

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 15**

St. Clair Civic Centre
Council Chambers
June 6, 2011
6:00 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
	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Finance and Administration meeting minutes of May 9, 2011
Public Works and Operations meeting minutes of May 9, 2011
Regular meeting of Council minutes of May 9, 2011 – Session #12
Regular meeting of Council minutes of May 16, 2011 – Session #13
Special meeting of Council minutes of May 30, 2011 – Session #14
Moore Museum meeting minutes of May 4, 2011
Sombra Museum meeting minutes of April 21, 2011

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:10 pm – Julie Little ~ Port Lambton Pirates
6:20 pm – St. Clair River Trail ~ 2011 project

CORRESPONDENCE:

- a) Captain Kidd Days – permission
- b) Richard Michiels – second residence
- c) J. Hookey Golf Tournament – request
- d) Sombra Sports – golf tournament
- e) Don & Barb Myers – shared driveway
- f) Rick Witcher – ATV complaint
- g) Minister Responsible for Seniors – award
- h) Port Lambton Pirates – donation request
- i) Moore/Sombra Museum – nominations
- j) BF Environmental – Reagan Park
- k) Property Standards – Paget Street

INFORMATION:

- 1) St. Clair River Trail – May 25th minutes

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- 2) Township of North Stormont- donation request
- 3) Catherine McKenna – May 26th minutes
- 4) AMO – annual conference
- 5) AMO – delegation request
- 6) Federation of Angler & Hunters – family fishing
- 7) Tourism Sarnia/Lambton – March 17 minutes
- 8) SCRCA – annual tour invitation
- 9) SCRCA – update
- 10) OGRA – maintenance standards
- 11) Arlene Barclay – thank you
- 12) Jeff Coleman – thank you
- 13) Clean Harbors – Peer Review process
- 14) Ministry of Attorney – liquor laws
- 15) L. Monteith – ammonia release
- 16) Brenda Graham – ammonia release
- 17) Sheldon Parsons – Portraits of Honor
- 18) Dawn Gateway – project status
- 19) St. Clair Township Heritage Committee – April 18 minutes
- 20) County of Lambton – news release
- 21) County of Lambton – Council highlights

DRAINS:

By-law #4 of 2011 – Osborne Drain 3rd reading
By-law #5 of 2011 – Gray Drain 3rd reading
By-law #6 of 2011 – Walton Drain 3rd reading

REPORTS OF COMMITTEES AND OFFICERS:

LIVESTOCK VALUERS REPORT:

May 26th report

CBO REPORT:

Property Standards

DRAINAGE SUPERINTENDANT REPORT:

New Petition Drain (St. Clair Parkway) request

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Reedy Street tree request

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Development Agreement with J & L Gardener
Property Standards at 33 Center Street
Enbridge Gas Site Agreement

DIRECTOR OF COMMUNITY SERVICES REPORT:

Becher Fire Hall – repair tenders
Civic Center – roof repair

DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:

Release of holdback
St. Clair River Trail engineering

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

BY-LAWS:

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

IN CAMERA:

Legal issue

UPCOMING MEETINGS:

Committee of the Whole - Monday June 13, 2011 ~ 6:00 pm
Regular meeting of Council – Monday July 4, 2011 ~ 6:00 pm
Committee of the Whole – Monday July 18, 2011 ~ 6:00 pm

ADJOURNMENT:

The Mayor called the meeting to order at 6:00 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. Gilliland

Motion #1 That the minutes of the Finance and Administration meeting held May 9, 2011 be adopted as printed and circulated

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #2: That the minutes of the Public Works and Operations meeting held May 9, 2011 be adopted as printed and circulated.

CARRIED

The Clerk advised Council that in response to the comment made by the Mayor at the May 9th meeting of the Public Works and Operations Committee, Mr. Long did have a discussion with the Township's Treasury Department and the Treasury Department can make the changes requested by the Long's to remove the late Mr. Long from dog tag registry and on presentation of a death certificate can assure that the taxes are addressed to the corresponding correct person at no charge to the Long's but the Township does not have the authority to change the name on the property title.

