

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 13**

St. Clair Civic Centre
Council Chambers
June 19, 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
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
Absent:	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting minutes of June 4, 2012 – Session #12

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:30 p.m. – Sombra Child Care – Lisa Bicum
7:00 p.m. – Judy Morris – Lambton College
7:30 p.m. – Mike Moroney – MOE Clean Harbors update
7:45 p.m. – James Seward - Rezoning

CORRESPONDENCE:

- a) Property Standards – 479 Parkdale
- b) Karen Clark – trailer complaint
- c) Donnie Burns – trailer complaint
- d) Kelly Barnes – Hill St. pedestrian crossing
- e) Lambton Upland Game Bird – donation request
- f) Lambton Upland Game Bird – donation request

INFORMATION:

- 1) Lambton Farm Safety – minutes and agenda
- 2) Heritage St. Clair Township – May 23, 2012 minutes
- 3) Captain Kidd Days – invitation
- 4) Moore Community Foundation – June 5, 2012 minutes
- 5) County of Lambton – Economic Development Tool
- 6) County of Lambton – Long-term care
- 7) Warden Arnold – July 19, 2012 invitation
- 8) Corunna Giants – thank you
- 9) Ministry of the Environment - Great

DRAINS:

By-law 14 of 2012 – Dobie & Bobier Drain – 3rd Reading

REPORTS OF COMMITTEES AND OFFICERS:

Planner's Report – Seward rezoning
Affordable housing legislation

TREASURER'S REPORT:

CLERK'S REPORT:

Dock use request

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-law 23 of 2012 – Capital borrowing

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Regular Council – Monday, July 9, 2012 at 6:00 p.m.

Committee of the Whole – Monday, July 23, 2012 at 6:00 p.m.

Regular Council – Monday, July 23, 2012 at approximately 7:30 (after Committee of the
Whole meeting)

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 D. Randell

Motion #1 That the minutes from the Council meeting held June 19, 2012 – Session #12
be received and accepted as printed.

CARRIED

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Moved by S. Miller

Seconded by P. Gilliland

Motion #2 That the issue of the Waste and Recycling Collection and Processing contract be lifted from the table.

CARRIED

Moved by P. Carswell-Alexander

Motion #3 That the contract for the Waste and Recycling Collection and Processing be extended for a 6 month period with a 33% increase. Motion failed to get a seconder and was lost.

Moved by J. Agar

Seconded by S. Miller

Motion #4 That the Waste Collection contract with Marcotte be extended for a 6 month period ending December 31, 2012 at a cost of \$295,570.50 and further that the contract with Marcotte for waste collection be extended for a 7 year period at an annual cost of \$682,643.96 representing a 27% and a 47% respectively increase and further that the Recycling Collection and Processing contract with Emterra be extended for a 7 year contract period at an annual cost of \$278,652.00 representing a 41% increase.

CARRIED

CORRESPONDENCE:

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

Moved by P. Gilliland

Seconded by J. Agar

Motion #5 That the property standards complaint on property known as 479 Parkdale be referred to the Property Standards Officer for investigation and appropriate action.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #6 That the two (2) letters of complaint regarding the placement of a travel trailer on property west of the St. Clair Parkway south of Courtright be investigated as a possible zoning bylaw infraction and that the appropriate correspondence be sent to the property owner.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #7 That the request for a pedestrian crossing on Hill Street be referred to the 2013 Capital Budget deliberations and further, that permission be obtained from Lambton County for such possible installation since Hill Street in this area is part of the County road system.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #8 That a grant in the amount of \$250.00 be provided to the Lambton Upland Game Bird group to assist in funding of their 2012 Jake's Day.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #9 That the donation request from the Lambton Upland Game Bird group to assist in sponsorship of Hunting Safety Day be received and filed.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #10 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Property Standards – 479 Parkdale
Inst. See Motion #5

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- b. Karen Clark – trailer complaint
Inst. See Motion #6
- c. Donnie Burns – trailer complaint
Inst. See Motion #6
- d. Kelly Barnes – pedestrian crossing
Inst. See Motion #7
- e. Lambton Upland Game Bird
Inst. See Motion #8
- f. Lambton Upland Game Bird
Inst. See Motion #9

CARRIED

In a discussion of the Heritage St. Clair Township May 23, 2012 meeting minutes, it was suggested that the group contact the Clerk to arrange for a presentation by the group to Council.

