

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 17**

St. Clair Civic Centre
Council Chambers
October 6, 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	“
	S. Miller	“
Staff:	J. Rodey	CAO
	J. Baranek	Clerk/ Deputy CAO

**TOWNSHIP OF ST. CLAIR
COUNCIL AGENDA**

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

Declaration of Conflict of Interest:

Minutes:

Regular Council – Session #16 – September 15, 2014
Finance & Administration Minutes – September 15, 2014
Public Works & Operations Minutes – September 15, 2014
Heritage St. Clair Committee Meeting Minutes – August 20, 2014
Emergency Services Committee Meeting Minutes – August 26, 2014
Lambton County Historical Society Meeting Minutes – September, 2014
Moore Museum Advisory Committee Minutes – September 3, 2014
The Sombra Museum Board Committee Meeting Minutes – September 18, 2014

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 p.m. – Heritage items proposal – Dave Pattenden
7:00 p.m. – Fence variance request – 1198 Pulteney St.

CORRESPONDENCE:

- a) Thomas McLaughlin – wheat crop damage
- b) Property Standards Complaint – 527 Belmont Ave.
- c) Royal Canadian Legion – Poppy weeks
- d) Fence Variance Request – 1198 Pulteney Street
- e) Heritage St. Clair – Baby Point
- f) Property Standards Update – 524 Albert Blvd.

INFORMATION:

- 1) Lambton Children's Safety Village – donation acknowledgement
- 2) 1198 Pulteney Street – fence variance opposition (3)
- 3) Building Permit Comparison 2014/2013
- 4) Recycling Council of Ontario – Waste Reduction Week
- 5) 389 Murray Street – Staff correspondence
- 6) Hwy 40 Maintenance
- 7) Moore Agricultural Society – Brigden Fair Refreshment Tent
- 8) Lambton Generating Station – decommissioning
- 9) Central Lambton Family Health Team – Thank you
- 10) Sun Canadian Pipe Line – Community Support Program
- 11) Letter to Mayor & Council – Water & sewer bill

DRAINS:

By-law #20 of 2014 – Amending By-law – to raise the sum of money expended out of the General Funds of the Township of St. Clair for drain repair expenses.

REPORTS OF COMMITTEES AND OFFICERS:

Barry Uitvlugt, Senior Planner
- Subdivision Agreement – St. Clair Riverview Estates - Vandendool

Kelly Bedard, Property Standards/By-Law Enforcement Officer
- Report - Property Standards Update

TREASURER'S REPORT:

- Farm property at the Brigden Sanitary Lagoon

DEPUTY CLERK/COORDINATOR OF PLANNING:

CLERK'S REPORT:

- By-law 44 – Noise By-law/By-law 51 – Parking By-law/By-law 56 – Inaugural Meeting

CAO'S REPORT:

MOTIONS:

BY-LAWS:

- 41 of 2014 – Temporary agreement – 1188 Kimball Road
- 51 of 2014 – Parking
- 54 of 2014 – Temporary House Agreement – 3028 Kimball Road
- 55 of 2014 – RMO/RMI Appointment
- 56 of 2014 – Inaugural Meeting
- 57 of 2014 – Subdivision Agreement – Vandendool

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Council Meeting
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UPCOMING MEETINGS:

Committee of the Whole – Monday, October 20, 2014 – 3:00 p.m.
Regular Council – Monday, October 20, 2014 – 5:00 p.m. (after C.O.W.)

In Camera

- legal & personnel

ADJOURNMENT:

Moved by D. Randell

Seconded by S. Miller

Motion #1 That the regular meeting of Council be convened at 6:30 p.m.

