

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 17**

St. Clair Civic Centre
Council Chambers
August 23, 2010
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:

Sombra Museum minutes of July 15, 2010
Regular Meeting of Council Session #15 – July 26, 2010
Finance & Administration Committee meeting of August 9, 2010
Public Works & Operations Committee meeting of August 9, 2010
Council meeting minutes Session #16 – August 9, 2010
Property Standards meeting minutes of August 11, 2010

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:00 pm Ontario Heritage Trust Awards – Charlie Grant & Gary Smith
7:15 pm Gary Stenton – Property Standards
7:30 pm Rezoning Public Hearing – Lots 1-14 Plan 25M-21
7:45 pm Steve Repergel – Lambton Generating Station – decommissioning

CORRESPONDENCE:

- a) Sarnia & District Humane Society – tag day
- b) Robert VanValkenburg – permission
- c) Gitte Monteith – vision impairment
- d) 647 St. Clair Parkway – property standards
- e) Township of Brooke-Alvinston – coyotes
- f) French Line/Highway #40 – property standards
- g) St. Clair River Trail – permit fees
- h) Tina Wells – ice cream truck
- i) County of Lambton – Active Communities Charter
- j) BF Environmental – road reconstruction & lot expansion

INFORMATION:

- 1) Captain Kidd Days – thank you
- 2) Town of Petrolia – Red weekend

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- 3) John Wilmott – Gala Days
- 4) Pam Jones & Peter Lozon – complaint
- 5) VON – thank you
- 6) Notice of public meeting – rezoning
- 7) Barry Uitvlugt – planner’s report ~ Rezoning for Lot 1-14 Plan 25M-21
- 8) Museum Sampler
- 9) Bluewater Energy Park – Dow property
- 10) AMO – Minister of Infrastructure

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

COMMITTEE OF ADJUSTMENTS:

Applications B9/10, A18/10, A19/10 and A20/10

BUILDING INSPECTOR’S REPORT:

July statistics

DEPUTY TREASURER’S REPORT:

Tax Levy – capped classes

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

School crossing guards – recommendation

DRAINAGE SUPERINTENDANT REPORT:

Lambton Line & Dobie Drain West – quotes
Gray Drain - quotes

DIRECTOR OF PUBLIC WORKS & OPERATIONS REPORT:

Tender results – sanitary sewer force main – Phase 2 and 3

TREASURER’S REPORT:

CLERK'S REPORT:

CAO’S REPORT:

MOTIONS:

BY-LAWS:

By-law # 39 of 2010 – Rezoning Lot 1 – 14 Plan 25M-21
By-law # 40 of 2010 – Franchise agreement ~ Union Gas

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Regular Council - Tuesday September 7, 2010 ~ 7:00pm
Committee of the Whole – Monday September 13, 2010 ~ 6:00pm
Regular Council – Monday September 20, 2010 ~ 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.

MINUTES:

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

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #1 That the minutes of the Sombra Museum meeting held July 15, 2010 be adopted as printed and circulated

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #2: That the minutes of the Council meeting held July 26, 2010 Session #15 and August 9, 2010 Session #16 be adopted as printed and circulated.

CARRIED

Moved by S. Miller

Seconded by P. Brown

Motion #3: That the minutes of the Finance and Administration Meeting held August 9, 2010 be adopted as printed and circulated.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #4: That the minutes of the Public Works and Operations Meeting held August 9, 2010 be adopted as printed and circulated.

CARRIED

It was noted that on the review of the Property Standards Committee minutes that an incorrect address was shown.

Moved by D. Randell

Seconded by J. Agar

Motion #5: That the minutes for the Property Standards Committee meeting held August 11, 2010 be received as information.

CARRIED

At the appointed time, Mayor Arnold on behalf of Council welcomed Mr. Charlie Grant, members of his family and representatives of the Sombra Museum Board who were present to see Mr. Grant receive the Ontario Heritage Trust Award. Mayor Arnold said the award recognizes long volunteer service and thanked Mr. Grant for the valuable services he has provided and continues to provide to the Sombra Museum.