At this point in the meeting, Councillor Randell vacated the Council Chambers to attend another meeting within the building.

Moved by P. Carswell-Alexander
Motion #11 That the correspondence be received as information.

Seconded by J. Agar

CARRIED

At the appointed time, Mayor Arnold welcomed Lisa Bicum, spokesperson and several members of the Sombra Day Care board present to discuss with Council the group's success in its first 20 years of development. Ms. Bicum stated that there are currently 18 staff members with the Sombra Day Care providing service to 155 children and an additional 60 children in a drop-off program. Ms. Bicum provided information as to the daycare's growth over the last 20 years and its future developmental plans.

At the conclusion of the presentation, Mayor Arnold on behalf of Council thanked Ms. Bicum and those in attendance for the informative presentation.

DRAINS:

Moved by P. Gilliland
Motion #12 That Drainage By-law #14 of 2012, being a by-law to authorize the construction and financing of the Dobie and Bobier Drains, be read the third time, signed by the Mayor and Clerk and the corporate seal affixed thereto and finally passed.

Seconded by S. Miller

CARRIED

DEPUTATIONS AND APPOINTMENTS:

REPORTS OF COMMITTEES AND OFFICERS:

Moved by P. Carswell-Alexander
Motion #13 That the Planner's Report dated June 5, 2012 regarding the rezoning applications for property known at Part Lot 26, Concession 4, geographic Township of Moore, Township of St. Clair (Seward) be received as information.

Seconded by J. DeGurse

CARRIED

It was pointed out that this report would be helpful for Council's information during the deputation scheduled later in the meeting.

CLERK'S REPORT:

The Clerk provided Council with a verbal report based on a request received from ECRC, acting in conjunction with Enbridge Pipelines, requesting the use of the Township's boat launch facility on August 8th and 9th, 2012 to participate in a joint mock emergency preparedness drill.

Moved by P. Gilliland

Seconded by S. Miller

Motion #14 That permission be granted to ECRC and Enbridge for the use of the Township's boat launch facility during its emergency preparedness drill scheduled for August 8th and 9th, 2012.

CARRIED

Moved by P. Gilliland

Motion #15 – That a \$50.00 fee be imposed on such rental use of the Township's boat launch. Motion failed to get a seconder and was lost.

Moved by S. Miller

Seconded by J. Agar

Motion #16 – That staff be requested to draft a report on possible rental cost options for the Township's boat launch dock facility.

CARRIED

LIVESTOCK VALUER'S REPORT:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #17 – That the Livestock Valuer's report submitted on behalf of Chad Anderson dated June 1, 2012 in the amount of \$500.00 be accepted and approved under the Ontario Wildlife Damage Compensation Program.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised of a need for an in-camera session to discuss a legal and property matter.

MOTIONS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #18 – That the recommendations made by the Finance and Administration Committee and Public Works and Operations Committee made at the June 19, 2012 meeting be received and accepted as printed.

CARRIED

BY-LAWS:

Moved by J. DeGurse

Seconded by J. Agar

Motion #19 – That Bylaw #23 of 2012 being a bylaw to authorize certain capital borrowing be given the necessary readings and signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

At the appointed time, Council welcomed Judy Morris, President and CAO and Margid Dragon of Lambton College, present to discuss with Council various ongoing programs with Lambton College. Ms. Morris outlined enrollment statistics for the last 5 year period and detailed the success of the College in expanding its academic presence offshore in China. Ms. Moore stated that one of the goals of Lambton College and its board of governors is to see the development of a Health and Service Centre at the campus that could be carried out as a public/private partnership. The College has already earmarked money from its reserve to a proposed building fund and that financial support from the Ministry of Education is being sought. It was pointed out that the total estimated cost of this facility is approximately \$25 million and would be a great asset for the County,

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attracting students to the Sarnia campus to provide the necessary education and training for future local health services. Mayor Arnold thanked Ms. Morris and Ms. Dragon for their informative presentation.