CARRIED

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 S. Miller

Seconded by P. Gilliland

Motion #2 That the Minutes from the Council meeting Session #16 held – September 15, 2014, be received and adopted as printed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #3 That the Minutes from the Finance and Administration meeting held September 15, 2014 – be received and adopted as printed.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #4 That the Minutes from the Public Works meeting held September 15, 2014 be received and adopted as printed.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #5 That the Minutes from the Heritage St. Clair Committee meeting held August 20, 2014 - be received as printed.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #6 That the Minutes from the Emergency Services Committee meeting held August 26, 2014 - be received as printed.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #7 That the Minutes from the Lambton County Historical Society meeting held in September, 2014 - be received as printed.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #8 That the Minutes from the Moore Museum Advisory Committee meeting held September 3, 2014 - be received as printed.

CARRIED

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Moved by P. Gilliland

Seconded by S. Miller

Motion #9 That the Minutes from the Sombra Museum Board Committee meeting held September 18, 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 J. DeGurse

Motion #10 That staff be directed to produce a report and speak with Nova Chemicals and Thomas McLaughlin to determine the history and best solution of the drainage issue at 855 Petrolia Line related to the letter submitted by Mr. McLaughlin dated September 24, 2014.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #11 That the property standards complaint at 527 Belmont Ave. be sent to the property standards officer for investigation.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #12 That Council of the Township of St. Clair grant its approval and support to Poppy Week activities from October 31 to November 11, 2014 as requested by the Royal Canadian Legion, Corunna Branch.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #13 That the property standards update for 524 Albert Boulevard be received and the recommendations be tabled to confirm the proper address before further action is taken.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #14 That Council accept the following items of correspondence as per Council's direction:

- a) Thomas McLaughlin – wheat crop damage
- b) Property Standards Complaint – 527 Belmont Ave.
- c) Royal Canadian Legion – Poppy weeks
- d) Fence Variance Request – 1198 Pulteney Street
- e) Heritage St. Clair – Baby Point
- f) Property Standards Update – 524 Albert Blvd.

CARRIED

INFORMATION:

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #15 That staff draft a letter for the Mayor's signature to be sent to the Ministry of Transportation addressing the poor maintenance of prairie grass that flanks the highway.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #16 That permission be granted to the Moore Agricultural Society to operate a refreshment tent at the upcoming Brigden Fair subject to obtaining all necessary legal permits and being subjected to the township alcohol policy.

CARRIED

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Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #17 That staff respond in writing to a letter submitted by Hugh Devin on October 1, 2014 and develop a policy for correspondence to rate payers after Council motions have been passed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #18 That the following items of information be dealt with as per Council's instructions for items identified as agenda items #1 thru 11:

- 1) Lambton Children's Safety Village – donation acknowledgement
- 2) 1198 Pulteney Street – fence variance opposition (3)
- 3) Building Permit Comparison 2014/2013
- 4) Recycling Council of Ontario – Waste Reduction Week
- 5) 389 Murray Street – Staff correspondence
- 6) Hwy 40 Maintenance
- 7) Moore Agricultural Society – Brigden Fair Refreshment Tent
- 8) Lambton Generating Station – decommissioning
- 9) Central Lambton Family Health Team – Thank you
- 10) Sun Canadian Pipe Line – Community Support Program
- 11) Letter to Mayor & Council – Water & sewer bill

CARRIED

DEPUTATIONS AND APPOINTMENTS:

Heritage St. Clair

At the appointed time, Mayor Arnold called Dave Pattenden to address his request for the support of Council on Heritage St. Clair items.

Mr. Pattenden explained to Council that the Heritage Committee would like to acknowledge Baby Point by placing a 20" x 24" commemorative plaque in Brander Park. The Baby Family was instrumental in the development of Southern Ontario. Further, Mr. Pattenden informed Council that a second commemorative plaque is envisioned for Brander Park to acknowledge the achievements of Dr. Maud Menton who was a local Doctor specializing in biochemistry. There is an annual award at Ryerson University in Dr. Menton's name encouraging investigation for medical innovation through biochemistry.

Mr. Pattenden declared the Committee has the resources for the two plaques and that he has been in touch with Community Services Director, Gary Hackett about the location of the plaques within the park.