Council reviewed the minutes of the May 9th, 16th and 30th meetings of Council. Councillor DeGurse pointed out that 12 hats were provided as door prizes for the recent bike rodeo as opposed to the 25 as listed in the minutes. Mayor Arnold pointed out that relative to the May 30th minutes, his intention relative to the Kel-Gor use of the former Township gravel dock was that Kel-Gor provide a letter stating that they have contacted the property owners adjacent to the loading dock and that their concerns have been

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addressed. Mayor Arnold was advised that such a letter has been requested from Kel-Gor and should be received later this week.

Moved by P. Gilliland

Seconded by S. Miller

Motion #3: That the minutes of the Council meetings held May 9, 2011, Session #12, May 16, 2011 Session #13 and May 30, 2011 Session #14 be adopted as printed and circulated as corrected.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #4: That the minutes of the Moore Museum meeting held May 4, 2011 be adopted as printed and circulated.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #5: That the minutes of the Sombra Museum meeting held April 21 and May 19 2011 be adopted as printed and circulated.

CARRIED

Council requested that the Treasurer provide to the Museum Board, the list of the major contributors to the Sombra Museum expansion project.

CORRESPONDENCE:

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

Moved by J. Agar

Seconded by P. Gilliland

Motion #6: That permission be given to the Captain Kidd Days committee to establish a license refreshment tent during this year's Captain Kidd Days on July 29 and 30th subject to the Township's alcohol management policy.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #7: That permission be granted to the owners of the property known as 922 Duthill Road to allow the existing dwelling to remain on the property until the new dwelling being built is completed and receives final inspection, subject to the standard second residence agreement.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #8: That the Township be a hole sponsor in the amount of \$175 for the Joel Hookey Memorial golf tournament to be hosted at the St. Clair Parkway Golf Course on June 18th.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #9: That the Township be a hole sponsor in the amount of \$150 for the Sombra Sports and Recreation golf tournament to be held at the St. Clair Parkway Golf Course on June 11th.

CARRIED

At the appointed time Mayor Arnold on behalf of Council welcomed Julie and Bobbi-Geo Little present to discuss with Council a possible donation to the Port Lambton Pirates girls baseball team. The team has been invited to participate in a national tournament to be held in North York on July 25th and is seeking a donation from the Township in the amount of \$1000 to assist in the transportation costs. After the presentation and response to Council's questions Councillor Carswell-Alexander advised that she would not be supporting the request due to the precedent it may set with the many other sports teams in St. Clair Township. Other members of Council suggested that this could be considered a once in a lifetime opportunity for the young girls generally aged 14 o 16 years of age.

Moved by J. Agar

Seconded by P. Gilliland

Motion #10: That a \$1000 contribution financed from the Township's Environment and Education fund be provided to help the Port Lambton Pirates girl's baseball team to help finance transportation costs to the National tournament to be hosted in July in North York.

CARRIED

Council reviewed the letter received from Don and Barb Myers regarding a shared driveway between 4542 and 4546 St. Clair Parkway. The letter is seeking the Township's opinion as to permissions that may be required to improve the driveway and possibly a link with the Township's contractor for the proposed shoulder paving project. The Clerk advised that he was of the opinion based on the original development agreement, the property in question is owned by AMS Development and that as owner's of the property it is perhaps their permission that would be required.

At the appointed time, the Mayor welcomed St. Clair River Trail co-chairs Peter Cassel, Jane Marsh and Dave Cram present to present to Council the plans for the 2011 construction project which involved a paved shoulder from William Street south to Brander Park. The group advised Council that a meeting was held with the public on May 25th at the Port Lambton Community Hall and the 50 citizens present were in favor of the proposed project. The group also explained to Council paving and improvements within Brander Park from the parking lot to the washroom and to the trail. It would assist handicap accessibility to the trail. Council suggested that perhaps these paving improvements could be incorporated into the Department of Community Services 2012 Capital Budget.

