller**

Councillor Miller advised of attending the recent Roads Equipment Trade Show in Leamington with three staff members last week and thought the information received both as to equipment and services offered were very impressive and encourage any other member of Council to attend if able to do so in the future.

**Darrell Randell**

Councillor Randell advised of attending a recent decoration day ceremony at the Duthill Cemetery at which time Council was thanked for their generous contribution of a flag pole within a cemetery site.

**Pat Brown**

Councillor Brown reminded Council of an upcoming public open house hosted by Clean Harbors at the Corunna Legion on June 17<sup>th</sup> and the 50<sup>th</sup> anniversary celebration at the Sombra Museum on June 20<sup>th</sup> and the June 21<sup>st</sup> Heritage Day celebration at the Moore Museum.

**Pete Gilliland**

Deputy Mayor Gilliland advised of attending the June 4<sup>th</sup> OPP awards ceremony in Forest, the June 7<sup>th</sup> ceremony at St. Joseph's church honoring Father Paul Milne and a reception on June 8<sup>th</sup> welcoming Prince Michael of York to Southwestern Ontario. Deputy Mayor Gilliland also led Council into discussion of a possible grant application by the SCRT with possible Township sponsorship for the Federal Stimulus Grant Funding Program.

Moved by P. Carswell-Alexander

Seconded by S. Miller

**Motion #23:** That Council support the application of the SCRT for application for Stimulus Grant Funding for the continuation of the St. Clair River Trail.

**CARRIED**

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At the request of the Deputy Mayor, the Clerk provided a verbal report on the information he has received as to the status of the clean up of the property known municipally as 1784 Petrolia Line. The Clerk advised of discussions of area representatives of the MOE advising that the May 31<sup>st</sup> clean up date for the property had expired but that the Ministry is reluctant to proceed with the ordered clean up due to the fact that one of the principles involved in the incident has appealed to the Ontario Environmental Assessment Review Tribunal to attempt to minimize his involvement. In response to Council's questions, the Clerk advised that the Ministry Representative stated that there is a trust fund established for the clean up but they are reluctant to use the funds pending the result of the tribunal hearing. It appears that the hearing will take place locally in late August of 2009.

Moved by P. Carswell-Alexander

Seconded by P. Brown

**Motion #24:** That the meeting enter an in camera session to discuss a property and legal matter.

**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 9:25 p.m.

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MAYOR

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CLERK