Moved by J. Agar

Seconded by D. Randell

Motion #19 That Council issues letters of support to endorse plaques to acknowledge Baby Point and Dr. Maud Menton and their placement within Brander Park, and that the Committee work in conjunction with the Director of Community Services for their placement.

CARRIED

Mr. Pattenden continued by seeking support of Council to produce a book acknowledging the Great War and the bravery and honour of local citizens who fought to protect Canada in World War 1.

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #20 That Council support the efforts of Heritage St. Clair to produce a commemorative book acknowledging those local citizens who bravely defended our freedom in the Great War.

CARRIED

Fence Variance Request: 1198 Pulteney Street

At the appointed time, Mayor Arnold called the public meeting related to a fence variance request to order and asked the owner of the property and author of the request to brief Council on the relief being requested.

John Brough, owner of 1198 Pulteney Street, addressed Council and stated that the fence along Moore Line is a six foot fence, but the ground drops as the fence heads west, and therefore the fence is a few inches over six feet in this location. He continued by saying it is impossible to confirm if the fence is within a daylight triangle without knowing exactly where the road allowances meet for Moore Line and Pulteney Street but, that in his estimation, the 5 meter setback is preserved. Mr. Brough indicated that he has not been made aware of any safety issue that resulted from the erection of the fence in this location.

Mayor Arnold then informed Mr. Brough of 4 letters of opposition received from local residents who were against the variance of the height of the fence, as well as the placement of a fence over the township alley. Mayor Arnold expressed difficulty in making a decision without knowing exactly if the fence is in the daylight triangle or not.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #21 That the fence variance request for 1198 Pulteney Street to permit a fence taller than six feet, and possibly, to encroach into the five meter daylight triangle be tabled to allow staff to produce a report confirming the height, and whether or not the fence is within the daylight triangle.

CARRIED

Mr. Brough continued by stating he was experiencing problems with his neighbour, so he erected a fence over the alley as he owns the parcel on either side. He stated that his neighbours have trees planted and sheds located within the alley.

Councillor Agar stated his disappointment that the fence was erected without the permission of Council. Councillor Carswell-Alexander inquired as to whether or not the alley could be closed and conveyed to abutting land owners. Councillor Miller echoed the question wondering if closing the alley would be in the best interest of all affected parties.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #22 That the request to permit a fence over the Township alley at 1198 Pulteney Street in Mooretown by tabled to allow staff time to consider the closure of the alley and the process involved.

CARRIED

DRAINS:

Moved by J. Agar

Seconded by D. Randell

Motion #23 That Drainage By-law #20 of 2014, being a by-law to raise the sum of \$100,130.89 less \$21,843.51 OMAFRA grant for a total of \$78,287.38 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, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Moved by J. DeGurse

Seconded by J. Agar

Motion #24 That it be recommended to Council that the report of Barry Uitvlugt – Senior Planner with regard to the Subdivision Agreement – St. Clair Riverview Estates/Vandendool be received and Council give approval in principle for the Vandendool (St. Clair Riverview Estates) Subdivision; provided that all municipal concerns are addressed financially and otherwise.

CARRIED

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Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #25 That it be recommended to Council that the report of Kelly Bedard – Property Standards/By-law Enforcement Officer be accepted as information.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #26 That the Property Standards Officer be directed to provide a further 45 days for compliance at 1204 White Line and be directed to report back after November 20th.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #27 That the Property Standards Officer be directed to issue an Order utilizing the Property Standards By-law with a 90 day deadline at 244 Cameron Street.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #28 That the Property Standards Officer be directed to provide 30 days to have the siding on the garage completed and the weeds removed within 7 days and further, the Property Standards Officer be directed to issue an a Order utilizing the Property Standards By-law with a 15-day deadline in the event the work is not completed after 30 days at 467 Parkdale Crescent.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #29 That the Property Standards Officer be directed to close the file at 2662 Burman Line.