Mr. Gary Stenton, owner of property known as 290 Hill Street Corunna was present to continue his discussion with Council relative to a property standards issue on the property from several years ago. Mr. Stenton was advised that based on the final inspection of the property by the Property Standards Officer, the file has been closed. Mr. Stenton advised that the trucking in of fill material together with compost to fill and level his back yard as a work in progress and that further such material will be entering the property. Mr. Stenton stated that he is trying to avoid a similar property standards issue. Council cautioned Mr. Stenton to be mindful of the impact to the drainage system with the raising of his back yard and suggested that the fill material brought on the site be leveled as soon as possible. Council also suggested that any future issues brought to Council's attention relative to Mr. Stenton's activity would have to be dealt with at that time in an appropriate manner. When questioned by Council as to how long the leveling project would take, Mr. Stenton was

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unable to provide an answer. Also Mr. Stenton requested a copy of the minutes of this meeting of Council.

CORRESPONDENCE:

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

Moved by P. Gilliland

Seconded by P. Brown

Motion #6: That permission be granted to the Sarnia and District Humane Society for the conduct of the annual tag days on September 10 and 11, 2010.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #7: That permission be granted to Mr. Robert Van Valkenburg, owner of property known as 3470 Water Street, Sombra to allow an accessory building to remain on site during the construction of a new residence subject to the standard agreement with the Municipality.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #8: That the issue of adding audible warnings on the two traffic control lights and pedestrian crosswalk in Corunna be referred to the 2011 budget.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #9: That the property standards complaint received on property known as 647 St. Clair Parkway be referred to the Property Standards Officer for investigation and the appropriate action.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #10: That the resolution of the Township of Brooke-Alvinston regarding coyotes be endorsed and supported.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #11: That the property standards complaint regarding property at the north east intersection of Highway #40 and the French Line be referred to the Property Standards Officer for investigation and appropriate action.

CARRIED

Moved by P. Brown

Seconded by J. Agar

Motion #12: That the request of the St. Clair River Trail for the waiving of building permit fees for the temporary tent to be used at a social function at the Moore Sports Complex on September 11th be waived by way of donation.

CARRIED

Council reviewed the letter of request received from Tina Wells regarding the establishment of an ice cream truck in Corunna. Some members of Council felt the operation of the truck could adversely affect traffic and others felt that it was unfair to the existing ice cream facilities in Corunna.

Moved by J. Agar

Seconded by D. Randell

Motion #13: That Council will not consider an application for licensing of a mobile ice cream truck in Corunna at this time.

CARRIED

Council welcomed Mr. Phil Stevens, site manager for the Lambton Generating Station and Steve Repergel, communications officer present to present to Council a report on the operation of the Lambton Generating Station. Mr. Repergel stated that in 2002 coal fired facilities generated approximately 25% of the Province's energy needs and by 2009 that percentage had dropped to approximately 6.6% with the expansion of hydro facilities and

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alternate energy projects such as natural gas fired plants. Mr. Repergel stated that units 1 and 2 are planned to be closed in October of this year and that the units will not be moth balled but rather partially dismantled and taken out of production. It was also stated that with the closing of units 1 and 2, approximately 90 positions would be affected with transfers being offered where appropriate and 56 early retirement packages offered. It was also stated that OPG is investigating alternate fuel sources for units 3 and 4 such as possible conversion to natural gas or biomass fuels. At the conclusion of the presentation, the Mayor thanked Mr. Stevens and Mr. Repergel for their informative presentation.

At the appointed time the Mayor called to order the public hearing called to consider the application to rezone property known as Lots 1-14, Plan 25M-21. Mayor Arnold explained to those present the purpose of this meeting and further advised that anyone wishing to address the issue, either in support or opposition of the proposal would be given the opportunity to do so. The Clerk advised that there were no written submissions relative to this rezoning proposal. The Mayor then called upon Mr. Barry Uitvlugt who provided his planner's report on the proposal. Mr. Uitvlugt stated that the purpose of the by-law would be to remove the requirement for the buffering berm east of the CSX railway. A noise study has been carried out and it was determined that the berm is no longer required for noise attenuation for noises generated by the operation of the CSX tracks. Mr. Uitvlugt pointed out that if Council accepts the rezoning proposal, a modified site plan would be required and also in response to Council's questions, advised that the fencing issue could be addressed in the same process. It was pointed out that the fencing for future phase on St. Clair Boulevard would be similar to the fence for the Paddock Green Subdivision fronting on St. Clair Boulevard. Mayor Arnold stated his opinion that the rear yard fence in the area subject to this rezoning should be similar to the rear yard fences facing the CSX railway in the Paddock Green Subdivision. The Mayor then called upon anyone wishing to speak in support or opposition of the zoning by-law.

