

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 8**

St. Clair Civic Centre
Council Chambers
April 9, 2012
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
	J. DeGurse,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO (joined meeting in progress)
	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 Committee meeting minutes of March 19, 2012
Public Works and Operations Committee meeting minutes of March 19, 2012
Council meeting minutes of March 19, 2012 ~ Session #7
Drainage Committee meeting minutes of March 21, 2012

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:30 pm Whitsett Drain – Court of Revision
6:40 pm Paddock Green Developments – Deeming By-law #8 of 2012

CORRESPONDENCE:

- a) Chris Holmes – livestock and property standards
- b) 46 Moore line – property standards
- c) Corunna Volunteer Firefighter’s Association – request and permission

INFORMATION:

- 1) Gail Mitchell – complaint
- 2) MP Pat Davidson – 2012 budget
- 3) OPP – retirement
- 4) County of Lambton – 2012 budget
- 5) Heritage St. Clair Township – February 27th minutes
- 6) Heritage St. Clair Township – March 12th minutes
- 7) Enbridge – drilling license
- 8) Lambton Children’s Safety Village – March 22nd minutes
- 9) OAFCA – May 6-7 seminar
- 10) Clarington – horse racing
- 11) Havelock – Belmont – Methuen – wildlife damage
- 12) Sarnia and District Labor – Day of mourning

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- 13) County of Lambton – 2012 projects
- 14) St. Clair Conservation – April 22 canoe race
- 15) Carlo Cimetta – By-law 8 of 2012
- 16) Township of St. Clair – Whitsett Drain court of revision
- 17) Halton Hills – Royal Canadian Legion
- 18) Libro/Goodwill – sponsorship request
- 19) City of Mississauga - resolution
- 20) Township of Dawn/Euphemia – County Official Plan
- 21) Lambton Historical – March minutes
- 22) Notice of Rezoning – April 23 public meeting

DRAINS:

By-law #18 of 2012 – maintenance of various drains
By-law #14 of 2012 – Dobie and Bobier – 1st and 2nd readings
Court of Revision – Dobie and Bobier Drains – date and appointment

REPORTS OF COMMITTEES AND OFFICERS:

DRAINAGE SUPERINDENT’S REPORT:

Tender results

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Waste and Recycle – RFP
Sidewalk and curb & gutter repair – tenders
Dust suppressant – tenders

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Williams Landscaping – site plan agreement
Southwest Regional Credit Union – site plan agreement
Paddock Green – deeming by-law

BY-LAWS:

By-law #11 of 2012 – Site plan Williams Landscaping
By-law #12 of 2012 – Site plan – Southwest Regional Credit Union
By-law #13 of 2012 – 2012 budget adoption
By-law #14 of 2012 – Deeming Plan 730
By-law #15 of 2012 – Confirming by-law

COUNCILLORS REPORTS:

IN-CAMERA:

Property, legal and personnel issue

UPCOMING MEETINGS:

Committee of the Whole – Monday April 23, 2012 ~ 6:00 pm
Council – Monday April 23, 2012 ~ 7:00 pm
LCRGPA – Thursday April 12, 2012 ~ 5:30 pm
LMA – Thursday April 26th ~ 5:30 pm
Court of Revision – Dobie and Bobier Drain ~ ???

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 P. Gilliland

Seconded by D. Randell

Motion #1 That the minutes of the Finance and Administration Committee meeting held on March 19, 2012 be received and accepted as printed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #2: That the minutes of the Public Works and Operations Committee meeting held March 19, 2012 be received and accepted as printed.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #3: That the minutes from the Council meeting held March 19, 2012 – Session #7 be received and accepted as printed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #4: That the Drainage meeting minutes of March 21, 2012 be received and accepted as printed and circulated.

CARRIED

CORRESPONDENCE:

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

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #5: That the property standards complaints relative to the village of Wilkesport and property known as 46 Moore Line be referred to the Property Standards Officer for investigation and report.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #6: That the annual Corunna Volunteer Fire Fighters Field Days scheduled to be held June 8, 9 and 10th 2012 be declared as a community festival with Township permission being granted for a refreshment license and further that a grant be provided to the volunteer fire fighters association in the amount of \$250 to assist in the sponsorship of this event for 2012.

CARRIED

Council proceeded to review the items of information correspondence. The letter received from Ms. Gayle Mitchell regarding the OPP is to be forwarded to LGPSB through Councillor Miller and the Clerk will respond to those concerns as expressed in the letter.

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #7: That the Township support the hosting of the May meeting of the Lambton Historical Society that will be hosted in St. Clair Township.

CARRIED

Council was advised of an April 11, 2012 meeting at the Brigden Community Center to discuss the proposed Brigden splash pad. The meeting is to be convened at 7:00 pm and all members of Council are invited to attend.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #8: That the items of information correspondence be received as information.

