

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 9**

St. Clair Civic Centre  
Council Chambers  
May 6, 2013  
6:30 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:**

Finance and Administration – April 15, 2013  
Public Works and Operation – April 15, 2013  
Regular Council – April 15, 2013 - Session #8  
Drainage Committee – April 24, 2013  
Moore Museum – Mar 6, 2013  
Moore Museum – April 3, 2013  
Sombra Museum – April 18, 2013

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

6:35 pm Stephanie Ferrera – Lambton County Local Immigration Partnership  
7:00 pm – Public Meeting – Building permit fees  
7:00 pm – Emmons Drain – Court of Revision  
7:05 pm – Fitzgerald Drain-Court of Revision  
7:30 pm – Simone Edginton – Sarnia-Lambton Food Charter  
7:45 pm – Jim Stenton – Clean Harbours issues  
8:00 pm – Ben Hazzard – 2013 St. Clair River Run

**CORRESPONDENCE:**

- a) Sombra Optimist - Permission
- b) 249 Blackthorn – Property Standards
- c) 131 West Bentpath Line – Property Standards
- d) 1549 Melwood – Property Standards
- e) 1394 Courtright Line – Property Standards

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- f) 2706 Courtright Line – Property Standards
- g) Maple Drive - Property Standards
- h) P & D Fitzgerald – Fitzgerald Drain appeal
- i) Moore Presbyterian – request
- j) Jim Cogghe- report and request
- k) Rapids Family Health Team - request

**INFORMATION:**

- 1) L.G.P.S.B. – Jan 16, 2013 minutes
- 2) Bingo Country – new bingo hall
- 3) St. Joseph Catholic School – play ground equipment
- 4) Frank Klees – private member bill
- 5) VON – Charity golf
- 6) Libro – Charity golf
- 7) Lambton Farm Safety – March 18 minutes
- 8) Pat Davidson MP – delegation request
- 9) Public Works Canada surplus property
- 10) Moore Optimist - proclamation – Youth Appreciation week
- 11) City of Lambton – levy comparison
- 12) Nova – Open House – May 9, 2013
- 13) Corunna Medical Clinic – E.K.G.
- 14) Great Lakes and St. Lawrence Cities – infrastructure
- 15) E. Service – Property Standards Order – appeal
- 16) Lambton County Historical Society – minutes
- 17) Sarnia-Lambton Immigration Partnership
- 18) Sarnia-Lambton Food Charter
- 19) County of Lambton - Council highlights

**DRAINS:**

- By-law #10 of 2013 – Dawson Drain – 1<sup>st</sup> and 2<sup>nd</sup> reading
- By-law #11 of 2013 – Gauld Drain – 1<sup>st</sup> and 2<sup>nd</sup> reading
- By-law #12 of 2013 – Baxter Drain – 1<sup>st</sup> and 2<sup>nd</sup> reading
- By-law #13 of 2013 – amending various drains
- By-law #14 of 2013 – amending various drains

**REPORTS OF COMMITTEES AND OFFICERS:**

**DEPUTY CLERK/COORDINATOR OF PLANNING:**

- Renewable energy, building permit fees
- Planning application status report

**COORDINATOR OF ENGINEERING:**

- St. Clair Marina Estates – phase 2

**COORDINATOR OF PUBLIC WORKS:**

- Rokeby line
- Lambton College Fire School
- Rotary mower attachment
- Tom Street fault line
- Watermain Connection agreement Sarnia
- ½ ton truck tender
- Dust suppressant
- Misc. sidewalk and curb and gutter repair

**DIRECTOR OF PUBLIC WORKS AND OPERATIONS**

- Williams Landscaping non payment
- Letter to Sam Youssef
- Eastern Power – sanitary sewer buy in
- Sanitary sewer odour complaint

**FIRE CHIEF'S REPORT:**

**CLERK'S REPORT:**

**CAO'S REPORT:**

**MOTIONS:**

**BY-LAWS:**

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

2013 Larvicide program  
233 Cameron St. – Grand Opening June 4, 2013

**UPCOMING MEETINGS:**

Committee of the Whole – Tuesday May 21, 2013 – 3:00 pm  
Regular Council – Tuesday May, 21, 2013 ~ 4:30 pm (following Committee)  
June Meeting dates ?

**ADJOURNMENT:**

The Mayor called the meeting to order at 6:25 p.m.

