

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #22**

St. Clair Civic Centre
Council Chambers
December 2, 2013
6:30 pm

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:

Regular Council – Session #21 – November 18, 2013
Finance and Administration – November 18, 2013
Public Works and Operations – November 18, 2013

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 p.m. – Glen Dawson – Brigden lagoon farm lease
6:50 p.m. – Rezoning – Lot 10, Con 15, Township of St. Clair
7:00 p.m. – Rezoning – Part Lot 6, Con. 1, Township of St. Clair

CORRESPONDENCE:

- a) Paul Crowe – Permission to trap
- b) Knights of Columbus – Lottery
- c) County Building Services – Request for support
- d) Property Standards – Maple Drive
- e) Property Standards – Murray Street
- f) ROMA/OGRA-delegation request

INFORMATION:

- 1) Glen Dawson – Brigden lagoon farm lease
- 2) Heritage St. Clair – October 16, 2013 minutes
- 3) M.E.U. – Offer of service
- 4) County of Lambton – 211
- 5) Factor Energy – Proposed development
- 6) Barry Uitvlugt – Rezoning – Part Lot 6, Con. 1

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- 7) St. Vincent de Paul Society – Thank you
- 8) Ezio Nadalin – Rezoning – Lot 10, Con 15

DRAINS:

By-law #24 of 2013 – Harris-Phair Drain - Amending

REPORTS OF COMMITTEES AND OFFICERS:

Livestock Values

-November 26, 2013

DEPUTY CLERK/COORDINATOR OF PLANNING:

Chatham-Kent – Official Plan review
Factor Gas - 435 Polymore By-law removal request

PROPERTY STANDARDS OFFICER

Status report

TREASURES REPORT:

-Property lease tender report

CLERK'S REPORT:

Source Water Protection – R.M.O. Services

CAO'S REPORT:

Property lease tenders

MOTIONS:

BY-LAWS:

By-law #51 of 2013 – Confirming By-law
By-law #52 of 2013 – Rezoning – Part Lot 6, Con. 1
By-law #53 of 2013 – Rezoning – Lot 10 Con. 5

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

-Finance and Administration (Budget) – Thursday, December 5, 2013 5:00 p.m.
-Committee of the Whole – Monday, December 16, 2013 3:00 p.m.
-Regular Council – Monday, December 16, 2013 ~ 5:00 p.m. after Committee of the Whole

ADJOURNMENT:

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

Moved by S. Miller

Seconded by J. DeGurse

Motion #1 That this regular meeting of Council do hereby commence at 6:25 pm.

CARRIED

The Mayor asked members of Council to declare any possible 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 Randell

Seconded by S. Miller

Motion #2 That the Minutes from the Council meeting held November 18, 2013 – Session #21 be received and accepted as printed.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #3 That the Minutes of the Finance and Administration Committee meeting held on November 18, 2013 be received and accepted as printed.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #4 That the Minutes of the Public Works and Operations Committee meeting held on November 18, 2013 be received and accepted as printed.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

CORRESPONDENCE:

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

Moved by D. Randell

Seconded by J. DeGurse

Motion #5 That permission be granted to Mr. Paul Crow to trap on road side Municipal drains subject to the permission of the adjacent property owner if applicable, provided that the customary Municipal conditions such as liability insurance are maintained.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #6 That permission be granted to the Knights of Columbus to sell lottery tickets within St. Clair Township under the authority of a Provincial license.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #7 That Council supports the efforts of the Lambton County Building Services regarding opposition to changed training protocols for Building Officials.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #8 That the property standards issues relative to properties on Maple Dr. and Murray St. in Corunna be referred to the Property Standards Officer for investigation review and report.

CARRIED

The communications received regarding delegation request for the February 2014 ROMA/OGRA conference was tabled for further discussion by Council.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #9 That the following items of correspondence be dealt with as per Councils instructions.

- a) Paul Crowe – Permission to trap-Motion #5
- b) Knights of Columbus – Lottery-Motion #6
- c) County Building Services – Request for support-Motion #7
- d) Property Standards – Maple Drive-Motion #8
- e) Property Standards – Murray Street-Motion #8
- f) ROMA/OGRA-delegation request-Tabled

CARRIED

INFORMATION:

Council proceeded to review the items of information

Moved by P. Gilliland

Seconded by D. Randell

Motion #10 That the following items of information be dealt with as per Councils instruction for items identified as agenda items #1 thru 8.

