

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 11**

St. Clair Civic Centre
Council Chambers
June 3, 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

ADGENDA

Declaration of Conflict of Interest:

Adopt Minutes:

Finance and Administration – May 21, 2013
Public Works and Operation – May 21, 2013
Regular Council – May 21, 2013 - Session #10
Property Standards Committee – May 22, 2013

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 pm – Public Meeting – Rezoning Vandendool development
7:30 pm – Gauld Drain – Court of Revision
7:35 pm – Dawson Drain – Court of Revision
7:40 pm – Baxter Drain – Court of Revision

CORRESPONDENCE:

- a) Bluewater Health – lottery
- b) Ron Hyttenrauch – no parking
- c) Corunna 12U Giants – request
- d) Sombra Sports and Rec golf day - request
- e) Federal MOE- former water pump house lease

INFORMATION:

- 1) L.G.P.S.B – April 17th Minutes
- 2) SCRCA – approval – Eastern Power
- 3) Brigden Horticultural – thank you
- 4) Frank Cowan invitation
- 5) SRCRA – 2013 project tour

- 6) Ministry of Ag and food – MIII-CP grant
- 7) Ron Skreptak – transient traders
- 8) S.C.R.T.- April 24th Minutes
- 9) MAH – AMO delegation request
- 10) Barry Uitvlugt – Vandendool subdivision
- 11) VON – charity golf
- 12) Enbridge Pipeline – inspection
- 13) Lambton Historical – May 23 minutes
- 14) OFAH – family fishing – July 6 – 14
- 15) Best Start – invitation
- 16) Joanne Stanlick retirement party
- 17) AMO breaking news – renewable energy changes

DRAINS:

- By-law #8 of 2013 – Fitzgerald Drain – 3rd reading
- By-law #9 of 2013 – Emmons Drain – 3rd reading

REPORTS OF COMMITTEES AND OFFICERS:

DEPUTY CLERK/COORDINATOR OF PLANNING:

- reimbursement of COA fee
- Wilkesport Livestock issues
- Wilkesport zoning and Building code non compliance
- Eastern Power-site plan update

PLANNING REPORT:

- Barry Uitvlugt - Vandendool Subdivision

Livestock Valuers Report:

- May 18, 2013 claim

COORDINATOR OF OPERATIONS:

- Lambton College – sanitary sewer

DIRECTOR OF PUBLIC WORKS:

- Eastern Power sanitary sewer buy-in cost

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

BY-LAWS:

- By-law 30 of 2013 – McKeough Bridge fishing prohibition
- By-law 31 of 2013 – Plank Road speed limit

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

- Door prize June 4th – opening – Shell Health Centre
- July and August meeting dates

A motion by Councillor Carswell-Alexander to receive and file the request from the Corunna 12U Giants did not get a seconder and failed.

Moved by J. Agar

Seconded by S. Miller

Motion #8 That a grant in the amount of \$1,000.00 be made the Corunna Giants 12U baseball team to assist financially in the team's participation in an international tournament.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #9 That the lease between the Township of St. Clair and Her Majesty The Queen, in right of Canada represented by The Ministry of the Environment for a portion of former Port Lambton water pump house be renewed for a five year period from January 1, 2014 to December 31, 2019, at an annual rental fee of \$1 200.00 per annum, and further that the Mayor and Clerk, or their designates be authorized to sign the lease and other related documents.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #10 That the Township be a hole sponsor in the amount of \$150.00 for the upcoming Sombra Sports and Recreation Committees annual fundraising Golf Tournament.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #11 That the following items of correspondence be dealt with as per Councils instructions.

- a) Bluewater Health – lottery – Motion #6
- b) Ron Hyttenrauch – no parking - Motion #7
- c) Corunna 12U Giants – request – Motion #8
- d) Sombra Sports and Rec golf day – request – Motion #10
- e) Federal MOE- former water pump house lease – Motion#9

CARRIED

Council tabled the Frank Cowan invitation and the communication from Mr. Ron Skreptak regarding transient traders. Council also reviewed the invitation received from the St Clair Region Conversations Authority for the authority's annual projects tour to be held June 27th, Council also tabled the communication received from the Ministry of Municipal Affairs Housing regarding AMO's delegation request.

Moved by P. Gilliland

Seconded by J. Agar

Motion #12 That St. Clair Township be identified as a hole sponsor at the annual VON Golf Tournament to be held June 7, 2013 for the amount of \$250.00.

CARRIED

In response to the invitation for the Mayor to attend the upcoming Best Start graduation ceremony and due to the Mayors previous commitment, Councillor Steve Miller will attend the June 19th ceremony and Deputy Mayor Gilliland will attend the June 20th ceremony.

Council instructed staff to invite a representative from Enbridge pipelines to attend a future meeting of Council to discuss pipeline safety.