Mr. Mike Moroney, District Manager of the Sarnia district office of the Ministry of the Environment was present at Council's invitation to provide to Council an update on the status of the outstanding director's orders issued last year to Clean Harbors, basically in reaction to what was considered to be excess leachate volumes and the resulting odour issues. Mr. Moroney pointed out that approximately 38 million litres of leachate have either been incinerated on site or trucked off site and the number of odour complaints have decreased significantly. Mr. Moroney also provided Council some background information as to the upset on the site due to a power failure. Council suggested that perhaps Clean Harbors be directed to provide emergency on site power in such occurrences.

At the conclusion of the presentation, Mayor Arnold expressed his opinion that he felt that the MOE should have been more proactive in advising of changes in staff at the MOE and feels that possibly the TDU Unit is the source of the odour problems. Mayor Arnold also advised that he would like a senior representative from the Ministry of the Environment to make a routine quarterly presentation to Council on the Clean Harbors facility. He would also like a report as to the offsite incidents and remedies put in place by Clean Harbors. Mayor Arnold thanked Mr. Moroney for his presentation and looked forward to a positive working relationship between the Township and the MOE in the future.

At the appointed time, Council welcomed neighbours and ratepayers of the proposed Seward recycling facility for which a rezoning application has been filed. The property in question is known as Part Lot 26, Concession 4, geographic Township of Moore, Township of St. Clair. It was pointed out that Council's consideration of the zoning request was tabled from an earlier meeting. At that meeting, (26) questions were raised as to physical aspects of the proposed site. Planner Mr. Barry Uitflygt has consolidated the questions and has obtained answers to the questions through either the proponent or government agencies. Mr. Uitflygt presented the questions and answers to Council and those in attendance. Mayor Arnold then opened up the meeting to questions. Several members of Council questioned the hours of operation and were advised that the hours of operation could be regulated in a site plan. Mr. D'Arcy Bell, solicitor for the proponent, gave a brief overview on what materials would be recycled at the facility and that the operation of the facility would be subject to a MOE certificate of approval. It was also pointed out that the property in question is designated as "Heavy Industrial" in the Township's Official Plan. At the conclusion of the discussion, it was

Moved by P. Gilliland

Seconded by J. Agar

Motion #20 – That the issue of the possible rezoning of property known as Part Lot 26, Concession 4, geographic Township of Moore, Township of St. Clair be lifted from the table.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #21 – That the application filed by Mr. James Seward for the rezoning of the property known Part Lot 26, Concession 4 to allow the establishment of a recycling facility be denied.

DEFEATED

Moved by S. Miller

Seconded by P. Gilliland

Motion #22 – That the request for rezoning of the property known as Part Lot 26, Concession 4 proposed by the owner Mr. James Seward for the establishment of a recycling facility be approved and that the corresponding approval bylaw be read the required number of times, passed, signed and sealed. A recorded vote was requested by Councillor Agar.

Councillor Miller

Yes

Deputy Mayor Gilliland

Yes

Councillor Agar

No

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Committee of the Whole Meeting - Monday, July 23, 2012 at 6:00 p.m.
Regular Meeting of Council - Monday, July 23, 2012 at approx. 7:30 p.m. after
Committee of Whole meeting
Committee of the Whole Meeting – Monday, August 13, 2012 at 6:00 p.m.
Regular Meeting of Council – Monday, August 13, 2012 at approx.. 7:30 p.m. after
Committee of Whole meeting

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

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

CARRIED

Meeting returned to order

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

Motion #25 : That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:25 p.m.

MAYOR

CLERK