CARRIED

DRAINS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #11 That Drainage By-law 24 of 2013, being a By-law to raise the Township of St. Clair's assessment of \$107,317.59 for drainage work on the Harris-Phair Drain in the Township of Dawn-Euphemia be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

LIVE STOCK VALUERS REPORT:

Moved by D. Randell

Seconded by P. Gilliland

Motion #12 That the livestock valuers claim in the amount of \$1040.00 in favour of Ian Scott be approved and accepted for payment with possible compensation under the provincial wild life damage compensation fund.

CARRIED

Opposed Councillor Miller

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by S. Miller

Seconded by P. Gilliland

Motion #13 That the Report from Jeff Baranek, Planning Coordinator dated Nov 27, 2013 regarding the draft Chatham-Kent Official Plan amendment be received as information.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #14 That Council authorize staff to issue a letter to the purchaser of 435 Ploymore Drive allowing the removal from title of Instrument Number 0904670, By-law 51 of 1987, being an agreement between Petrosar Limited and the Township of Moore to develop the Industrial Park.

CARRIED

PROPERTY STANDARDS OFFICER REPORT:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #15 That the Property Standard Officer's recommendation relative to property known as 2417 and 2421 Courtright Line be tabled for a comparison with the condition of the property relative to the original Property Standards Order.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #16 That the Report from the Property Standards Officer Kelly Bedard dated November 28, 2013 be received as information and the recommendations contained within be approved, except the recommendation relative to 357 Murray St. unit # 27 that the deadline for compliance be extended to January 15, 2014 and the recommendation relative to 2417 and 2421 Courtright Line that was tabled for further information.

CARRIED

Mr. Glen Dawson the agricultural tenant of municipally owned property at the Brigden lagoon site was present to discuss with Council his past relationship with the Township as the agricultural tenant. Mr. Dawson identified himself as the owner of the property prior to the sale to the Ministry of the Environment and advised that he has farmed the subject land for many years. Mr. Dawson also cited damages to his crop on an adjacent farm due to wild geese. In response to Council's questions he advised that he would be willing to extend his rental relationship with the Municipality for one more year to allow the harvest of his 2014 wheat crop, but would prefer to maintain his current relationship which he would farm the subject property at no cost in compensation for his crop damages from wild geese.

TREASURES REPORT:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #17 That the tender submitted by Ed Nicol in the amount of \$6,780.00 (including taxes) for five years beginning January 1, 2014 for 359 Moore Line be accepted and the Mayor and Clerk be authorized to sign the farm lease agreement.

That the tender submitted by Tom Wilson Farms Limited in the amount of \$6,723.50 (including taxes) for five years beginning January 1, 2014 for Polymoore properties be accepted and the Mayor and Clerk be authorized to sign the farm lease agreement.

That the tender submitted by Glen Dawson in the amount of \$2,147 (including taxes) for 2014 be accepted and the tender from Jesse Kraayenbrink in the amount of \$4,315.47 (including taxes) for four years beginning January 1, 2015 to 2018 for 2914 Telfer Road properties be accepted and the Mayor and Clerk be authorized to sign the farm lease agreement and the request for compensation by Dawson for crop loss due to wildlife be denied.

CARRIED

Councillor Randell advised that certain plantings could be used to contain the wild geese within the lagoon areas. Councillor Randell was asked to prepare a report on the possible effectiveness and cost of such plantation.

At the appointed time Mayor Arnold called to order the public meeting called to consider the proposed rezoning of property known as Lot 10 Con 15. The Mayor explained to those in attendance the procedure that would be followed at this meeting at which anyone wishing to speak either in support of or in opposition of the proposal would be given the opportunity to do so. Mayor Arnold then turned the meeting over to Planner Ezio Nadalin who presented his planning merit report on the proposed rezoning dated November 27, 2013. Mr. Nadalin stated that this proposed rezoning for property known as 950 Stanley Line was a result of a consent decision of the Committee of Adjustments. Mr. Nadalin further stated that his application is consistent with both the Township and County Official Plans and he is recommending its approval. No one spoke either in support or in opposition to the proposal and no written submissions had been received. The Mayor declared the public meeting adjourned.