Steve Barraclogh - resident at 597 Maple stated that he was not opposed to the proposed zoning and he identified himself as one of the two property owners who have already removed the berm and constructed wooden fences along the CSX right of way. He is also hoping that if the Township does require fencing that the fence that he and his neighbors have constructed would form the standard.

Hearing no further comments, the Mayor declared the public hearing closed.

Moved by D. Randell

Seconded by S. Miller

Motion #14: That By-law #39 of 2010 being a by-law to amend comprehensive zoning By-law #17 of 2003 relative to property known as Lots 1-14, Plan 25M-21 amended to include a fencing requirement be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

CORRESPONDENCE CONTINUED:

Moved by D. Randell

Seconded by P. Brown

Motion #15: That as requested by Lambton County, St. Clair Township adopt the County's active community charter.

CARRIED

Council reviewed the correspondence received from Pam Jones and Peter Lozon, residents of 1582 Sixth Street in Courtright advising of difficulties being experienced. Ms. Jones advised that they have made repeated attempts to Lambton County and the Township for assistance in dealing with these issues and in discussion with someone at the County level, they were told that the County has by-laws to deal with their current situation. Council advised that the items listed in the letter were not under the jurisdiction of the Township and Ms. Jones and Mr. Lozon were directed to discuss the issue further with their County contact.

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Moved by P. Brown

Seconded by P. Carswell-Alexander

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

- a. Sarnia and District Humane Society – tag day
Inst. See motion #6
- b. Robert VanValkenburg - permission
Inst. See motion #7
- c. Gitte Monteith – vision impairment
Inst. See motion #8
- d. 647 St. Clair Parkway – property standards
Inst. See motion #9
- e. Township of Brooke Alvinston – coyotes
Inst. See motion #10
- f. French Line/Highway #40 – property standards
Inst. See motion #11
- g. St. Clair River Trail permit fees
Inst. See motion #12
- h. Tina Wells – ice cream truck
Inst. See motion #13
- i. County of Lambton – Active Communities Charter
Inst. See motion #15

CARRIED

DEPUTATIONS AND APPOINTMENTS:

REPORTS OF COMMITTEES AND OFFICERS:

COMMITTEE OF ADJUSTMENTS:

Moved by J. Agar

Seconded by D. Randell

Motion #17: That applications A18, A19, A20/10 and B9/10 submitted by the Coordinator of Planning be received as information.

CARRIED

BUILDING INSPECTOR'S REPORT:

Moved by D. Randell

Seconded by J. Agar

Motion #18: That the Building Inspectors' report for the month of July submitted by the County of Lambton be received as information.

CARRIED

DEPUTY TREASURER'S REPORT:

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #19: That the report received from the Deputy Treasurer/Coordinator of Accounting dated March 3, 2010 recommending that it be resolved that the tax levy for the Multi-Residential, Commercial and Industrial related tax classes shall become due and payable in two installments as follows: Fifty percent of the levy rounded upwards to the next whole dollar shall become due and payable on the 8th day of September 2010; and the balance of the levy shall become due and payable on the 6th day of October, 2010; and nonpayment of the amount on the dates stated in accordance with this resolution shall constitute default be received and accepted.

CARRIED

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #20: That the report submitted by the Coordinator of Operations (Works) dated August 10, 2010 recommending that remuneration for School Crossing Guards be increased by 4% from the current \$25 per day to \$26 per day, effective September 6, 2010 be received and accepted.

CARRIED

DRAINAGE SUPERINTENDANT REPORT:

Moved by D. Randell

Seconded by J. Agar

Motion #21: That the report received from the Drainage Superintendent dated August 10, 2010 recommending that Council approve the lowest quotation of \$17,450.00 from J&L Henderson for the brushing and cleanout of the Lambton Line Drain and Dobie Drain West (1,700 feet) as a maintenance expense to the drain be received and accepted.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #22: That the report received from the Drainage Superintendent dated August 10, 2010 recommending that Council approve the lowest quotation of \$16,848.00 from GJS Contracting Ltd. for the brushing and cleanout of the Gray Drain (11,700 feet) as a maintenance expense to the drain be received and accepted.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:

Council reviewed the tender summary list and the recommendation from T.W. Gray regarding the tendering of the Phase 2 and Phase 3 portion of the sanitary sewer force main from Corunna to the new Regional Wastewater Treatment Plant in Courtright. The tenders were as follows:

**It was noted that the tender amount included the full HST

Moved by D. Randell

Seconded by S. Miller

Motion #23: That the tender of Clark Construction Incorporated in the total amount of \$2,305,388.93 and \$2,031,894.95 for the construction of the Phase 2 and Phase 3 sanitary sewer force main from Corunna to the new Regional Wastewater Treatment Plant be accepted.

