

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

St. Clair Civic Centre
Council Chambers
July 14, 2014
5:30 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
	D. Randell	“
	S. Miller	“
	J. Agar	“
	J. DeGurse	“
Staff:	J. Baranek	Clerk/ Director of Administration
	J. DeMars	Deputy Clerk/ Consultant
Absent:	J. Rodey	CAO

Declaration of Conflict of Interest:

Adopt Minutes:

Regular Council – Session #12 – June 16, 2014
Finance & Administration Minutes – June 16, 2014
Public Works & Operations Minutes – June 16, 2014
Moore Museum Advisory Committee Minutes – June 4, 2014

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:00 p.m. – Greer MacDonell – Riverview Central School Council - Sculpture

CORRESPONDENCE:

- a) Councillor Carswell-Alexander – letter re: noise at Bogey’s Inn
- b) Sombra Scout Group – temporary sign request
- c) Town of Penetanguishene Small & Rural School Alliance
- d) Community Living – Donation Request
- e) MADD – Message Yearbook Sponsorship Request
- f) Property Standards – 574 Albert Blvd.
- g) Arnsby Property Management - fence
- h) Brigden Optimist Club – refreshment & food booth

INFORMATION:

- 1) North Huron Blyth Festival - Invitation
- 2) Cowan AMO Reception - Invitation
- 3) County of Lambton - Mileage rate increase
- 4) Gary Robbins – Talfourd Creek Beaver Dams
- 5) Port Lambton Gala Days
- 6) Canada’s Economic Action Plan – Accessibility Fund
- 7) New Building Canada Fund
- 8) Canada – National Recreational Trails Program Fund

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- 9) Lambton Farm Safety Minutes
- 10) Heritage St. Clair Committee Minutes
- 11) Meadowview Villa – Thank You
- 12) Greer MacDonell – Riverview School – Sculpture
- 13) Stag Island resident (?) – dog control
- 14) TDL Group - Temporary trailer
- 15) Lambton Children’s Safety Village Meeting Minutes
- 16) Lambton Historical Society Meeting Minutes

DRAINS:

- By-law #14 of 2014, 3rd reading – Vandertil Drain & Broad Drain
- By-law #15 of 2014, 3rd reading – Buckingham Drainage Works Reassessment

REPORTS OF COMMITTEES AND OFFICERS:

- Barry Uitvlugt, Senior Planner – Investment Ready – Certified Site Program
- Colborne Street Subdivision Agreement
- Union Gas on the existing GATX Site Plan – Amending Agreement
- Site Plan Agreement - Besomar

DEPUTY CLERK/CONSULTANT:

- Richard Nantais – Road access request

DEPUTY CLERK/COORDINATOR OF PLANNING:

- Temporary trailer agreement – Tim Horton’s site
- Site Plan amendment – Pembina

CLERK'S REPORT:

- By-laws 30 & 31 report

CAO'S REPORT:

- CSX urban crossings

MOTIONS:

- Recommendations from June 16, 2014 – Finance & Administration and Public Works & Operations Committees
- Recommendations from July 14, 2014 - Finance & Administration and Public Works & Operations Committees

BY-LAWS:

- By-law 29 of 2014 – Final Tax Bill
- By-law 30 of 2014 – Municipal Election Sign By-law
- By-law 31 of 2014 – Township Boulevard Maintenance By-law
- By-law 32 of 2014 – Confirming By-law
- By-law 33 of 2014 – Temporary Trailer Agreement – Tim Horton Site
- By-law 34 of 2014 – Site Plan Amendment - Pembina
- By-law 35 of 2014 – Colborne Street (Ph. II) Subdivision Agreement
- By-law 36 of 2014 – Site Plan Agreement – Union Gas
- By-law 37 of 2014 – Site Plan Agreement - Besomar

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Monday, August 11, 2014 – 3:00 p.m.
Regular Council – Monday, August 11, 2014 – 5:00 p.m. (after C.O.W.)