Moved by J. DeGurse

Seconded by J. Agar

Motion #18 That By-law Number 53 of 2013, being a by-law to amend the Comprehensive Zoning By-law 17 of 2003 pursuant to Section 34 and 39 of the Planning Act, be given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

The Mayor called to order the Public meeting called to consider the possible rezoning for property known as Part of Lot 6 Con 1. The Mayor explained that anyone wishing to speak either in support of or in opposition of the proposed rezoning would be given the opportunity to do so. The Mayor then called upon Planner Barry Uitvlugt to present his planning merit report on the application dated September 10th 2013. Mr. Uitvlugt stated that the intention of the application was to allow for the conversion of the former church at this location for single family residential purposes and in the conclusion of the presentation of his report Mr. Uitvlugt is recommending Council approve the proposed rezoning. No written submissions were received. Mayor Arnold questioned Mr. Uitvlugt as to the existing set backs for the property and in response Mr. Uitvlugt stated that the current front yard depth is approximately 1.3 meters. Mayor Arnold expressed concerns as to possible safety, due to the close proximity of the building to a well traveled upgraded road. Mr. Steve Miller the owner of the property advised that he is well aware that the set backs are not ideal but his proposal would be to fence the yard adjacent to LaSalle Line and access to the property would be available from the Brigden Road. It was also pointed out if the building is demolished in the future redevelopment on the site would be subject to increased set back provisions. Hearing no further comments the Mayor declared the Public hearing closed.

Moved by S. Miller

Seconded by D. Randell

Motion #19 That By-law Number 52 of 2013, being a by-law to amend the Comprehensive Zoning By-law to permit rural residential uses on a former institutional property at 2400 LaSalle line be given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

CLERK'S REPORT:

Moved by S. Miller

Seconded by D. Randell

Motion #20 That St. Clair Township request that the County of Lambton, through its Building and Planning services, investigate possible involvement in the provisions of Source Water Protection R.M.O. services for the benefit of St. Clair Township and perhaps other effected member municipalities.

CARRIED

CAO'S REPORT:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #21 That the CAO's report relative to the recent property lease tenders be received as information.

CARRIED

BY-LAWS:

Moved by J. Agar

Seconded by J. DeGurse

Motion #22 That By-law Number 51 of 2013, being a by-law to confirm the resolutions and motion of St. Clair Township which were adopted up to and including November 18, 2013, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised that he attended the November 21st Poor Boy luncheon in support of Operation Christmas Tree, attended the Chief Dewhirst retirement dinner, attended a meeting of the Committee of Adjustment as well as the recent Township Christmas Party. Also the Deputy Mayor attended on November 22nd the unveiling of the commemorative stone for SS#7 school that was the public school for the period of 1858 to 1963. Deputy Mayor Gilliland said Mayor Arnold attended to ceremony that was very well attended.

Jeff Agar

Councillor Agar advised that he attended the recent Corunna Santa Claus parade.

Pat Carswell-Alexander

Councillor Carswell-Alexander attended the retirement dinner for Chief Dewhirst and attended the recent Brigden Christmas Tree Lighting ceremony.

Jim DeGurse

Councillor DeGurse had questioned the appropriateness of a “college fund” donation box at the sports complex canteen, CAO Rodey to investigate this practice.

Steve Arnold

Mayor Arnold also attended the SS#7 ceremony, the 50th anniversary celebration for the Brigden School, the Corunna Santa Claus parade, the Chief Dewhirst retirement dinner, and advised Council that he has a conference call on Thursday with Provincial Ministry of Finance Officials to discuss the OMPF funding. Mayor Arnold also attended the Brigden Christmas tree lighting ceremony.

UNFINISHED BUSINESS:

NEW BUSINESS:

ADJOURNMENT:

Hearing no further business

Moved by S. Miller

Seconded by D. Randell

Motion #23 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 7:50 p.m.

MAYOR

CLERK