

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 24**

St. Clair Civic Centre
Council Chambers
December 17, 2012
4:30 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 |
| | J. Baranek | Deputy Clerk/Coordinator of Planning |

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Regular Council – December 3, 2012 - Session #23
Finance and Administration – Dec 6, 2012 – Capital Budget
Sombra Museum Minutes Nov 15, and December 7, 2012

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

5:45 pm - MP Pat Davidson’s presentation to K Anderson
6:00 pm - Watson Creek drain – Court of Revisions

CORRESPONDENCE:

- a) Union Gas – storage lease renewal
- b) Petrolia and District skating club request
- c) Royal Canadian Legion – outdoor patio
- d) 4-H - request

INFORMATION:

- 1) Mary Ann Buntrock
- 2) Austin Beard -proposed rezoning
- 3) Sergio Spisani – proposed rezoning
- 4) Jill and Perry Lozon– proposed rezoning
- 5) Richard and Cheryl Primeau– proposed rezoning
- 6) Beth Coopman– proposed rezoning
- 7) Marcel and Betty Soulard– proposed rezoning
- 8) Ron Denning– proposed rezoning
- 9) Tina Feddes– proposed rezoning
- 10) Barb and Mike O’Neil– proposed rezoning

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- 11) Gerard Harren and Bev Jones– proposed rezoning
- 12) Judy and Paul DeMars
- 12b) Carol Else
- 13) O.P.P paid duty
- 14) C.C.P.C. – Dec 4 Minutes
- 15) OMAFRA agri-food innovation
- 16) R.F.H.T. proposal summary
- 17) F.C.M. – conference
- 18) Larry Gascoigne – Cameron St. property
- 19) Watson Creek – Court of revisions notice
- 20) Christine Maybery – Cameron St. Property
- 21) D and C Gillatly – Cameron St. Property

DRAINS:

- By-law 30 of 2012 – amending various drains
- By-law 31 of 2012 – amending various drains
- By-law 32 of 2012 – amending various drains

REPORTS OF COMMITTEES AND OFFICERS:

DEPUTY CLERK/CO-ORDINATOR OF PLANNING:

Heritage St. Clair

TREASURER’S REPORT:

CLERK'S REPORT:

Appointment By-law – amendment

CAO’S REPORT:

MOTIONS:

Recommendations of the Finance and Administration and the Public Works and Operations Committee December 17, 2012

BY-LAWS:

By-law 46 of 2012 – Open Meeting Investigation

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

- Property Standards Bickford line
- Medical Services

NEW BUSINESS:

In Camera:

- property/Legal

UPCOMING MEETINGS:

Regular Council – Monday January 7, 2013 - 7:00 pm
Committee of the Whole – Monday January 21, 2013 – 3:00 pm
Regular Council – Monday January 21, 2013 ~ 4:30 pm (following Committee)
Drainage Committee January 16, 2013

ADJOURNMENT:

The Mayor called the meeting to order at 4:10 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.

Moved by D. Randell

Seconded by P. Gilliland

Motion #1 That the meeting enter into an in camera session to discuss a personnel, and legal issue

CARRIED

Meeting returned to order

Moved by R. Carswell-Alexander

Seconded by S. Miller

Motion #2 That the issue of placement of possible Solar panels arrays on Township property known as 478 Polymore Dr. be reconsidered.

CARRIED

Moved by R. Carswell-Alexander

Seconded by S. Miller

Motion #3 That the offer to install solar panel arrays on Municipal property known as 487 Polymore Dr. and the subsequent draft lease agreement for a 20 year period be declined.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #4 That an offer of employment be made to the preferred candidate for the position of “Acting Fire Chief” with employment with the township to commence approximately Feb 1, 2013.

CARRIED

ADOPT MINUTES:

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

Moved by P. Gilliland

Seconded by S. Miller

Motion #5 That the minutes from the Council meeting held, December 3, 2012 – Session #23 be received and accepted as printed.

CARRIED

In discussion of the minutes of the December 6, 2012 Capital Budget Review Meeting it was pointed out that proposed Fire Department expenditure of \$15 000.00 to finance the purchased of generators was approved to remain in the budget subject to full external financing.

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #6 That the minutes of the Finance and Administration Committee Capital Budget meeting held on Dec 6, 2012 be received and accepted as printed.