Moved by J. DeGurse

Seconded by J. Agar

**Motion #1** That this meeting of Council do commence at 6:25 pm

**CARRIED**

The Mayor asked members of Council to declare and conflicts of interest at the appropriate time.

**DECLARATION OF CONFLICT OF INTEREST:**

None declared.

**ADOPT MINUTES:**

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

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #2** That the minutes of the Finance and Administration Committee meeting held on April 15, 2013 be received and accepted as printed.

**CARRIED**

In review of the minutes of the Public Works and Operations Committee Councillor Randell identified a motion in which he was incorrectly identified.

Moved by S. Miller

Seconded by D. Randell

**Motion #3** That the minutes of the Public Works and Operations Committee meeting held on April 15, 2013 be received and accepted as printed.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #4** That the minutes from the Council meeting held April 15, 2013 – Session #8 be received and accepted as printed.

**CARRIED**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #5** That the minutes of the Drainage Committee meeting held on April 24, 2013 be received and accepted as printed.

**CARRIED**

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #6** That the minutes from the Moore Museum meeting held Mar 6, and April 3, 2013 – be received and accepted as printed.

**CARRIED**

Council asked staff for clarification on the financial reporting as identified in the Museum Boards minutes as far as account balances and Council also asked for information as to where any museum surplus is assigned.

Moved by D. Randell

Seconded by S. Miller

**Motion #7** That the minutes from the Sombra Museum meeting held April 18, 2013 – be received and accepted as printed.

**CARRIED**

**CORRESPONDENCE:**

Moved by S. Miller

Seconded by D. Randell

**Motion #8** That permission be granted to the Sombra Optimist Club for the Establishment of a licensed refreshment tent at Brander Park during the Optimists Clubs Car Show to be held at Brander Park on June 15, 2013 subject to the Townships Alcohol Management Policy.

**CARRIED**

Moved by D. Randell

Seconded by J. DeGurse

**Motion #9** That the trappers report received from Mr. Jim Cogghe be received as information and that Mr. Cogghe be allowed to continue his trapping efforts at the sanitary sewer lagoons for 2013/14 and further that permission be granted to Mr. Cogghe to trap the Townships Municipal drain system subject to the use of appropriate tunnel traps and with the permission of the private land owners if applicable.

**CARRIED**

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Moved by D. Randell

Seconded by J. DeGurse

**Motion #10** That staff be instructed to contact the Ministry of Natural Resources regarding trapping for the Brigden sanitary sewer lagoon relative to the lagoons location within the Crown Game Reserve with a copy of this letter to be forwarded to the Mayor Arnold.

**CARRIED**

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #11** That property standards complaints identified on the agenda as correspondence items b through g inclusive be forwarded to the Property Standards Officer for investigation and report.

**CARRIED**

Council reviewed the request from the Rapids Family Health Team for sponsorship of the Youth Nutrition Program to be held for one week in July and August respectively.

Moved by S. Miller

Seconded by D. Randell

**Motion #12** That the request of the Rapids Family Health Team for sponsorship of a proposed Youth Nutrition Camp be forwarded to the Moore and Sombra Optimist Club for possible sponsorship support.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #13** That the following items of correspondence be dealt with as per Councils instructions.

- a) Sombra Optimist – Permission – Motion # 8
- b) 249 Blackthorn – Property Standards - Motion # 11
- c) 131 West Bentpath Line – Property Standards – Motion # 11
- d) 1549 Melwood – Property Standards – Motion # 11
- e) 1394 Courtright Line – Property Standards – Motion # 11
- f) 2706 Courtright Line – Property Standards – Motion # 11
- g) Maple Drive - Property Standards – Motion # 11
- h) P & D Fitzgerald – Fitzgerald Drain appeal – Motion # 20
- i) Moore Presbyterian – request – received as information
- j) Jim Cogghe- report and request – Motion # 9
- k) Rapids Family Health Team – request – Motion # 12

At the appointed time Mayor Arnold welcomed Stephanie Ferrara and Dale Mosley representing the Lambton County Local Immigration Partnership to explain to Council the efforts made by the partnership to increase the Lambton County population through the attraction of immigrants to our area. Ms. Ferrara stated that the partnership's goal was to make Lambton County a welcoming and engaging community for new comers to this area. Mayor Arnold thanked Ms. Ferrara and Mr. Mosley for their informative presentations.