INFORMATION:

Moved by P. Gilliland

Seconded by S. Miller

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

CARRIED

DRAINS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #14 That Drainage By-law #8 of 2013, being a by-law to raise the sum of \$84,400.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Fitzgerald Drain be given the third and final reading, 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 #15 That Drainage By-law #9 of 2013, being a by-law to raise the sum of \$3,009.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Emmons Drain be given the third and final reading, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

At the appointed time Mayor Arnold called to order the public meeting to consider three planning issues. This public meeting was called to consider plan of subdivision application 38T-11001 submitted by Henry Regts a/f Bert Vandendool As well as the proposed OPA and zoning by-law amendment Part Lot "D", Concession 9, Geographic Township of Sombra. Attending the meeting was Henry Regts, on behalf of the applicant. Also present were Ray Dobbin, Dobbin Engineering; Dave Posliff, Terrie Dewsbury and Barry Uitvlugt, County of Lambton.

Mayor Arnold outlined the procedures for the public meeting for the Plan of Subdivision application. He requested B. Uitvlugt to proceed with the presentation of the application.

B. Uitvlugt gave a power point presentation containing his planning report. It reviewed the purpose of the meeting, location and view of the proposal, and governing policies from the Official Plan and Zoning By-law. He explained the official plan designation and zoning policies.

Mayor Arnold asked council members if they had any questions or concerns regarding the application. J. Agar expressed concern about the St. Clair River Trail and asked if there was damage done to it during construction, that it would be repaired. J. DeGurse asked if these lots would be serviced by rural mailboxes. B. Uitvlugt replied that a response to the application has been received from Canada Post but the mailbox issue was not included.

Mayor Arnold asked about the farm access to the remnant farm parcel. He wondered whether the trail is strong enough to support farm equipment traveling over it. He wants to ensure that this issue is addressed in the plan of subdivision agreement with the applicant.

Council had no more comments regarding the application.

H. Regts, on behalf of the applicant, briefly explained the application and stated that it is appropriate, will complement the area and hopes that Council will approve the application.

Mayor Arnold turned the meeting over to D. Posliff who explained the history of the plan of subdivision process. It was downloaded from the Ministry of Municipal Affairs and Housing to the County of Lambton, which dealt with applications at the Land Division Committee. The Land Division Committee was disbanded and therefore the public meeting process is heard at the public meetings held by the municipality. He noted that there are three applications tonight - the official plan amendment, zoning by-law amendment, and the plan of subdivision application. Council is the approval authority for the OPA & ZBA and the County is the approval authority for the Plan of Subdivision.

D. Posliff outlined the process the plan of subdivision application takes - he cannot make a decision on the application for fourteen days after the public meeting date, and then can grant draft approval, which will contain conditions that must be fulfilled, and then final approval can be given. He then opened the meeting to the public for comments.

B. Keohan - 3889 St. Clair Parkway

Has lived there for thirty years and has no issues with the application however she wants to ensure that there is adequate sewage capacity. She asked that, when construction starts and the road is going to be closed for the day, she could have a note placed in her mailbox the day before informing her. Mayor Arnold replied that there is adequate sewage capacity for this application and stated that the developer could ensure that adequate notice is given to her regarding the road closure.

B. Uitvlugt stated no concerns have been received from the public.

There were no further public comments.

The meeting was closed

Moved by P. Gilliland

Seconded by S. Miller

Motion #16 That the regular meeting of Council return to order

CARRIED

Council was advised that the draft by-laws to accommodate the official plan amendment and the zoning by-law amendment would be prepared for Councils consideration at its next meeting.

REPORTS OF COMMITTEES AND OFFICERS:

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #17 That Council approves the reimbursement of an \$800.00 application fee to Charlotte Bernhardt for a technical severance that merged her two lots with consent of the owner as a result of a municipal process.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #18 That it be recommended to Council that the report submitted by the Deputy Clerk/Coordinator of Planning on Livestock in Wilkesport dated May 29, 2013 be received as information.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #19 That Council direct the Chief Building Official to place an 'Order to Comply' on 1330 Wilkesport Line to bring a mobile home on the property into compliance with a 30 day compliance provision.

CARRIED

Moved by S. Miller

Seconded by D. Dandell

Motion #20 That it be recommended to Council that the report submitted by the Deputy Clerk/Coordinator of Planning on Eastern Power site plan update dated May 29, 2013 be received as information.

CARRIED

PLANNING REPORT:

Livestock Valuers Report:

Moved by J. Agar

Seconded by J. DeGurse

Motion #21 That the livestock values claim in the amount of \$450.00 in favour of Bruce MacPherson be approved and accepted for payment with possible compensation under the provincial wild life damage compensation fund.

CARRIED

COORDINATOR OF OPERATION:

Moved by P. Gilliland

Seconded by S. Miller

Motion #22 That Council table drafting a new sanitary sewer use agreement with the Lambton College Fire School for Council review, to be consistent with other Industrial users.

CARRIED

DIRECTOR OF PUBLIC WORKS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #23 That the buy in for Eastern Power is the cost of the purchasing capacity from the Courtright Plant (based on actual costs of new construction), not including the Corunna Pumping Station, Courtright Pumping Station or Forcemain as their pipeline would not outlet into these facilities but will be outletting directly into the plant. The cost would be \$2,733.00 per cubic meter of process water entering WWTP, based on daily peak flow (see attached spreadsheet regarding 'Calculated sewer buy-in Fee for Eastern Power).