CARRIED

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Moved by D. Randell

Seconded by S. Miller

Motion #7 That the minutes the Sombra Museum meetings held on Nov 15, and Dec 7 2012 be received and accepted as printed.

CARRIED

Mayor Arnold on behalf of Council acknowledged the dedication and efforts put forth by Bonnie Stevenson at the 5th year anniversary of the establishment of the St. Clair Beacon as both writer and editor. Mayor Arnold stated that the Beacon is a very valuable component of our local community and wished Bonnie every success in the further development of the Beacon in the years to come.

DEPUTATIONS AND APPOINTMENTS:

CORRESPONDENCE:

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

Moved by P. Gilliland

Seconded by D. Randell

Motion #8 That the gas storage lease renewal with Union Gas be accepted and that the Clerk be authorized to sign the corresponding lease agreements.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #9 That the funding request received by the Petrolia skating club be received and filed.

CARRIED

Moved by R. Carswell-Alexander

Seconded by P. Gilliland

Motion #10 That Municipal Council give permission to the Royal Canadian Legion Branch 447 for a temporary extension of their outdoor patio license during their 2013 3rd annual Summer Kick Off event to be held Saturday June 22, 2013.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #11 That the request from Lambton 4-H Association for a 2013 grant be referred to the 2013 Operating Budget deliberations.

CARRIED

Moved by R. Carswell-Alexander

Seconded by D. Randell

Motion #12 That the following items of correspondence be dealt with as per Councils instructions.

- a) Union Gas – storage lease renewal - Motion #8
- b) Petrolia and District skating club request – Motion #9
- c) Royal Canadian Legion – outdoor patio – Motion #10
- d) 4-H – request – Motion #11

CARRIED

INFORMATION:

Council acknowledged the multiple letters received from residence South of Port Lambton regarding proposed rezoning amendment application.

Moved by R. Carswell-Alexander

Seconded by P. Gilliland

Motion #13 That the letter from the OPP regarding the future of paid duties at private parties be referred to the Director of Community Services for his information and forward to the various Community hall management boards.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #14 That staff be instructed to draft a letter of response to the Cameron St. rate payers and residents expressing concerns over the Township purchase of property known as 233 Cameron Street.

CARRIED

Moved by S. Miller

Seconded by J. Degurse

Motion #15 That the items of information correspondence be received as information.

CARRIED

DRAINS:

Moved by R. Carswell-Alexander

Seconded by J. Degurse

Motion #16 THAT Drainage By-law #30 of 2012, being a by-law to raise the sum of money being expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township be given the necessary readings and be Signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #17 THAT Drainage By-law #31 of 2012, being a by-law to raise the sum of money being expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #18 THAT Drainage By-law #32 of 2012, being a by-law to raise the sum of money being expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

DEPUTY CLERK/CO-ORDINATOR OF PLANNING:

Moved by S. Miller

Seconded by D. Randell

Motion #19 That the report of the Deputy Clerk regarding the establishment of St. Clair Heritage Committee be received as information

CARRIED

Moved by R. Carswell-Alexander

Seconded by S. Miller

Motion #20 That consideration of a draft terms of reference for the proposed new St. Clair Heritage Committee be tabled pending a redraft of the possible terms of reference.

CARRIED

Council was of the opinion that there should be one member of Council plus one alternate on the Committee and that members to the Committee be permitted from those living outside the municipality provided those members do not form the majority.

CLERK'S REPORT:

Clerk questioned if Council wished to revisit the issue of appointments to various Committees and Boards due to fact that this term of Council has reached the midway point. Council instructed the Clerk to provide a copy current appointments By-law for Council review and consideration.

MOTIONS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #21 That the recommendations of the Dec 17, 2012 meeting the of the Finance and Administration Committee and the Public Works and Operation Committee be accepted and approved.

CARRIED

BY-LAWS:

Moved by J. Degurse

Seconded by J. Agar

Motion #22 That By-law #46 of 2012 By-law of the Township of St. Clair appointing Local Authority Services Ltd. be given the required three readings, be signed by the Mayor and Clerk, the Corporate seal affixed.

