

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

St. Clair Civic Centre
Council Chambers
November 09, 2009
6:45 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 October 20, 2009
Finance and Administration Meeting of October 20, 2009
Public Works and Operations Meeting of October 20, 2009
Special Council Meeting of October 26, 2009
Finance and Administration Meeting of October 28, 2009
Moore Museum Meeting of October 7, 2009
Sombra Museum Meeting of October 15, 2009
Drainage Committee Meeting of November 3, 2009

Business Arising from the Minutes:

IN CAMERA:

Personnel and property

DEPUTATIONS AND APPOINTMENTS:

7:30 pm Zoning by-law amendment ~ St. Clair Mechanical

CORRESPONDENCE:

- a) Ministry of Tourism – permission to sell lands
- b) George Moran – S.V.D.P. donation request
- c) Lambton Federation of Agriculture – Lambton Map
- d) Nina Olgivie – complaint
- e) County of Lambton – anti-idling parking
- f) Sterling Crane – Petrolia Line request

INFORMATION:

- 1) CCPC – funding request
- 2) CCPC – October 6, 2009 minutes
- 3) Doug Reycraft – school closures

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- 4) County of Lambton – open bonfires
- 5) County of Lambton – charity auction
- 6) County of Lambton – staffing
- 7) Town of Plympton – Wyoming – staffing
- 8) MNR – Bickford Oak Woods
- 9) Rae and Thomas Warren – thank you
- 10) AMO Alert – election changes
- 11) OGRA – 2010 Conference
- 12) Woodbridge Foam – closure
- 13) SCRCA – update
- 14) County of Lambton – Council highlights
- 15) Planner’s report – Ryan Scott and St. Clair Mechanical
- 16) Clean Harbors – landfill expansion project
- 17) St. Joseph’s Hospice – opening event
- 18) Anne Hazzard – paved shoulder request

DRAINS:

By-law #51 of 2009 – Arn Drain – amending

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OR OPERATIONS (WORKS) REPORT:

Dawn Gateway Pipeline

DRAINAGE SUPERINTENDANT REPORT:

McGillivray Drain tender

COORDINATOR OF FACILITIES REPORT:

Civic Center roof repair tender

CLERK’S REPORT:

Robert Climie request

CAO’S REPORT:

MOTIONS:

BY-LAWS:

- By-law #63 of 2009 Confirming by-law
- By-law #64 of 2009 Winter control agreement
- By-law #65 of 2009 Scott – rezoning Con 4 Pt Lot 7

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

2010 Community Calendar

NEW BUSINESS:

2010 Municipal Election

UPCOMING MEETINGS:

Committee of the Whole and Council Monday November 23, 2009 ~ 6pm
Regular Council Monday December 7, 2009 ~ 7pm
Committee of the Whole December 14, 2009 ~ 6pm

ADJOURNMENT:

The Mayor called the meeting to order at 6:45 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 P. Brown

Motion #1: That the meeting enter an in camera session to discuss personnel, legal and property issues.

CARRIED

Meeting returned to order.

At the appointed time, Mayor Arnold called to order the public meeting to consider the rezoning application filed by Mr. Ryan Scott for property known as part of Lot 7, Concession 4, geographic Township of Moore, Township of St. Clair, known municipally as 2371 Courtright Line, Brigden. The Mayor then turned the meeting over to Planner Jeff Baranek who presented his report on the application. Mr. Baranek stated that the proposal is to rezone agricultural lands to accommodate an expanding industrial operation known as St. Clair Mechanical. It was pointed out that the current official plan designation is highway commercial for the northerly position of the property and Industrial type 2 for the southerly portion and that the current zoning is A1-5 with the proposed zoning to be M-2 Industrial. Mr. Baranek further advised in his opinion the proposed zoning is consistent with the official plan. Also, the house on the property facing Courtright Line could be no longer used as a dwelling but would be converted into office space. It was suggested that issues such as access buffering and drainage could be addressed in the site plan process. At the conclusion of Mr. Baranek's presentation, Mayor Arnold opened the meeting for discussion by those present.

Mr. Todd Mayhead, owner of property known as 2334 Courtright Line advised that he was opposed to the proposed rezoning that would allow an industrial use in what he considers a residential area. Mr. Mayhead is concerned about noise, dust, fumes and disturbances to the residential area. Mr. Mayhead also expressed his fears that the approximate 10.5 acre parcel subject to this rezoning could be subdivided into smaller industrial parcels. In response to Mr. Mayhead's questions, Mr. Baranek advised that would be possible but subject to a further planning process with due public notification.

