

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 15**

St. Clair Civic Centre
Council Chambers
September 2, 2014
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
	D. Randell	“
	J. Agar	“
	J. DeGurse	“
Staff:	J. Rodey	CAO
	J. Baranek	Clerk/ Deputy CAO
Regrets:	S. Miller	Councillor

**TOWNSHIP OF ST. CLAIR
COUNCIL AGENDA**

St. Clair Township Civic Centre
September 2, 2014
6:30 p.m.

Declaration of Conflict of Interest:

Adopt Minutes:

Regular Council – Session #14 – August 11, 2014
Finance & Administration Minutes – August 11, 2014
Public Works & Operations Minutes – August 11, 2014
Sombra Museum Board Committee Meeting Minutes – July 17, 2014
Moore Museum Advisory Committee Minutes – August 6, 2014

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 p.m. – Jeff Baranek – fence variance at 623 & 626 Spokane Blvd.

CORRESPONDENCE:

- a) Livestock Compensation – Chad Anderson
- b) 1214 St. Clair Parkway – fence in alley
- c) Corunna Santa Claus Parade
- d) Temporary Use By-law – 1188 Kimball Rd.
- e) Sombra Day Care - sign request
- f) Legion 447 – patio extension request
- g) 123 Templeton Cr. – pest complaint
- h) Sheila Drouin – sign request
- i) 467 Parkdale – property standards

INFORMATION:

- 1) 1402 St. Clair Parkway – weed complaint
- 2) 1198 Pulteney Street – fence complaint
- 3) Heritage St. Clair – minutes
- 4) MADD – candlelight vigil
- 5) RFHT – report card
- 6) AMO – OPP Billing Model Announcement
- 7) Building Permit report – occupancy/final/plumbing
- 8) John DeMars – Thank You
- 9) Building Permits issued – July 2014
- 10) Property Standards update
- 11) 623 and 626 Spokane – Fence exemption

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

DIRECTOR OF PUBLIC WORKS:

- Small Communities Fund
- Ontario Community Infrastructure Fund (OCIF)

DRAINAGE SUPERINTENDENT:

- Migratory Bird Convention Act

CO-ORDINATOR OF ENGINEERING:

- Paddock Green Subdivision, Phase 15b – Completion Certificate
- 2014 Urban Asphalt Resurfacing

WATER/WASTEWATER SPECIALIST/ORO:

- Clean Water Act (RMO/RMI)

DEPUTY CLERK/COORDINATOR OF PLANNING:

- Information Only: Planning Applications status report
- Proposal for the St. Clair Community Church – 3450 – 3454 John Street & George Street Road Allowance

CLERK'S REPORT:

- By-laws 48, 49 and 50 of 2014 report
- By-law 51 of 2014 report

CAO'S REPORT:

- Travel Policy

MOTIONS:

- Recommendations from August 11, 2014 – Finance & Administration and Public Works & Operations Committees

BY-LAWS:

- 48 and 49 of 2014 – Joint Compliance Audit Committee
- 50 of 2014 – HydroOne land transfer in Brigden

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51 of 2014 – Amendment to By-law 21 of 2014 – To prohibit parking of all vehicles on township boulevards

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Monday, September 15, 2014 – 3:00 p.m.
Regular Council – Monday, September 15, 2014 – 5:00 p.m. (after C.O.W.)

In Camera

- property, legal & personnel

ADJOURNMENT:

The Mayor called the meeting to order at 6:30 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 D. Randell

Motion #1 That the Minutes from the Council meeting Session #14 – August 11, 2014, be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #2 That the Minutes from the Finance & Administration meeting held August 11, 2014 be received and accepted as printed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #3 That the Minutes from the Public Works meeting held August 11, 2014 be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #4 That the Minutes from the Sombra Museum Board Committee meeting held July 17, 2014 - be received as printed.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #5 That the Minutes from Moore Museum Advisory Committee meeting held August 6, 2014 - be received as printed.

CARRIED

CORRESPONDENCE:

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

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Moved by D. Randell

Seconded by P. Gilliland

Motion #6 That the livestock value claim by Chad Anderson in the amount of \$855.00 dated August 21, 2014 be approved.