CARRIED

COUNCILLORS REPORTS:

All Members of Council wished their fellow Councilors and staff a merry Christmas season

Steve Arnold

As well as extending Christmas greeting the Mayor also wished to thank Council and Senior Staff for the support shown over the past two years while he preformed his duties as Lambton County Warden

UNFINISHED BUSINESS:

Council discussed the status of the outstanding Property Standards Order for property known as The Bickford Line. It was pointed out that no efforts have been made to work towards the required clean up of the property. The consensus of Council was that the matter would be further discussed at a future meeting. Council briefly discussed the proposed new Medical Services to be established in Corunna at the newly acquired site at 233 Cameron Street. Council was advised by the Clerk that no approach has been made to the Corunna Medical Clinic physicians for possible short term extension of the blood letting clinic supported by the physicians and the Municipality. It was hoped that the facility would be able to accommodate the blood letting clinic operated by the Rapids Family Health Team by mid to late January 2013.

Council was presented daft resolutions provided by Certified Solar and Solar Powered Network relative to either specific projects in the municipality or a general blanket Municipal endorsement

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #23 That Council Support the efforts for the establishment of a solar panel array on property known as 950 Stanley line geographic Township if Sombra Township of St. Clair and 2318190 Ontario Ltd.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #24 That Council approve the blanket support of the installation of Solar panel installations with off shore wind turbines deleted be approved.

DEFEATED

At the appointed time the Mayor called upon MP Pat Davidson to present to Kaitlyn Anderson the Queens Diamond Jubilee Medal in recognition of the charitable work Ms. Anderson has been involved with over the last many years. Mayor commented that Ms. Anderson as a teenager has accomplished more in her charitable efforts than most adults do in a life time.

At 6:00 pm Mayor Arnold called to order the Court of Revisions to hear assessment appeals if any on the Watson Creek Drain. The Clerk advised that an appeal had been received from the County of Lambton relative to the Watson Creek Drain appealing what they considered to be the relative high cost the Bentpath Line crossing incorporated as part of the Watson Creek Drain improvement. County appeal stated that they think the cost of the crossing is excessive due to additional work required due to the proximity of the CSX railway crossing. The Court called upon Mr. Ray Dobbin author of the report to provide an explanation of the assessments as proposed. Mr. Dobbin stated that the road authority would be subject to section 26 of the Drainage Act that states that the work would be tendered separately and the actual cost of the County road crossing will be assessed to the County and it is possible that actual cost maybe less than that estimated by the engineer. Mr. Dobbin also pointed out that an earlier error has been correct at which time additional properties have been moved from a residential category to a agricultural category which would make them eligible for the OMARFA grant. Nicole Lane a rate payer residing at 124 Smith Street was present to present a verbal appeal to the court.

Moved by D. Randell

Seconded by P. Gilliland

Motion #25 That the Court of Revision hear verbal appeals offered from the audience.

CARRIED

Ms. Lane stated that she was under impression that an early proposal was to see her property levied approximately \$700.00 and the current final proposed assessment is approximately \$6200.00 Mr. Dobbin stated that \$1150.00 has been estimated as a special benefit with an outlet assessment of \$450.00 with a benefit assessment of approximately \$4596.00 Ms Lane stated that her house is on a lot cornering on Smith street and Duke Street and that some of her drainage water flows south into a drain on Smith Street and in fact there are two drain outlets provided for her property into the new drain on Duke Street to be incorporated as part of the Watson Creek drain that she does not feel that she requires. Mr. Dobbin thought that at least one connection should be installed but that perhaps a assessment reduction could be made if only one outlet is constructed. The Clerk cautioned that the assessment method suggested by Mr. Dobbin would be difficult if not impossible to calculate.

Moved by D. Randell

Seconded by J. Agar

Motion #26 That the assessment for the property known as 124 Smith Street owned by Nicole Lane be reduced by \$3000.00 and that the additional \$3000.00 be included as an additional levy to the Smith St. road allowance and further that the earlier amendments by the engineer to incorporate additional property as agricultural that are eligible for the OMAFRA grant be accepted and that the Court of Revision on the Watson Creek Drain be closed.

CARRIED

Meeting returned to order

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ADJOURNMENT:

Moved by D. Randell

Seconded by J. Degurse

Motion #27 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 6:25 p.m.

MAYOR

CLERK