CARRIED

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Moved by P. Gilliland

Seconded by S. Miller

Motion #9: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Chris Holmes – livestock and property standards
Inst. See motion #5
- b. 46 Moore Line – property standards
Inst. See motion #5
- c. Corunna Volunteer Firefighter's Association – request and permission
Inst. See motion #6

CARRIED

DRAINS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #10: That Drainage By-law #13 of 2012 being a by-law to raise the sum of money expended out of the General Funds of the Township of St. Clair for drain repair expenses to various drains be read the required number of times, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #11: That Drainage By-law #14 of 2012, being a by-law to raise the sum of \$34,994.00 being money expended out of the General Funds of the Township of St. Clair for the reassessment and improvements to the Dobie and Bobier Drain be given the 1st and 2nd readings and be provisionally adopted.

CARRIED

Council discussed possible appointments and dates for the Court of Revision for the Dobie and Bobier Drain. Council was advised that since the Township of Dawn-Euphemia is also involved in the drain, the Court of Revision will consist of two members appointed by St. Clair Township Council and one by the Council of the Township of Dawn-Euphemia.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #12: That Councilor's Randell and Agar be appointed as the St. Clair Township representatives on the Bobier and Dobie Drain Court of Revision with the Court of Revision date to be scheduled at a mutually agreeable date and time within the provisions of the Drainage Act.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

DRAINAGE SUPERINTENDANT'S REPORT:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #13: That the report received from the Drainage Superintendent dated March 20, 2012 recommending that the tender submitted by Patterson Motors in the amount of \$27,084.80 (including taxes) for the supply of a 2012, ½ ton, 4x4 pick up truck be received and accepted and that the Mayor and Clerk be authorized to sign the necessary documents.

CARRIED

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Moved by D. Randell

Seconded by S. Miller

Motion #14: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated April 4, 2012 regarding the waste and recycle request for proposal be received and accepted as information.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #15: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated April 4, 2012 recommending that the low tender submitted by RBM Contractors in the amount of \$37,855.00 for “miscellaneous sidewalk replacement and curb and gutter repair” be received and accepted and that the Mayor and Clerk be authorized to sign the necessary documents.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #16: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated April 4, 2012 recommending that the tender submitted by Pollard Highway Products Ltd. in the amount of \$124,582.50 for the supply and application of chloride based liquids for dust control be accepted and the Mayor and Clerk be authorized to sign the necessary documents.

CARRIED

DEPUTY CLERK COORDINATOR OF PLANNING REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #17: That the report of the Deputy Clerk/Coordinator of Planning dated March 22, 2012 regarding the Williams Landscaping site plan be received as information and that Council authorizes the Clerk and Mayor to enter into a site plan agreement with Williams Landscaping to recognize and approve a new storage building on site.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #18: That the report of the Deputy Clerk/Coordinator of Planning dated March 30, 2012 regarding the Southwest Regional Credit Union Ltd. site plan agreement be received as information and that Council authorizes the Mayor and Clerk to enter into a site agreement with Southwest Regional Credit Union Ltd. to permit the construction of a new Credit Union in the same location of the former (existing).

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #19: That the report of the Deputy Clerk/Coordinator of Planning dated April 4, 2012 regarding the possible deeming of Plan 730 be received as information.

CARRIED

CLERK’S REPORT:

The Clerk provided to Council a verbal report on the status of the rural broadband expansion project to be funded in part by an OMFRA grant. The Clerk advised that RFP’s were submitted with the assistance of the County of Lambton staff and the latest of several suppliers advised of the disinterest in the program. It appears that the program probably will not proceed further without the possibility of a suitable supplier. The Clerk will contact the Ministry of Agriculture and Food in this regard.

The Mayor called the order the Court of Revision on the Whitsett Drain at 6:35pm. This Court of Revision was called to discuss and review any possible assessment appeals on the Whitsett Drain in accordance with the Engineer’s report prepared by R. Dobbin Engineering Inc. dated December 16th, 2011. The Clerk advised the Court that no written submissions or appeals were received.

Moved by D. Randell

Seconded by J. Agar

Motion #20: That the Court of Revision hear verbal appeals on the Whitsett Drain assessment.

CARRIED

Mr. Terry Little representing his mother Barb Little was duly sworn. Mr. Little stated that in his opinion, the Little property will receive no benefit from the improvement of the Whitsett Drain and objected to the fact that the proposed drain will be constructed in the current Little woodlot area and that Mr. Little doesn’t want any work done on his property.

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Mr. Little was advised in the accordance of the Dobbin report that no work is scheduled or prescribed for in this report but rather the report is intended to modernize the assessment ratios for future maintenance and to more clearly define the watershed area. Mr. Little asked to be contacted by the author of the report to substantiate the fact that no work is being carried out at this time.

Moved by D. Randell

Seconded by J. DeGurse

Motion #21: That the Engineer's assessment for the Whitsett Drain as per the Engineer's report dated December 16th, 2011 be confirmed and that the Court of Revision on the Whitsett Drain be closed.