CARRIED

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #7 That staff be directed to contact the owner of 1214 St. Clair Parkway and have them prove their fence is not within the township alley, or to remove any portion that is found to be on township property.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #8 That Council become an 'Elf' sponsor by donating \$250.00 to the Corunna Santa Claus Parade put on by the Optimist Club of Moore.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #9 That the temporary use by-law request from the owners of 1188 Kimball Road be lifted from the table for consideration.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #10 That the temporary use by-law request from the owners of 1188 Kimball Road be denied at this time until more information can be provided for the portion of the building not being considered for conversion into a single family residence.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #11 That Council grant permission to the Sombra Day Care to place a sign in the Port Lambton river front park for the month of September to the satisfaction of the Director of Community Services and the road authority.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #12 That Council grant permission to The Royal Canadian Legion, Br. 447, to extend their existing patio and establish a new patio off of the banquet hall subject to the site plan process.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #13 That the pest complaint related to beyond the fence at 123 Templeton Crescent in Courtright be referred to staff to investigate and involve the County of Lambton if cleanup is necessary.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #14 That two Derek Drouin Drive signs be donated to the Drouin family and that they be invited to the next meeting of Council to accept the offering.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #15 That the property standards complaint at 467 Parkdale be sent to the property standards officer for investigation.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #16 That Council accept the following items of correspondence as per Council's direction:

- a) Livestock Compensation – Chad Anderson
- b) 1214 St. Clair Parkway – fence in alley
- c) Corunna Santa Claus Parade

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- d) Temporary Use By-law – 1188 Kimball Rd.
- e) Sombra Day Care - sign request
- f) Legion 447 – patio extension request
- g) 123 Templeton Cr. – pest complaint
- h) Sheila Drouin – sign request
- i) 467 Parkdale – property standards

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At the appointed time, Mayor Arnold welcomed the deputation for a public meeting to consider a fence variance request for 623 and 626 Spokane Boulevard. At this time the Clerk vacated his chair to join the audience as he is the prospective owner of 626 Spokane Boulevard. CAO John Rodey assumed Clerk duties for this deputation.

Mr. Baranek spoke briefly to his request for a variance for the two corner properties known municipally as 623 and 626 Spokane. As the variances were for fences to be located in the rear yard it seemed to be the consensus of Council that the variance would have no impact on the required daylighting triangles and were still sufficiently back from the road allowance to preserve site lines for the adjacent properties.

Moved by D. Randell

Seconded by J. Agar

Motion #17 That the fence variance request for 623 and 626 Spokane Boulevard to reduce the exterior side yard setback for a fence from 3 meters to 1.5 meters from the lot line be approved.

CARRIED

INFORMATION:

Moved by J. Agar

Seconded by J. DeGurse

Motion #18 That the weed complaint received from 1402 St. Clair Parkway related to the weeds in a municipal drain along the CSX Railway tracks be referred to staff for a report to be sent back to Council for consideration.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #19 That Motion #18 be reconsidered (both Deputy Mayor Gilliland and P. Carswell-Alexander supported Motion #18 and can thereby make motion for reconsideration).

CARRIED

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #20 That the weed complaint received from 1402 St. Clair Parkway related to the weeds in a municipal drain along the CSX Railway tracks be sent to the Drainage Superintendent to begin the requested maintenance.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #21 That staff be authorized to undertake a title search to see if the township alley located adjacent to 1198 Pulteney Street is municipally or privately owned and consideration of the complaint received about the fence on the subject property be tabled until ownership is determined.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #22 That the status report submitted by the Property Standards Officer dated August 26, 2014 be accepted and received as information.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #23 That the Property Standards Officer be directed to obtain quotes on the demolition of both the building and the house at 2417 and 2421 Courtright Line in the event Orders are not complied with and no appeal has been received and further the Property

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Standards Officer be directed to accept the lowest quote and move ahead with the demolition of both.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #24 That the Property Standards Officer issue a new Order utilizing the Clearing of Land By-Law with a 14 day deadline to remove all vehicles considered to be derelict and any additional refuse in contravention of the by-law for the property known as 72 Thomson Street.

CARRIED

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #25 That the Property Standards Officer be directed to provide a further 30 days for compliance, and further be directed to report back after the 30 days regarding the status of the clean-up at 1204 White Line.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #26 That direction to the property standards officer related to 524 Albert Boulevard be tabled to allow time to clarify if the 911 address is accurate.