Council proceeded to review the items of information correspondence as listed on the agenda.

The correspondence from Pat Davidson MP regarding delegation request is to be discussed further by Council at its next meeting.

Moved by P. Carswell-Alexander

Seconded by D. Randell

**Motion #14** That the Federal Public Works and Government Services be advised that St. Clair Township has no interest in acquiring property owned by the Federal Government known as 4687 Telfer Road.

**CARRIED**

Moved by D. Randell

Seconded by P Gilliland

**Motion #15** That I, Steve Arnold, Mayor of St Clair Township therefore proclaim the week of May 6th to May 12th 2013 “Youth Appreciation Week” In the community of St Clair Township. By this action let it be known that we have faith in the ability of today's youth as they assume responsible roles in the future of man kind.

**CARRIED**

Councillor DeGurse advised that he is able to attend a meeting of the Property Standards Committee tentatively scheduled for Wednesday May 22, at 6:00 pm.

Moved by S. Miller

Seconded by P. Gilliland

**Motion #16** That the following items of information be dealt with as per Councils instructions.

**CARRIED**

At the appointed time Mayor Arnold called to order the Public meeting called to consider a proposal to increase certain fee and incorporate fees for any possible industrial wind turbines to the Townships standard fees By-law. The Deputy Clerk explained the intent of the By-law and responded to any question posed by members of Council. Council was advised that no written comments had been received relative to the draft By-law and no one was present to express their opinion at this public meeting. Hearing no further comment the public meeting on the proposed fee By-law was closed.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #17** That Council approve By-law 16 of 2013 to amend By-law 20 of 2010 to adopt new building permit fees as they relate to Industrial Wind Turbines.

**CARRIED**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #18** That Council declare that the St. Clair Township is not a willing host for any proposed Industrial Wind Turbine facilities.

**CARRIED**

Mayor Arnold called to order the Court of Revision called to hear possible assessment appeals on the Emmons drain and the Fitzgerald drain. The Clerk advised that no written appeals had been received on the Emmons drain and no one was in attendance at this court to present a verbal appeal.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #19** That the engineer's assessment on the Emmons Drain in accordance with the report dated February 15, 2013 be confirmed and that Court of Revision on the Emmons drain be closed.

**CARRIED**

The Chair Called to order the Court of Revision on the Fitzgerald drain. The Clerk advised that a written appeal had been received from Paul and Diane Fitzgerald and that a letter of support had been received from Linda Dobson. The Chair then called upon Mike Devos of Spriet Associates, author of the report, to provided back ground on his assessment rationale. It was pointed out that the first part of the Fitzgerald appeal was regarding allowances provided under section 48.1 of the Drainage Act, it was pointed out that the Court does not have the jurisdiction to amend allowance and this could be considered to be an appeal to the area Drainage Tribunal.

Mr. Paul Fitzgerald was duly sworn, Mr. Fitzgerald stated that he does not think the drainage scheme proposed in the engineers report was appropriate since the properties on the east side of the Parkway, that were now in need of drainage had several earlier opportunities to participate in other neighbouring drain schemes. Mr. Devos then explained to Mr. Fitzgerald and the Court his justification for assigning a benefit assessment to the Fitzgerald property due to the fact that the outlet portion of the drain will be improved for the benefit of not only the properties on the east side of the Parkway but also of the Fitzgerald property. Mr. Devos also stated his opinion if the engineers report had provided extra allowances to the Fitzgerald property it would have been reflected in a higher benefit cost to that property. Mr. Devos also stated that part of his assessment rationale was the fact a previous owner of the Fitzgerald property had partially enclosed a gully that had provided surface drainage for the properties now subject to the proposed Fitzgerald drain improvement.

Diane Fitzgerald was duly sworn, Ms. Fitzgerald said that consultation with the Drainage Superintendent and the Engineer after the outlet portion of the drain was more closely examined realized the need for the repair that she and her husband would have done the required repairs at their own effort and expense. After considerable discussion it was

Moved by J. Agar

Seconded by P. Gilliland

**Motion #20** That the benefit assessment of the Fitzgerald property known as part of Lot 45 Front Concession roll number 40-33701 be reduced by \$2,500.00 and that the assessment to the Townships St. Clair Parkway road allowance be increased by \$2,500.00 and that the remainder of the assessments as identified in the Engineers report dated January 31, 2013 be confirmed and that the Court of Revision of the Fitzgerald Drain be closed.