CARRIED

CLERK'S REPORT:

The Clerk advised of a need for an in-camera session to discuss a property issue.

MOTIONS:

Moved by p. Carswell-Alexander

Seconded by S. Miller

Motion #24: That the motion to accept the draft form of the proposed agreement between the Municipality and Union Gas known as a franchise agreement be tabled for further clarification.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy mayor Gilliland questioned the status of the Newalta facility on Paget Street. Mr. Rodey advised that he would contact the Township's solicitor in this regard. Also it has been brought to the Deputy Mayor's attention that the pedestrian activation switch at the traffic signal for Hill and Lyndoch Streets is loose and the lights seem to be misaligned.

Moved by P. Gilliland

Seconded by J. Agar

Motion #25: That staff be instructed to inspect the traffic signal at the intersection of Hill and Lyndoch Streets in Corunna and make the necessary repairs and adjustments as required.

CARRIED

Deputy Mayor Gilliland advised of a discussion with representatives of the Envirofresh greenhouse facility as to a possible future invitation for a site tour by members of Council.

Jeff Agar

Councillor Agar advised of receiving complaints on the revised drainage following the widening of the turning lane on Hill Street and the Brooktree/Nash Drive area. Councillor Agar also advised of a request received for the placement of park benches at the CAP splash pad.

Moved by J. Agar

Seconded by P. Brown

Motion #26: That the Community Services staff be requested to place 4 park benches in the vicinity of the CAP splash pad.

CARRIED

Darrell Randell

Councillor Randell advised of attending the second sitting of the Elanor Drain Court of Revision in Sarnia. There was a second appeal from a St. Clair resident that was denied due to its late filing. Councillor Randell also provided information from the Source Water Protection meeting and the establishment of an advisory committee for the St. Clair River area that would affect the water intakes for Petrolia, LAWSS and the town of Wallaceburg. Councillor Randell has been asked to sit as a member of this new committee. Councillor Randell was approached by Shirley Roebuck with a request for a St. Clair Township representative on a local committee task with the effort to improve physician recruitment for the Sydenham Campus of the Chatham-Kent Health Alliance. Councillor Randell volunteered to sit on this committee.

Steve Miller

Councillor Miller advised of a complaint regarding dust, parking issues and damages to properties on the Fawn Island rented parking area related to the activities on the portion of the stone dock rented to Southwest Sales. Also, Councillor Miller received complaints of tall weeds along the CSX right of way through Port Lambton. It was pointed out that the CSX has done chemical weed control along its right of way that seems to perhaps been ineffective in the Port Lambton area.

Pat Carswell-Alexander

Councillor Carswell-Alexander advised of receiving complaints of tree branches overhanging the St. Clair River Trail in the Terra area. It was pointed out that the subject trees are the property of Terra. Council was advised of the success of the Brigden Community Festival last weekend and the upcoming fundraising mystery theater at the Brigden Fair Grounds this weekend.

Pat Brown

Councillor Brown advised of some of the sessions he attended during the recent AMO conference in Windsor and in particular one on the Green Energy Act and green energy initiatives.

Steve Arnold

Mayor Arnold advised of a meeting of the area LIHN tomorrow in Chatham and briefed Council on the results of meetings with Provincial Ministries at the recent AMO

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conference. Mayor Arnold also advised of a discussion with representatives from Shell Canada at which time they are prepared to make a donation totaling \$100,000 for community improvement projects with a possible focus on Guthrie Park. The grant would be paid out over a 3 year period with the initial payment being \$50,000.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #27: That the meeting enter an in-camera session to discuss a legal and property issue.

CARRIED

Meeting returned to order. In response to the Clerk's question, Council advised that the Township would finance the attendance of Council and senior staff for the September 1, 2010 County Councilors barbeque to be hosted at the St. Clair Parkway Golf Course. Hearing no further business it was;

ADJOURNMENT:

Moved by S. Miller

Seconded by D .Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at // p.m.

MAYOR

CLERK