TABLED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #27 That the Property Standards Officer be directed to provide a 60 day deadline in the form of an informal letter and, in the event that the deadline is not met, to issue an Order utilizing the Clearing of Land By-Law with a 15 day deadline for the property at 1962 Plank Road.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #28 The Property Standards Officer be directed to re-inspect on September 5, 2014, and further be directed to issue an Order utilizing the Clearing of Land By-Law with a 7 day deadline in the event the vehicles remain upon re-inspection for the property known as 2662 Burman Line.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #29 That the Property Standards Officer be directed to confirm compliance and further, once confirmed, have Orders removed from the title of the property known as 48 Milton Street.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #30 That the following items of information be dealt with as per Council's instructions for items identified as agenda items #1 thru 11:

- 1) 1402 St. Clair Parkway – weed complaint
- 2) 1198 Pulteney Street – fence complaint
- 3) Heritage St. Clair – minutes
- 4) MADD – candlelight vigil
- 5) RFHT – report card
- 6) AMO – OPP Billing Model Announcement
- 7) Building Permit report – occupancy/final/plumbing
- 8) John DeMars – Thank You
- 9) Building Permits issued – July 2014
- 10) Property Standards update
- 11) 623 and 626 Spokane – Fence exemption

CARRIED

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

DIRECTOR OF PUBLIC WORKS:

Moved by J. DeGurse

Seconded by J. Agar

Motion #31 That the report of Matt Deline – Director of Public Works dated August 28, 2014 with regard to the Small Communities Fund be received as information.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #32 That the Director of Public Works be directed to pursue a grant for the Parkway rehabilitation/reconstruction from Frog Point to West Whitebread Line through the Small Communities Fund.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #33 That the report of Matt Deline – Director of Public Works dated August 28, 2014 with regard to the Ontario Community Infrastructure Fund be received as information.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #34 That the Director of Public Works be directed to pursue funding for the reconstruction of the Stanley Line Bridge over Bear Creek through the Ontario Community Infrastructure Fund.

CARRIED

DRAINAGE SUPERINTENDENT:

Moved by J. DeGurse

Seconded by J. Agar

Motion #35 That the report of Dave Neely – Drainage Superintendent with regard to the Migratory Bird Convention Act dated August 27, 2014 be received as information.

CARRIED

CO-ORDINATOR OF ENGINEERING:

Moved by J. Agar

Seconded by J. DeGurse

Motion #36 That the report of Paul daSilva – Coordinator of Engineering dated August 27, 2014 with regard to the Paddock Green Subdivision Phase 15b be received and that Phase 15b in Paddock Green be accepted thereby commencing the 2 year maintenance period ending August 18, 2016.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #37 That the report of Paul daSilva – Coordinator of Engineering dated August 27, 2014 with regard to 2014 Urban Asphalt Resurfacing be received as information.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #38 That the surplus funds allocated for urban asphalt resurfacing for 2014 be added to the capital budget for 2015 urban asphalt resurfacing.

CARRIED

WATER/WASTEWATER SPECIALIST/ORO:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #39 That the report of Nova VanderSlagt – Water/Wastewater Specialist dated August 21, 2014 with regard to the Clean Water Act be received and that LAWSS GM

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Susan MacFarlane be appointed to fulfill the positions of Risk Management Official/Risk Management Inspector as required by the Ministry of the Environment.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #40 That the report of Carlie McClemens – Deputy Clerk dated August 19, 2014 with regard to the status of all Planning Applications be received as information.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #41 That it be recommended to Council that the report of Carlie McClemens – Deputy Clerk dated August 26, 2014 with regard to the Proposal for the St. Clair Community Church be received and that staff be directed to investigate this proposal with regard to all applicable legislation and public works matters and bring a report back for the consideration of council.

CARRIED

CLERK'S REPORT:

Moved by J. DeGurse

Seconded by J. Agar

Motion #42 That it be recommended to Council that the report of Jeff Baranek – Clerk dated August 27, 2014 with regard to By-laws 48 and 49 of 2014 be received as information.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #43 That it be recommended to Council that the report of Jeff Baranek – Clerk with regard to By-law 51 of 2014 be received as information.

TABLED

CAO'S REPORT:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #44 That it be recommended to Council that the report of John Rodey – CAO dated August 27, 2014 with regard to the Travel Policy be received and the travel and reimbursement policy be hereby amended.