In Camera

- property & legal

ADJOURNMENT:

The Mayor called the meeting to order at 5:30 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

None declared.

ADOPT MINUTES:

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

Moved by P. Gilliland

Seconded by S. Miller

Motion #1 That the Minutes from the Council meeting held June 16, 2014 – Session #12 be received and accepted as printed.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #2 That the Minutes from the Finance & Administration meeting held June 16, 2014 be received and accepted as printed.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #3 That the Minutes from the Public Works meeting held June 16, 2014 be received and accepted as corrected.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #4 That the Minutes from the Moore Museum Advisory Committee meeting held June 4, 2014 be received as printed.

CARRIED

CORRESPONDENCE:

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

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #5 That staff be directed to produce a report contemplating procedures to properly deal with noise complaints received after normal office hours and bring back for consideration by Council.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #6 That permission be granted to the 1st Sombra Township Scout Group to put a portable sign in Dedecker Park, across from Princess St. in Port Lambton, in front of the ramp to the river for the period from July 22, 2014 to August 22, 2014.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #7 That the motion received from the Town of Penetanguishene lobbying Premier Wynne to form a small and rural school alliance be received and filed.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #8 That the request for donation received from Community Living be received and filed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #9 That Council support MADD by placing a township business card ad in the MADD Message Yearbook in the amount of \$279 plus taxes.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #10 That the property standards complaint received on 574 Albert Boulevard be sent to the Property Standards Officer for investigation.

CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #11 That the letter submitted by Arnsby Property Management related to a fence on their property at 200 St. Clair Boulevard be sent to our legal counsel for an opinion.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #12 That approval be granted to the Brigden Optimist Club's request to establish a refreshment tent at this year's Two-Pitch Tournament to be held at Brigden Ball Park on July 18th, 19th and 20th, 2014, subject to the Township's Alcohol Management Policy.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #13 That the following items of correspondence be dealt with as per Council's instructions:

- a) Councillor Carswell-Alexander – letter re: noise at Bogey's Inn
- b) Sombra Scout Group – temporary sign request
- c) Town of Penetanguishene Small and Rural School Alliance
- d) Community Living – Donation Request
- e) MADD – Message Yearbook Sponsorship Request
- f) Property Standards – 574 Albert Boulevard
- g) Arnsby Property Management – fence
- h) Brigden Optimist Club – refreshment and food booth

CARRIED

INFORMATION:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #14 That the letter submitted by Gary Robbins related to beaver dams in Talfourd Creek be referred to the Drainage Superintendent for his review and a report be sent back for Council's consideration.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #15 That the call for proposals by Canada's Economic Action Plan be referred to staff to determine if any projects would qualify for potential funding.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #16 That the Federal New Infrastructure Funding Program through the Building Canada Plan be referred to staff for review to determine if any upcoming projects may qualify for funding.

CARRIED

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #17 That the National Recreational Trails Program be referred to staff for review to determine if any upcoming projects or existing infrastructure may qualify for funding.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #18 That the anonymous letter submitted by a stag island resident related to unleashed and high population of dogs on Stag Island be sent to the Stag Island Fraternal Fellowship as information.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #19 That the following items of information be dealt with as per Council's instructions:

- 1) North Huron Blyth Festival - Invitation
- 2) Cowan AMO Reception - Invitation
- 3) County of Lambton - Mileage rate increase
- 4) Gary Robbins – Talfourd Creek Beaver Dams
- 5) Port Lambton Gala Days
- 6) Canada's Economic Action Plan – Accessibility Fund
- 7) New Building Canada Fund
- 8) Canada – National Recreational Trails Program Fund
- 9) Lambton Farm Safety Minutes
- 10) Heritage St. Clair Committee Minutes
- 11) Meadowview Villa – Thank You
- 12) Greer MacDonell – Riverview School – Sculpture
- 13) Stag Island resident (?) – dog control
- 14) TDL Group - Temporary trailer
- 15) Lambton Children's Safety Village Meeting Minutes
- 16) Lambton Historical Society Meeting Minutes