CARRIED

Mr. Carlos Cimetta and Mr. Dan Brousseau were present representing Paddock Green Developments requesting an opportunity to address Council regarding Council's passage of By-law #8 of 2012 which deemed the Plan 731 portion of the Paddock Green Development properties. Also present was Mr. Craig Nordell a principal of Paddock Green Developments Inc. Mr. Cimetta on behalf of Paddock Green filed with Council a brief prepared outlining the historical evolution of the Paddock Green Development as well as the relatively brief relationship with Solar Income Fund, a copy of the termination of the agreement to sell Plan 731 to the Solar Income Fund as well as an agreement signed by the Principal's of Paddock Green who that in the mind of the Paddock Green solicitors would prevent any development other than residential development on the Plan 731 portion without the express consent of Council. Council discussed at length with Mr. Cimetta the original proposal of the Solar Income Development as well as the understanding by the Mayor and Senior staff attending the meeting with First Solar what its position and intentions were. At the conclusion of the discussion and in response to various questions, the Mayor on behalf of Council thanked Mr. Cimetta, Mr. Brousseau and Mr. Nordell for their attendance.

Moved by P. Gilliland

Seconded by J. Agar

Motion #22: That Council reconsider and further discuss the issue raised by By-law #8 of 2012.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by J. DeGurse

Motion #23: That By-law #16 of 2012 being a by-law to repeal By-law #8 of 2012 and reinstate Plan 731 in the Paddock Green Subdivision be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #24: That By-law #11 of 2012 being a by-law to authorize the execution of the Site Plan Agreement with Williams Landscaping to give them the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #25: That By-law #12 of 2012 being a by-law to authorize the execution of the Site Plan Agreement with Southwest Regional Credit Union Ltd. be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #26: That By-law #13 of 2012 being a by-law to adopt the 2012 Capital and Operating Budgets be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

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Moved by J. Agar

Seconded by J. DeGurse

Motion #27: That By-law #14 of 2012 being a by-law to deem Plan 730 be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

TABLED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #28: That further consideration of By-law #14 of 2012 be tabled until a commitment is received from the developer to maintain the intention of residential development on Plan 730.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #29: That By-law #15 of 2012 being a by-law to confirm resolutions and motions of Council up to and including the Council meeting of March 19, 2012 be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised of attending the April 5th meeting of the Community Health Study Group on behalf of Mayor Arnold.

Darrell Randell

Councillor Randell extended to his fellow Councilors an invitation to view the diamond jubilee display at the Moore Museum.

Jeff Agar

Councillor Agar led Council in a discussion of possible amendments to Planning fees that would provide for a fee if there is a request for a deferral of an application.

Moved by J. Agar

Seconded by D. Randell

Motion #30: That staff be requested to prepare a report on the possibility and options of imposing a planning fee for any planning application or process for which a deferral is requested by the proponent.

CARRIED

Pat Carswell-Alexander

Councillor Carswell-Alexander requested staff to contact CSX regarding possible repair of the level crossing near the intersection of Emily Street and the St. Clair Parkway. Also, Councillor Carswell-Alexander advised of a recent incident where the gates to the Brigden Lagoon were open and the control building was left open as well. The emergency number was called and the appropriate contact was made.

Steve Arnold

Mayor Arnold shared with Council a letter received from Lori Vokes regarding possible changes to the protocols for hazardous waste disposal. Council asked the CAO to check into the impacts of the change of protocol and suggested that a response be sent within the time frame prescribed by the MOE.

Moved by S. Miller

Seconded by P. Gilliland

Motion #31: That the Township respond to the possible change in hazardous waste protocols within the prescribed time frame as established by the MOE.

CARRIED

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The Deputy Clerk shared with members of Council the letter sent to the Riviera Plaza owners regarding the sea-cans on site and the apparent removal of the fence as required by the site plan when the plaza was developed.

Moved by D. Randell

Seconded by P. Gilliland

Motion #32: That an application be sent nominating St. Clair Township for the Green CIETTS award in recognition of the Township's efforts to improve the water quality of the St. Clair River.

CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #33: That the meeting enter an in-camera session to discuss a property, legal and personnel issues.

CARRIED

Meeting returned to order.

Moved by S. Miller

Seconded by D. Randell

Motion #34: That staff be authorized to continue working with the Rapids Family Health Team in an effort to negotiate an initial 5 year lease for space in the Township's Emergency Services building in Corunna and further that staff be instructed to prepare a request for proposal for the renovations and development for additional washrooms in the facility with competitive bids to be requested from WestHoek Construction and Agri-Urban Construction.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #35: That the Township solicitor be instructed to proceed with the necessary steps with the business and property owner of the Paget Street property site of the recent relocation of Catalytic Services and further that the solicitor take the appropriate injunctive action if the initial request to vacate the property is not complied with.

CARRIED

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 8:15 p.m.

MAYOR

CLERK