CARRIED

BY-LAWS:

Moved by D. Randell

Seconded by S. Miller

Motion #24 That By-law Number 30 of 2013, being a by-law to authorize the placement of fishing prohibition signs on the McKeough Floodway bridge be given the necessary three readings, be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #25 That By-law Number 31 of 2013, being a by-law to regulate vehicular speed on the Plank Road be given the necessary three readings, be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Jeff Agar

Councillor Agar advised of participating in the recent Mooretown Flags golf tournament.

Steve Miller

Councillor Miller attended a recent meeting of the Lambton Kent District School Board at which time the issue of busing grade 7 and 8 students from Riverview School to Wallaceburg District Secondary School was discussed with the parents overwhelmingly opposing the proposal. Councillor Miller also attended the recent Chamber of Commerce luncheon with the local MP and MPP.

Darrell Randell

Councillor Randell reminded Council of this weekend upcoming Wilkesport Jamboree at the Wilkesport Community Centre.

Pat Carswell-Alexander

Councillor Carswell-Alexander received a concern from a neighbour regarding the plans to upgrade the hydro service from the Lambton station to the Longwood station Council asked the Deputy Clerk to gain additional information as to the timing of this project.

Jim DeGurse

Councillor DeGurse attended a recent meeting of the Corunna Community Policing Committee at which time the issue of transient peddlers was discussed, Council DeGurse said he had a further meeting of this Committee later in the week. Council asked Councillor DeGurse to question the OPP if the Township was to consider such a by-law would the OPP provide enforcement services, Council was of the opinion, even though the OPP may be willing to provide such services Council may not interested in enacting such a By-law. Councillor DeGurse also mentioned an issue with parking on Hill Street adjacent to Dugan field, some motorist park in such a fashion to block the sidewalk to pedestrians with wheelchairs or walkers. Council asked for a Public Works report on the issue.

Steve Arnold

Mayor Arnold advised of a recent attendance at the FCM conference in Vancouver.

NEW BUSINESS:

Council directed that the normal meetings of Council being of the first and third Mondays of the month would be observed for the months of July and August.

Moved by D. Randell

Seconded by J. Agar

Motion #26 That the Township provide four rounds of golf and other miscellaneous items as door prizes for the Shell Health Centre Opening scheduled for June 4th.

CARRIED

At the appointed time it was

Moved by D. Randell

Seconded by J. DeGurse

Motion #27 That the Courts of Revision of Gauld, Dawson and Baxter Drain be called to order.

CARRIED

Council considered any assessment complaints on the Gauld Drain the Clerk advised that no written assessment appeals had been received no one was present to offer an appeal from the floor.

Moved by D. Randell

Seconded by P. Gilliland

Motion #28 That the engineers assessment in accordance with his report dated March 29, 2013 be adopted and confirmed and that the Court of Revisions on the Gauld Drain be closed.

CARRIED

Council considered any possible assessment appeals on the Dawson Drain. It was pointed out that due to information received at the consideration meeting, the Engineer of record has slightly amended the water shed area and added an additional property to that area. The engineer has sent a revision to the assessment by way of letter dated April 30th. This suggested change in assessment was shared with all the rate payers on the drain. No written appeals have been received and no verbal appeal was offered at this sitting of the Court.

Moved by J. Agar

Seconded by J. DeGurse

Motion #29 That the assessment on the Dawson Drain as per the Engineers report dated March 29, 2013 and amended by letter dated April 30, 2013 be accepted and confirmed and that the Court of Revision on the Dawson Drain be closed.

CARRIED

The chair called to order the Court of Revision on the Baxter Drain, the court was advised that due to discussions at the consideration meeting, the engineers recommending several changes to his original schedule of assessment primarily relative to the issue of property tax classes and a properties eligibility for the 1/3 OMAFRA grant. This revised schedule of assessment by the engineer was offered to the Township and forwarded to the rate payers by way of letter dated April the 8th. No written appeals have been received and no verbal appeal were offered during this meeting of the Court.

Moved by D. Randell

Seconded by P. Gilliland

Motion #30 That the Engineers assessment on the Baxter Drain as amended in his supplementary report dated April 8, 2013 be accepted and confirmed and the Court of Revision on the Baxter Drain be closed.

CARRIED

The regular meeting of Council returned to order.

Council Meeting
June 3, 2013

Mr. John Langstaff owner of property identified as 2218 Bentpath Line was present to discuss with Council the Townships plan for future water looping that may affect his property. Mr. Langstaff advised that he would like to have access to Municipal water for his property but was reluctant to agree with the costing suggested by the Public Works and Operation department. At the conclusion of the discussion Council asked the appropriate staff to prepare a report for consideration at the next meeting of the Public Works and Operations Committee, future watermain looping proposals in the vicinity of Mr. Langstaffs property.

ADJOURNMENT:

Hearing no further business

Moved by D. Randell

Seconded by P. Gilliland

Motion #31 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned 7:55 p.m.

MAYOR

CLERK