**CARRIED**

After a short recess the meeting returned to order and the Mayor welcomed Simone Edginton and Lana Smith Co-chairs of the Sarnia-Lambton Food Coalition. The coalition started in 2010 and their goal is provide a healthy sustainable food system for all citizens in Sarnia-Lambton. The Mayor questioned the two representatives as to why it is not referred to strictly as a Lambton County Food Coalition. The two representatives are asking for Council endorsement of their food charter.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #21** That St. Clair Township expresses its commitment and intent towards achieving a just and sustainable food system in Sarnia-Lambton. We recognize that this commitment indicates our sense of collective and personal responsibility for the present and future physical, economical, environmental, and social well-being of Sarnia Lambton

**CARRIED**

Mr. Jim Stenton a neighbour to the Clean Harbours facility was present and asked to speak to Council about his request to have the Township include in their negotiations with Clean Harbours the need for improved off site monitoring and in the interim time a request that Council considers dedicating a member of staff who would be responsible for investigating any odour complaints in the area that may be generated from the Clean Harbours facility and then have the authority of contacting an air monitoring expert to collect samples and conduct analysis of those samples. It was suggested that this independent consultant be financed by the municipality. Mr. Stenton stated several times that it was not he and his neighbours intention to be included in the Clean Harbours Good Neighbours protocol. On behalf of Council Mayor Arnold advised that the Township is not in any negotiations with Clean Harbours but simply Clean Harbours is proceeding with their environmental review process in an attempt to secure Provincial approval for facility expansion. At the conclusion of the discussion it was

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #22** That staff be authorized to contact the environmental Solicitor to see if off site air monitoring could be incorporated as a condition of the environmental assessment approval process.

**CARRIED**

Mr. Ben Hazzard of the St. Clair River Trail Committee was present to discuss with Council the 2013 event which will held on July 20<sup>th</sup>. Mr. Hazzard stated that the event route will be the same as that in previous years and that participation in the learn to run program and the registration for the run itself are increasing steadily year to year. Mr. Hazzard on behalf of the Committee is asking for Council's support similar to that offered by the Township in years past with staff support from the Public Works and Operations department and the Parks and Recreation department as well as maintenance at Brander Park immediately prior to the event and the Township being responsible for traffic control and policing cost. At the conclusion of the discussion it was

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Moved by D. Randell

Seconded by S. Miller

**Motion #23** That the St. Clair Township support the 2013 St. Clair River Run to be held July 20th with The Township to provided at no cost to the River Run Committee support from the Public Works and Operations department and the Parks and Receptions department for traffic control at no cost to the River Run Committee and provide the cost of off duty and paid duty OPP officers at the Townships expense.

**CARRIED**

**DRAINS:**

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #24** That Drainage By-law #10 of 2013 being a by-law to raise the sum of \$17,000.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Dawson Drain be given the first and second reading and provisionally adopted.

**CARRIED**

Moved by S. Miller

Seconded by D. Randell

**Motion #25** That Drainage By-law #11 of 2013 being a by-law to raise the sum of \$7,500.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Gauld Drain be given the first and second reading and provisionally adopted.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #26** That Drainage By-law #12 of 2013 being a by-law to raise the sum of \$204,214.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Baxter Drain be given the first and second reading and provisionally adopted.

**CARRIED**

Moved by S. Miller

Seconded by D. Randell

**Motion #27** That Drainage By-law #13 of 2013 being a by-law to raise the sum of \$2,385.83 being money expended out of the General Funds of the Township of St. Clair for repair expense of the Whitsett Drain be given the first and second reading and provisionally adopted.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #28** That Drainage By-law #14 of 2013 being a by-law to raise the sum of \$2,605.83 being money expended out of the General Funds of the Township of St. Clair for maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

**DEPUTY CLERK/COORDINATOR OF PLANNING:**

Moved by D. Randell

Seconded by S. Miller

**Motion #29** That the report from Jeff Baranek, Planning Coordinator, on planning applications status report be received as information.

**CARRIED**

Council asked for a meeting with Township Solicitor Peter Pickfied and the principals that may be involved in the possible mediation of the Seward rezoning OMB appeal. The Deputy Clerk's report on the Fane Street drainage issue tabled until the Committee of the Whole.