Moved by S. Miller

Seconded by J. DeGurse

Motion #11: That Council approve in principle the concept to extend the St. Clair River Trail by way of a paved shoulder from William Street south to Brander Park.

CARRIED

In response to the Clerk's questions to the group regarding the minutes from the May 25th meeting relative to questions concerned about parking the Committee members advised that they would not be endeavoring to lobby Council to put a vehicular parking prohibition on that section of the Trail.

Council reviewed the request received from a resident in Corunna regarding the use of ATV vehicles on Township property north of Beckwith Street.

Moved by J. Agar

Seconded by D. Randell

Motion #12: That additional prohibition signage be constructed on Township road allowance property on the north side of Beckwith Street.

CARRIED

Moved by S. Miller

Seconded J. Agar

Motion #13: That a copy of the letter of concern regarding ATV and other off road vehicles use of the Beckwith road allowance be forwarded to DuPont, Nova, Royal Canadian Legion and the OPP.

CARRIED

Councillor DeGurse offered to bring the issue before the Corunna Community Policing Committee at its monthly meeting this week.

Council reviewed the information received regarding 2011 Senior Achievement program. Councillor Carswell-Alexander suggested a candidate who would be worthy of the nomination.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #14: That Councillor Carswell-Alexander be requested to communicate with the Moore Museum advisory board a possible nomination for one of its board members for the 2011 Senior Achievement award program.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #15: That Jim Townsend be nominated for the Ontario Heritage Trust Award on behalf of the Moore Museum for a Culture Heritage Award and that Mr. David Lee be nominated on behalf of the Sombra Museum for Lifetime Achievement Award.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #16: That the letter of requested received from BF Environmental be tabled until the next meeting of the Public Works and Operations Committee.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #17: That the property standards complaint relative to property at 195 Paget Street be referred to the Property Standards Officer for investigation and report.

CARRIED

The Clerk suggested that the concerns about the unused swimming pool on the property could be referred by the complainant to the Lambton Health Unit as the quicker method to remediate the situation.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #18: That a \$100 donation be made to the Municipality of Great Slave Lake as part of its disaster relief fund.

CARRIED

Information on the AMO delegation request was referred to the June 13th meeting of the Finance and Administration Committee meeting. Council was advised that the annual SCRCA facilities tour scheduled for June 16th will leave from the Township Civic Center and following lunch, a meeting of the board will be held in the Civic Center Council Chambers.

Moved by S. Miller

Seconded by D. Randell

Motion #19: That the letter from Clean Harbors regarding peer review be tabled until the next meeting of Council.

CARRIED

Councillor Carswell-Alexander offered to share to members of Council the minutes of the Clean Harbors Community Liaison Committee.

Council reviewed the letter from the two parties affected by the April ammonia leak at the Sports Complex. Council requested a staff report on the incident and asked staff to prepare a letter of apology to the affected parties to be signed by the Mayor. Council reviewed the minutes of the April 18th meeting of the St. Clair Township Heritage Committee discovery phase and in discussion with the editor of the St. Clair Beacon, it was determined that the Beacon may not be the best vehicle for this group to communicate to the public and the space in the Beacon would generally be unavailable for items of historical interest.

Moved by P. Gilliland

Seconded by S. Miller

Motion #20: That the Township sponsor a hole at the Sarnia Heavy Construction golf tournament to be hosted at the St. Clair Parkway Golf Course in the amount of \$100 plus prizes.

CARRIED

In response to Councillor Carswell-Alexander's questions, Mayor Arnold advised that all members of Council, senior staff and their spouses are to be included as invitees to the June 30th Warden's picnic.