CARRIED

DRAINS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #20 That Drainage By-law #14 of 2014, being a by-law to raise the sum of \$75,312.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Vandertil Drain & Broad Drain be given the third and final reading and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and be finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #21 That Drainage By-law #15 of 2014, for construction of the Buckingham Drainage Works be read a third and final time and be thereby passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #22 That it be recommended to Council that the following reports from Barry Uitvlugt - Senior Planner, be received:

- 1) Investment Ready – Certified Site Program - June 27, 2014
- 2) Colborne Street Subdivision Agreement - July 9, 2014
- 3) Union Gas on the existing GATX Site Plan – Amending Agreement - July 9, 2014
- 4) Site Plan Agreement – Besomar - July 10, 2014

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #23 That approval be given in principle to the Colborne Street Subdivision Agreement, provided that all municipal concerns are addressed financially and otherwise; and, By-law Number 35 of 2014 pertaining to this Agreement be adopted by giving it all three readings.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #24 That approval be given in principle to the site plan agreement for Union Gas, provided all municipal concerns are addressed financially and otherwise; and By-law Number 36 pertaining to this Agreement be adopted by giving it all three readings.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #25 That approval be given in principle to the site plan agreement for Besomar, provided all municipal concerns are addressed financially and otherwise; and By-law Number 37 pertaining to this Agreement be adopted by giving it all three readings.

CARRIED

DEPUTY CLERK/CONSULTANT:

Moved by J. DeGurse

Seconded by J. Agar

Motion #26 That it be recommended to Council that the report of John DeMars – Deputy Clerk/Consultant dated June 24, 2014 be accepted as information and forwarded to Mr. Nantais.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by J. Agar

Seconded by J. DeGurse

Motion #27 That it be recommended to Council that the following reports of Carlie McClemens – Deputy Clerk/Coordinator of Planning be accepted as information:

- 1) Temporary trailer agreement – Tim Horton’s site - July 9, 2014
- 2) Site Plan amendment – Pembina - July 9, 2014

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #28 That By-law 33 of 2014, being a by-law to execute an Agreement with Mr. Beg Holdings Inc. be taken as having been read three times and thereby passed and the Mayor and Clerk be authorized to execute the by-law accordingly.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #29 That By-law 34 of 2014, being a by-law to execute a site plan agreement amendment for Pembina be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to execute the by-law accordingly.

CARRIED

CLERK’S REPORT:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #30 That the report of Jeff Baranek – Clerk dated July 4, 2014 related to By-law 30 of 2014 being a by-law to regulate erection of campaign signs for the upcoming 2014

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municipal election and By-law 31 of 2014 being a by-law to require landowners to maintain municipal boulevards be received with recommendations.

CARRIED

CAO'S REPORT:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #31 That the report of John Rodey – CAO dated July 9, 2014 related to locomotive's whistle blowing when entering roadway crossings be received for the information of Council.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #32 That the report drafted by CAO John Rodey dated July 9, 2014 be sent to Mr. Leatherdale informing him that there is no money in the budget for this year to undertake the due process to amend the current procedures for rail cars entering road crossings.

CARRIED

MOTIONS:

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #33 That the recommendations from June 16, 2014 – Finance & Administration and Public Works & Operations Committees be received.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #34 That the recommendations from July 14, 2014 – Finance & Administration and Public Works & Operations Committees be received.

CARRIED

BY-LAWS:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #35 That By-laws 29 – 37 receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- By-law 29 of 2014 – Final Tax Bill
- By-law 30 of 2014 – Municipal Election Sign By-law
- By-law 31 of 2014 – Township Boulevard Maintenance By-law
- By-law 32 of 2014 – Confirming By-law
- By-law 33 of 2014 – Temporary Trailer Agreement – Tim Horton Site
- By-law 34 of 2014 – Site Plan Amendment - Pembina
- By-law 35 of 2014 – Colborne Street (Ph. II) Subdivision Agreement
- By-law 36 of 2014 – Site Plan Agreement – Union Gas
- By-law 37 of 2014 – Site Plan Agreement - Besomar