Jeff Joyce, owner of property known as 2338 Sydenham Street advised he owns agricultural property to the south of the subject property and is concerned about drainage. He questioned what water shed areas the subject property assessed into and further development on the subject property such as additional buildings or hard surface driveways and parking lots could place a burden on the existing municipal drain system. Mr. Joyce was advised that Council has commissioned for a new Engineer's report of the drain in question known as the Parr Drain North but that report has not yet been filed. It was noted that the applicant or proposed purchaser of the subject property were not present to respond to questions from Council and those in attendance. There was discussion by Council in those present of perhaps leaving the property that fronted on Courtright Line as highway commercial as a buffer between the residential properties adjacent to the north and the industrial uses proposed, south of the current highway commercial designation.

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Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #2: That the Planner be asked to prepare another Planning report to address the concerns raised at this public meeting including traffic on Brigden Road for consideration by Council at its next meeting.

CARRIED

MINUTES:

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

Moved by P. Brown

Seconded by S. Miller

Motion #3: That the minutes of the Council held October 20, 2009 Session #20 and be adopted as printed and circulated.

CARRIED

Improved lighting at LaSalle Line and a bicycle path were requested for Highway #40 upgrade.

Moved by J. Agar

Seconded by D. Randell

Motion #4: That the minutes of the Finance and Administration meeting held October 20, 2009 be adopted as printed and circulated.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion # 5: That the minutes of the Public Works and Operations meeting held October 20, 2009 be adopted as printed and circulated.

CARRIED

Moved by D. Randell

Seconded J. Agar

Motion # 6: That the minutes of the Special Council meeting held October 26, 2009 be adopted as printed and circulated.

CARRIED

In discussion of the minutes of the Finance and Administration committee on October 28, 2009, Mayor Arnold noticed the following errors. In motion #11; the line items should have been 79 and 80. Motion #19; the projects were identified as line item 137, project #210-60. Motion #20; the projects were 139, 140, 143 and 144. In motion #21; the project to be added was line item 146.

Moved by P. Carswell-Alexander

Seconded S. Miller

Motion # 7: The minutes of the Finance and Administration meeting held October 28, 2009 be adopted as printed and circulated.

CARRIED

In discussion of the minutes in response to Councillor Carswell-Alexander questions, the Clerk advised of the reservations of the Fire Services to host flu shot clinics. The Clerk was asked to contact the Director of Community Services to see if such clinic would be established in Corunna or perhaps Courtright in a public facility.

Moved by J. Agar

Seconded by D. Randell

Motion #8: That the minutes of the Moore Museum meeting held October 7, 2009 be adopted as printed and circulated.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #9: That the minutes of the Sombra Museum meeting held October 7, 2009 be adopted as printed and circulated.

CARRIED

Councillor Randell as Chairman of the Drainage Committee presented the minutes of the November 3rd, 2009 meeting of the Drainage Committee meeting.

Moved by D. Randell

Seconded by J. Agar

Motion #10: That the minutes of the Drainage Committee meeting held November 3, 2009 be adopted as printed and circulated.

CARRIED

CORRESPONDENCE:

Council proceeded to review correspondence as listed on the agenda.

Moved by S. Miller

Seconded by P. Brown

Motion #11: That the letter received from John Ota of the Ministry of Tourism dated October 7, 2009 prohibiting the selling of the lands that were previously transferred to the Township by the St. Clair Parkway Commission be forwarded to those citizens that asked to purchase particular pieces of property.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #12: That the letter received from George Moran of the St. Vincent de Paul Society dated October 14, 2009 requesting financial assistance be received and a grant in the amount of \$250.00 be donated.

CARRIED

Council reviewed the request received from the Lambton Federation of Agriculture for possible municipal co sponsorship of the county farm gate businesses map and directory. Several members of Council commented that the current addition of the farm gate map was not done particularly well relative to St. Clair Township rural businesses.

Motion moved by P. Carswell-Alexander

Motion #13: That the Lambton Federation of Agriculture be advised of St. Clair Township dissatisfaction with the current farm gate mapping. The motion failed to get a seconder and was declared failed. Councillor Randell volunteered to contact the Lambton Federation of Agriculture members and express similar concerns as those raised by Councillor Carswell-Alexander.

Moved by D. Randell

Seconded by J. Agar

Motion #14: That the letter received from Nina Olgivie dated October 26, 2009 be forwarded on to the Building and Planning departments for further investigation.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #15: That the letter received from Jan Lembke of the County of Lambton dated November 2, 2009 regarding an “anti-idling policy” is received and filed .