Moved by J. Agar

Seconded by J. DeGurse

Motion #21: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Captain Kidd Days – permission
Inst. See Motion #6
- b. Richard Michiels – 2nd residence
Inst. see motion #7
- c. J. Hookey golf tournament – request
Inst. See motion #8
- d. Sombra Sports – golf tournament
Inst. See motion #9
- e. Don and Barb Myers – shared driveway
Inst. Referred to staff for response
- f. Rich Witcher – ATV complaint
Inst. See motion #12
- g. Minister Responsible for Seniors – award
Inst. See motion #14
- h. Port Lambton Pirates – donation request
Inst. See motion #10
- i. Moore/Sombra Museum – nominations
Inst. See motion #15
- j. BF Environmental – Reagan Park
Inst. See motion #16
- k. Property Standards – Paget Street
Inst. See motion #17

CARRIED

DRAINS:

Moved by S. Miller

Seconded by P. Gilliland

Motion #22: That Drainage By-law #4 of 2011, being a by-law to raise the sum of \$95,973 being money expended out of the General Funds of the Township of St. Clair for the drainage reassessment to the drainage works to the Osborne Drain be given the third and final reading and be signed by the Mayor and Clerk and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #23: That Drainage By-law #5 of 2011, being a by-law to raise the sum of \$546,932.00 being money expended out of the General Funds of the Township of St. Clair for the drainage reassessment to the drainage works to the Gray Drain be given the third and final reading 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. Gilliland

Motion #24: That Drainage By-law #6 of 2011, being a by-law to raise the sum of \$77,030.00 being money expended out of the General Funds of the Township of St. Clair for the drainage reassessment to the drainage works to the Walton Drain be given the third and final reading and be signed by the Mayor and Clerk and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

LIVESTOCK VALUER'S REPORT:

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #25: That the report of the Livestock Valuer be received and the recommendation contained within be accepted and the claim in the amount of \$600.00 be approved.

CARRIED

CHIEF BUILDING OFFICIAL'S REPORT:

Moved by P. Gilliland

Seconded by S. Miller

Motion #26: That the report submitted by Corrine Nauta, Chief Building Official regarding property standards be received and accepted as information.

CARRIED

DRAINAGE SUPERINTENDENT REPORT:

Moved by P. Carswell-Alexander

J. DeGurse

Motion #27: That the report submitted by the Drainage Superintendent dated May 31, 2011 recommending that Council accept the signed petition and appoint Spriet Associates to determine the validity of the petition and prepare a new drainage report under Section 4 of the Drainage Act to address drainage issues north of the existing McEachan Drain and provide an adequate drainage outlet for properties NO. 880 to 900 St. Clair Parkway received and accepted.

CARRIED

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #28: That the resident on Reedy Street be allowed to remove the tree near the curb line on the west side of the street at his own expense.

DEFEATED

Moved by P. Gilliland

Seconded by S. Miller

Motion #29: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated June 1, 2011 recommending that Council deny the request to remove the maple tree on Reedy Street be received and accepted.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #30: That the report submitted by the Deputy Clerk/Coordinator of Planning dated June 1, 2011 recommending that Council authorize the Mayor and Clerk to enter into a development agreement with Joel and Leasa Gardner be received and accepted.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #31: That the report submitted by the Deputy Clerk/Coordinator of Planning dated June 2, 2011 regarding the property standards complaint at 33 Center Street in Courtright be received and accepted.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #32: That the report submitted by the Deputy Clerk/Coordinator of Planning dated June 1, 2011 recommending that Council enters into a site plan agreement for the 6 metering sites proposed by Enbridge (one agreement covers all six locations) be received and accepted.

CARRIED

DIRECTOR OF COMMUNITY SERVICES REPORT:

Moved by P. Gilliland

Seconded by S. Miller

Motion #33: That the report submitted by the Director of Community Services dated June 2, 2011 recommending that Council accept the tender of C&C Construction in the amount of \$47,403.05 including HST for the repairs to the south wall at the Becher Fire Hall. The total cost with HST rebate will be \$42,793.69 plus \$6000 engineering total being \$48,793.69. The budget for the work was \$60,000.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #34: That the report submitted by the Director of Community Services dated May 30, 2011 recommending that Council accept the tender of WestHoek Construction in the amount of \$39,125.00 excluding HST for the removal and replacement of the flat roof portion of the Civic Center be received and accepted.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:

Moved by S. Miller

Seconded by P. Gilliland

Motion #35: That the report submitted by the Director of Public Works and Operations dated June 1, 2011 regarding the release of holdback be received and accepted as information.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #36: That the report submitted by the Director of Public Works and Operations dated June 1, 2011 recommending that the Township Engineering Department be responsible for the engineering design and contract administrative works, including location and required drainage works, of the St. Clair River Trail with the incurred costs to be billed to the St. Clair River Trail Committee for reimbursement be received and accepted.