CARRIED

MOTIONS:

BY-LAWS:

Moved by P Carswell-Alexander

Seconded by J. Agar

Motion #45 That By-laws 48 and 49 receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

48 and 49 of 2014 – Joint Compliance Audit Committee

CARRIED

51 of 2014 – Amendment to By-law 21 of 2014 – To prohibit parking of all vehicles on township boulevards

TABLED

The Clerk informed Council that By-law 50 of 2014 to authorize a land transfer with HydroOne was already passed as By-law 10 of 2014 and that the next By-law to be considered will be given the number 50.

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland inquired as to who owned the sign and garden in the median of Nash Landing. The Clerk informed Council that it is owned by the municipality. Deputy Mayor Gilliland then suggested staff bring back a report showing ways to eliminate maintenance needs by filling it in with concrete, or even removing the median. It quickly becomes overgrown and requires regular maintenance.

Councillor Randall:

Councillor Randall asked that the Director of Community Services consider ways to improve the boat launch at Fawn Island and bring concepts to Budget deliberations in 2015 for consideration. He continued by informing Council that the Sombra Museum received a glowing email from the Ministry of Tourism Culture and Sport stating how much of a jewel the museum and its material is for the area. He concluded by asking staff to get in contact with MTO about the condition of weeds along Highway 40 stating the prairie grass they planted is at risk of being overtaken by weeds.

Councillor Agar:

Councillor Agar asked staff to investigate whether or not there was supposed to be a pedestrian walkway joining Cass Court directly to Hill Street.

Councillor Carswell-Alexander:

Councillor Carswell-Alexander asked the status of a new noise by-law. The Clerk informed Council he has had continued dialogue with Inspector Janssens of the OPP about the By-Law and that a draft will be before the Committee of the Whole for consideration in September. She continued by informing Council she had a complaint about the condition of the signs leading into Brigden and encouraged the complainant to email the Mayor directly, but the Mayor indicated he had not received anything. Next, she informed Council that Brigden Road at the gas station in Brigden is all broken up. Councillor Carswell-Alexander concluded by stating she has a property matter to discuss In-Camera.

Councillor DeGurse:

Councillor DeGurse asked staff to inform the County of Lambton that the CN tracks road crossing on Hill Street is quite rough. He continued by indicating the middle lane on St. Clair Parkway in the location of Shell is used for south-bound traffic turning left into the plant, but wondered if staff could consider some options to possibly use the same lane to also allow north-bound traffic to turn left into Guthrie Park. Jim concluded by informing staff that two street lights were out on Paget Street: north side of Vroom and north east corner of Nash Landing and Paget Street.

Mayor Arnold:

Mayor Arnold informed Council that he attended many events representing the township since the last meeting including: AMO conference, Great Lakes Mayor's meeting, Brigden Fair New Ambassador ceremony, Research Park Upgrader conference, and the County of Lambton Plowing Match where he placed fourth.

The Mayor continued by informing Council that the deputation with the Minister of Energy during the AMO Conference related to the status and direction of Lambton Generating Station facility was well received. He has not yet heard back but will continue to pursue feedback. Mayor Arnold also met with representatives from HydroOne who will entertain questions from Council and the public at the next meeting of Council related to blackouts experienced last winter. He also informed Council that Dave Neely has prepared information that Aaamjiwnaang will consider at their Council meeting also on September 2, 2014 related to beaver dams in Talfourd Creek. He noted that Mr. Neely has done a great job in pursuit of a solution to the damming problem being experienced in this location.

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UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Monday, September 15, 2014 – 3:00 p.m.
Regular Council – Monday, September 15, 2014 – 5:00 p.m. (after C.O.W.)

IN-CAMERA:

Moved by P. Gilliland

Seconded by J. Agar

Motion #46 That the meeting enter into an in-camera session to discuss property and legal matters at 8:15 p.m.

CARRIED

The Deputy Mayor declared the meeting back into open session at 9:00 p.m.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #47 That the property standards invoice related to 48 Milton Street have the administration fee reduced to a total of \$150.

CARRIED

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #48 That the Mayor and Clerk be authorized to execute the new Host Agreement with Clean Harbors replacing the former agreement entered into between the facility and the former Township of Moore dealing with interactions related to approval processes and tipping fees owed to the Township.

CARRIED

Seeing there was no further business to discuss, the Deputy Mayor called for a motion to adjourn.

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #49 That the meeting of Council hereby adjourn.

CARRIED

The meeting adjourned at 9:05 p.m.

MAYOR

CLERK