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At 6:00 p.m. Mayor Arnold welcomed Chairperson for the Riverview Central School Council Greer MacDonell to speak about the 50th anniversary of the school. Greer informed Council that Riverview Central School sought permission to locate a sculpture to commemorate the landmark anniversary but were denied. Instead, they are asking permission of Council to locate an 8 foot tall sculpture in Marshy Creek Park near the St. Clair River Trail. In addition to the sculpture, which is being created by a local resident, the students of the school created a collaborative art project which would make up part of the display. The sculpture would be a rendition of a student holding up a globe.

Mayor Arnold voiced his concern about the eventual maintenance of the sculpture and wondered who would be responsible. Greer indicated the school council would begin fundraising efforts to absorb maintenance or repair costs in the future when necessary. Councillor Carswell-Alexander voiced a concern about the form of the sculpture and identified safety as a top priority when considering its final design.

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Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #36 That the report provided by Greer on behalf of the Riverview Central School be referred to staff who can work with the proponent on a concept plan, ensuring any design conforms to acceptable park equipment safety standards, and a subsequent report be prepared and brought back for Council's consideration.

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland informed Council of his opportunity to bring greetings on behalf of the Township to the Sacred Heart Nursery School graduation on June 18 and he was able to do the same at Riverview Central School on June 20. He continued by informing Council he attended Enbridge anniversary dinner and Carol Baker's retirement ceremony. Further, he stated that the retirement party for former Clerk John De Mars was a successful event.

Councillor Miller:

Councillor Miller reminded everyone in attendance about the upcoming River Run taking place July 19, 2014 in Brander Park.

Councillor Randall:

Councillor Randell informed Council that he attended and brought greetings on behalf of Council to Decoration Day at Riverview Cemetery. He noted that most of the people in attendance were there as a part of the ceremony.

Councillor Carswell-Alexander

Councillor Carswell-Alexander informed Council of the recent passing of Eric Butt who served 20 years as the Treasurer for the former Township of Moore. Flowers were sent to the funeral home on behalf of the Township of St. Clair. Further, Councillor Carswell-Alexander informed Council that former Councillor of the Township of Moore, Arnold Pole was recently remarried.

Mayor Arnold

Mayor Arnold informed Council of many events that he has attended and brought greetings on behalf of the Township for, including: Lambton County Doors Open, the opening of a new museum in Camlachie, Ride Don't Hide and two cemetery decoration days. Further, he attended the Great Lakes Mayor's convention in Thunder Bay where he chaired a session. Mayor Arnold has been involved with the migratory bird issue and has arranged for a meeting with Environment Canada in an attempt to come to a solution. He continued by informing Council that he has continued dialogue with Lambton Generating Station on their effort to keep the grounds maintained.

Mayor Arnold reflected the Deputy Mayor's thoughts on the retirement party for John DeMars saying it was a great and well attended event. He continued by again recognizing and thanking John for his 39 years of outstanding service.

Mayor Arnold concluded by highlighting Don Wells' efforts in his Journey of Hope where he covered over 2500 kilometers on his e-bike to raise money for cancer research. Don is currently in his own battle with prostate cancer and exemplifies courage. The Township wishes Mr. Wells all the best.

UNFINISHED BUSINESS:

NEW BUSINESS:

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Prior to the in-camera motion, Councillor Carswell-Alexander asked the Mayor to be excused as she had a personal matter to tend to before she vacated Council Chambers.

IN-CAMERA:

Moved by S. Miller

Seconded by J. Agar

Motion #37 That Council move into a closed “in-camera” session to deal with a property and a legal matter.

CARRIED

The Mayor declared the meeting back into open session at 6:40 p.m. Seeing there was no further and no new business to discuss, the Mayor called for a motion to adjourn.

Moved by S. Miller

Seconded by D. Randell

Motion #38 That the regular meeting of Council be hereby adjourned.

CARRIED

The meeting adjourned at 6:45 pm.

MAYOR

CLERK