CARRIED

CLERK'S REPORT:

In response to the Clerk's questions, Council advised that it was its opinion that full cost of the Township's administration costs being the wage and mileage costs for the Property Standards Officer should be billed to the owner of the Courtright Line properties together with the contractor's clean up costs. The Clerk also briefed Council on complaints received from residents in Port Lambton about a motor home parking on Gallerno Street between Garden Lane and the St. Clair Parkway. The Clerk has advised that he has contacted the OPP regarding possible highway traffic act violations with no response to date.

Moved by D. Randell

Seconded by J. Agar

Motion #37: That the Clerk be instructed to draft a parking prohibition by-law for that area of Gallerno Street between Garden Lane and the St. Clair Parkway for Council's consideration.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

The CAO advised of a need to discuss a property issue in camera.

BY-LAWS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #38: That By-law #29 of 2011 being a by-law to authorize a site plan agreement with Enbridge for facilities at various locations, 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 that he attended the Pathways opening on May 26th, the June 2nd meeting of the Health Study, June 4th International Trail Day celebration and the June 4th Museum fundraiser at the Wilkesport Community Center.

Steve Miller

Councillor Miller also attended the International Trail Day and the Museum fundraiser.

Darrell Randell

On behalf of the Museum Board, Councillor Randell expressed their thanks to the Clerk as one of the presenters at the museum fundraiser on June 4th. Councillor Randell would also like staff as soon as possible to repair the leaking fire hydrant on the Kimball Road at the Tulloch Line that apparently has been leaking for 2 years.

Jeff Agar

Councillor Agar attended the museum fundraiser and questioned the status of the Murray and Fane Street drainage problem. The Clerk and CAO advised that the building inspector has investigated the situation and the new residential units are graded properly to a rear yard catch basin. The existing residents do not have rear yard catch basins and now that the residential development has been carried out, the water from their property is not flowing across the neighboring property any longer which is creating the ponding problem. Councillor Agar also requested attention to the weed complaint on the CSX property on Fane Street.

Jim DeGurse

Councillor DeGurse questioned the status of the Stanley Line bridge in reaction to a complaint received from an area farmer that uses the bridge to go between his two farms. Councillor DeGurse was advised that Council has approved the expenditure for the engineering required for the bridge repair or replacement for possible inclusion in the 2012 capital budget. Council also discussed the possibility of closing the road and eliminating the relatively expensive bridge replacement. It was currently pointed out that the road is closed at this bridge location.

Steve Arnold

Mayor Arnold briefed Council on the information he received at the recent Federation of Canadian Municipalities conference he attended as Warden in Halifax and also requested staff to attend to the grass cutting issued at Brander Park. The Mayor would like to see the park area much improved prior to the upcoming Optimist Car Show to be hosted at the site and the July river trail run.

Council reviewed the list of upcoming meetings and suggested a meeting of Council be held after the June 13th meeting of the Committee of the Whole.

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Moved by S. Miller

Seconded by D. Randell

Motion #39: That the meeting enter an in-camera session to discuss a legal and property issue.

CARRIED

Meeting returned to order.

Moved by S. Miller

Seconded by P. Gilliland

Motion #40: That the CAO be authorized to move forward on the currently vacant space at the former Century Truss building on Polymore Drive.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #41: That the Township solicitor be instructed to proceed on the basis of a civil injunction on the property on Paget Street that may be operating contrary to the Township's comprehensive Zoning By-law.

CARRIED

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 8:30 pm.

MAYOR

CLERK