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #16: That the letter received from Sterling Crane dated September 4, 2009 be forwarded to the County of Lambton Infrastructure department for further study.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #17: That the following correspondence be received and dealt with as per Council’s instructions as noted:

- a. Ministry of Tourism – permission to sell land
Inst. See motion #11
- b. George Moran – SVDP donation request
Inst. See motion #11
- c. Lambton Federation of Agriculture – Lambton Map
Inst. See motion #11

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- d. Nina Olgivie – complaint
Inst. See motion #11
- e. County of Lambton – anti-idling parking
Inst. See motion #11
- f. Sterling Crane – Petrolia Line request
Inst. See motion #11

CARRIED

Moved by P. D. Randell

Seconded by S. Miller

Motion #18: That the 2010 funding request from the Corunna Community Policing Committee be referred to budget deliberations.

CARRIED

Council reviewed the letter received through Councillor Miller from Anne Hazzard regarding paved shoulder improvements on the St. Clair Parkway at the south end of Port Lambton.

Moved by S. Miller

Seconded by D. Randell

Motion #19: That Anne Hazzard and other property owners that would be affected by possible paved shoulder improvements on the St. Clair Parkway at the south end of Port Lambton be invited to the January meeting of the Public Works and Operations Committee.

CARRIED

Council considered information received from Mayor Arnold regarding a room naming opportunity from the Bluewater Health. This room naming opportunity is in recognition for the approximately \$200,000.00 donated for hospital facilities improvements by the former Townships of Moore, Sombra and St. Clair Township. Mayor Arnold had also drafted language to be incorporated into the plaque. The suggested wording would be “Generously supported by St. Clair Township, the amalgamated Township’s of Moore and Sombra Township”.

Moved by P. Gilliland

Seconded by D. Randell

Motion #20: That Bluewater Health be advised that St. Clair Township would like a naming opportunity for the children’s ward or the day surgery area with the plaque wording offered by Mayor Arnold approved.

CARRIED

DRAINS:

Moved by D. Randell

Seconded by J. Agar

Motion #21: That drainage by-law #51 of 2009, being a by-law to raise the sum of \$1,340.14 being money expended out of the General Funds of the Township of St. Clair for the maintenance of the Arn 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:

COORDINATOR OF OPERATIONS (WORKS) REPORT:

Moved by S. Miller

Seconded by P. Brown

Motion #22: That the report submitted by the Coordinator of Operations (Works) dated November 3, 2009 recommending that upon receipt of the appropriate encroachment fee, Dawn Gateway Pipeline Limited Partnership be permitted to complete geotechnical investigation boreholes on open Township Roads where road crossings are proposed along the proposed pipeline route in Concession 11 of the former Sombra Township, from Mandaumin Road to Highway 40 be received and accepted.

CARRIED

DRAINAGE SUPERINTENDANT REPORT:

Moved by R. Randell

Seconded by J. Agar

Motion #23: That the report received from the Drainage Superintendent dated November 9, 2009 recommending that the tender submitted by Wicks Construction & General Contracting Ltd. in the amount of \$135,544.50 (including GST) for the McGillivray Drain construction be accepted and that the Mayor and Clerk be authorized to sign the contract and other related documents be received and accepted.

CARRIED

COORDINATOR OF FACILITIES REPORT:

Moved by J. Agar

Seconded by D. Randell

Motion #24: That the report received from the Coordinator of Facilities dated November 9, 2009 recommending that Council accept the quote from Imperial Roofers at \$16,449.00 for the repair of the flat portions on the roof at the Civic Center be received and accepted.

CARRIED

CLERK'S REPORT:

Moved by P. Brown

Seconded by S. Miller

Motion #25: That the report received from the Clerk dated November 4, 2009 recommending that the request of Robert Climie to establish a driveway on municipal property known as 3476 St. Clair Parkway be denied.

CARRIED

BY-LAWS:

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #25: That By-law #63 of 2009, 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 26, 2009 Council meeting, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed there to and finally passed.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #26: That By-law #64 of 2009, being an agreement by-law with the County of Lambton for the purpose of road maintenance to be given the necessary three readings, 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 his attendance at the recent Harvest Home Dinner in Wilkesport and the Remembrance Day Dinner and presentation at the Corunna Legion. Deputy Mayor Gilliland also briefed Council on the County's past refusal to provide snow plowing services for the grounds of any branch library and pointed out that St. Clair Township's request for the Brigden Library for snow removal during school breaks has not yet been brought forward to the committee. In response to the Deputy Mayor's questions the Clerk provided a verbal report as to the status of the clean-up on the property known as 1784 Petrolia Line with information provided by the clean-up contractor.