**COORDINATOR OF ENGINEERING:**

Moved by J. DeGurse

Seconded by J. Agar

**Motion #30** That St. Clair Township accepts the development work performed by St. Clair Marina Estates Phase 2 in the former Township of Sombra and the two year maintenance period be in force until November 13, 2014.

**CARRIED**

**COORDINATOR OF PUBLIC WORKS:**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #31** That the report from Gary DePooter Coordinator of Operations on Rokeby Line, dated April 30, 2013 be received as information.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #32** That Council table a new sanitary sewer use agreement for Council to review, with the Lambton College Fire School, to be consistent with other Industrial users until the next meeting of the Public Works and Operations Committee.

Moved by S. Miller

Seconded by D. Randell

**Motion #33** That Council waive the normal tendering process for the purchase of a Rotary Mower attachment and accepted the quote for Cubex Ltd. Of \$16,948.76 (c/w HST) for a 60" Rotary Hydraulic unit complete with hydraulic head swivel be tabled until the next meeting of the Public Works and Operations Committee.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #34** That Council table the report on the repair of the intersection of Tom and Cooper Street as a re-grading gravel surface with a controlled surface water runoff and a new steel beam guide rail, until the next meeting of the Public Works and Operations Committee.

**CARRIED**

Moved by S. Miller

Seconded by P. Gilliland

**Motion #35** That a Watermain Connection Agreement between the Corporation of the City of Sarnia and the Corporation of the Township St. Clair be approved and that the Mayor and Clerk be authorized to sign the document, to accommodate a 200mm diameter metered water connection between the Township of St. Clair and the City of Sarnia/Aamjiwnaang First nations at LaSalle Line and Tashmoo Avenue.

**CARRIED**

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #36** That the low tender submitted by Parklane Motors in the amount of \$27,429.96 (including taxes) for the supply of a 2013, ½ ton, 4x4 Extended cab Pickup truck be accepted.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #37** That the three original bidders for the supply and application of Chloride based liquids for dust control be contacted to retender.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #38** That the low tender submitted by R.B.M. Contractors in the amount of \$39,747.75 for miscellaneous sidewalk and curb and Gutter repair be accepted and adjusted based on budgeted amount.

**CARRIED**

**DIRECTOR OF PUBLIC WORKS:**

Moved by D. Randell

Seconded by P. Gilliland

**Motion #39** That the report of the Director of Public Works on Williams landscaping non-payment invoice dated May 1, 2013 be received as information.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #40** That the report of the Director of Public Works on excavated material pile complaints dated May 1, 2013 be received as information.

**CARRIED**

Moved by D. Randell

Seconded by P. Gilliland

**Motion #41** That the report of the Director of Public Works on Eastern Power sanitary sewer buy in cost dated May 1, 2013 be received as information.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #42** That the report from Larry Burnham Director of Public Works on odour Complaint follow up dated May 1 2013 be received as information with copies of the report being sent to the complainants.

**CARRIED**

**COUNCILLORS REPORTS:**

**Darrell Randell**

Councillor Randell advised of a upcoming meeting of the Lambton Kent District School Board at the Wallaceburg District Secondary School to discuss the ARC committee recommendations.

**Pat Carswell-Alexander**

Councillor Carswell-Alexander asked staff to arrange for the repair of the heating and cooling system at the civic centre.

**Jim DeGurse**

Councillor DeGurse advised of the recent Corunna Community Policing Committees annual shred it day was very successful with 128 participants.

**Steve Arnold**

Mayor Arnold attended several birthday celebrations and attended a meeting to discuss the June 4<sup>th</sup> 2013 ribbon cutting of the Rapids Family Health Teams facility at 233 Cameron St.

Council also approved of the draft wording for the commemorative plaque to be located inside the buildings lobby.

**NEW BUSINESS:**

Moved by S. Miller

Seconded by D. Randell

**Motion #43** That St. Clair Township support the 2013 larviside program to be conducted by the St. Clair Region Conservation Authority as contractors for the County Community Health Services Department.

**CARRIED**

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**UPCOMING MEETINGS:**

Council directed that the regular meetings of Council and Committee will be held on June 3rd and 17<sup>th</sup> respectively.

**ADJOURNMENT:**

Hearing no further business

Moved by S. Miller

Seconded by D. Randell

**Motion #44** That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 9:20 p.m.

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MAYOR

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CLERK