Jeff Agar:

Councillor Agar also attended the Remembrance Dinner and presentation at the Corunna Legion.

Darrell Randell:

Councillor Randell counseled the discussion of the lack of the water quality testing on the St. Clair water particularly in public parks owned and operated the municipality. Councillor Randell stated the considerable efforts and money that has been spent over the years such as sewer separations in the City of Sarnia and various new sewer extensions in St. Clair Township that should have provided for improved water quality. Councillor Randell is suggesting that routine sampling should be conducted to determine the success of some of these improvement programs.

Moved by D. Randell

Seconded by P Carswell-Alexander

Motion #27: That a letter of invitation be sent to Medical Officer of Health Dr. Greensmith inviting him to attend a future meeting of Council or Committee to discuss water sampling protocols for St. Clair Township's public parks along the St. Clair River and further that Dr. Greensmith be asked to provide a disease report relative to St. Clair Township similar to a report filed with Moore Township several years ago and that the County of Lambton and the St. Clair Region Authority be copied this correspondence.

CARRIED

Councillor Randell also advised of a discussion with two rate payers regarding the issue of providing compensation to farmers whose lands are affected by the County tree cutting by-law. The authors of the proposal are scheduled to appear before the Finance and Administration Committee as its December 2009 meeting.

Steve Miller:

Councillor Miller advised that the Lambton Group Police Services Board is preparing for discussions on OPP contract renewal in 2010. Councillor Miller was asked the status of an earlier request for St. Clair Township representatives to attend the future Lambton Group Police Services Board meeting to discuss rental rates at the portion of the Township emergencies services building occupied by the OPP. Councillor Miller advised that the meeting of the group board is scheduled next week and he would contact the Secretary to determine what time on the agenda has been provided for the St. Clair representatives. Councillor also advised of being approached by three property owners near the intersection of Second Street and Reedy Street relative to a tree removal. It was pointed out that the tree in question has been examined by Public Works staff and an arborist who determined that the tree is in relatively in good condition and the Township policy is to avoid cutting down such healthy trees. It was suggested that this information be provided to the three property owners requesting that the tree be removed.

Pat Carswell-Alexander:

Councillor Carswell-Alexander questioned the status of the location of the Riviera estates display sign. The Clerk advised that information had been received from the Lambton County Planner that based on the County GIS system the sign seems to be located on property occupied by the Daylight Corner. A written opinion would be provided by the Planning department. In response to Councillor Carswell-Alexander questions that Clerk advised that he has received no further communication from the Ministry of the Environment regarding the complaints received by Council earlier in the year related to the activities at the Brigden Co-op. Staff was also requested to investigate what could be inappropriate center line painting of the Brigden Road south of the Moore Line.

Pat Brown:

Councillor Brown advised of information received at the recent Corunna Community Policing Committee that the RCMP have commenced road patrols on the St. Clair Parkway through St. Clair Township monitoring border and immigration issues.

Steve Arnold:

Mayor Arnold advised of attending a recent Brigden Water Can dinner and as well the Corunna Legion Dinner and presentation. Council discussed representation at various November 11th cenotaph memorials. Mayor Arnold advised that he would attend in Corunna to lay the three wreaths for the Township; one being from the Township and one laid on behalf of Private William Cushley and the other on behalf of Corporal Polland. Deputy Mayor Gilliland will attend similar ceremonies at Brigden and Councilor's Randell and Miller will attend the Wallaceburg ceremonies. The Mayor gave Council a brief overview on the activities of the Ad-hoc Township Torch Run Committee and some of the activities and festivities planned by the Committee. It was also pointed out that letters of solicitations have been sent out to the major industries in the Township seeking co sponsorship financial of this event.

UNFINISHED BUSINESS:

Council reviewed the draft of the community calendar for 2010. As a suggested improvement, it was suggested that the information pages for months of October and November be interchanged partly due to the municipal election date has been changed from November to October 25, 2010. Council as a whole were impressed with the calendar and thought it would be a very positive information vehicle for St. Clair Township residence.

NEW BUSINESS:

The Clerk briefly discussed with Council voting methods options for the 2010 election such as vote by mail, polling station balloting, vote by phone or vote by internet. Council was in a general agreement that the previous method of vote by mail should be continued for the 2010 Municipal election.

Moved by P. Gilliland

Seconded by D. Randell

Motion #27: That Council approve the vote by mail electoral system for the 2010 Municipal election.

CARRIED

In discussion of future meetings, it was suggested that the final Council meeting of the year be held Monday December 21st, 2009.

ADJOURNMENT:

Hearing no further business it was;

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:50 p.m.

MAYOR

CLERK