CARRIED

TREASURER’S REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #30 That it be recommended to Council that the report of Charles Quenneville – Treasurer with regard to the farm property at the Brigden Sanitary Lagoon be received and that Council enter into a farm rental agreement for 2015 for 18 acres at \$100.00 plus HST for the Brigden Sanitary Lagoon property – current tenant.

CARRIED

CLERK’S REPORT:

Moved by S. Miller

Seconded by D. Randell

Motion #31 That the report submitted by Clerk - Jeff Baranek dated October 2, 2014 related to By-laws 44 and 51 be received as information.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #32 That By-law 44, being a by-law to regulate noise on all property within the Township, be amended to include a fine in the amount of \$100 for someone permitting their dog to make noise that disturbs neighbours and to establish a fine of \$500 for obstructing the enforcement of the by-law.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #33 That By-law 51, being a by-law to prohibit parking on Township roads in the winter months and prohibit parking of derelict or recreational trailers on the road, be amended to include the words “at any time” at the end of paragraph 5, and be given all necessary readings and be thereby approved as amended.

CARRIED

CAO’S REPORT:

CAO John Rodey informed Council he had property and legal issues to discuss in-camera.

MOTIONS:

BY-LAWS:

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #34 That By-laws 41, 51, 54, 55, 56 and 57 receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- 41 of 2014 – Temporary agreement – 1188 Kimball Road
- 51 of 2014 – Parking
- 54 of 2014 – Temporary House Agreement – 3028 Kimball Road
- 55 of 2014 – RMO/RMI Appointment
- 56 of 2014 – Inaugural Meeting
- 57 of 2014 – Subdivision Agreement – Vandendool

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland extended his thanks to Council and Staff for working with the condominium corporation at 200 St. Clair Boulevard to remedy the situation arising from a fence in disrepair. The issue appears to be rectified and sections are being repaired and replaced where needed.

Councillor Miller:

Councillor Miller stated that the Community Hall Board in Port Lambton is on the verge of dissolving. He expressed concern about the operation of the hall moving forward and indicated that the Optimists have expressed some interest in exploring the concept of operating the hall.

Moved by S. Miller

Seconded by P. Gilliland

Motion #35 That Councillor Miller be authorized to explore alternatives for the operation of the Port Lambton Community Hall should the board be dissolved.

CARRIED

Councillor Carswell-Alexander:

Councillor Carswell-Alexander began by informing Council that she continues to receive noise concerns from residents close to Bogey's Inn and has also received recent complaints about odour from the waste water treatment plant in Courtright. She continued by stating she had been to a Brigden Library meeting where new carpets were discussed so she put them in touch with Gary Hackett.

Councillor Carswell-Alexander further stated that there is a transport truck parking overnight at the community hall in Courtright and she has alerted Mr. Hackett; she confirmed the sewer flushing noted in the Beacon was sanitary.

Councillor Carswell-Alexander concluded by noting she does not get Township email and wanted her contact removed from the website as ratepayers have been emailing her, and she does not receive them. She then discussed paperless agendas for the upcoming term of council but, acknowledged the challenges of high speed coverage across the Township.

Councillor DeGurse:

Councillor DeGurse began by stating the condition of Telfer Road north of Lasalle Line is in poor condition and needs to be graded. He continued by informing Council that the homeowner at 1206 Emily Street needs a connection to the storm sewer and was quoted

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\$1500 by township staff. He asked that staff bring back a report indicating how they arrived at that figure.

Mayor Arnold:

Mayor Arnold attended many events across the county bringing greetings on behalf of Council including: a fire school meeting at Lambton College, the South West Region Credit Union anniversary, Optimist Career Day and a MADD event. He then took the opportunity to remind everyone not to drink and drive or to allow a loved one to do the same.

Mayor Arnold continued by stating his disappointment in the waterline replacement work being done at Frog Point. He passes the area a few times a week and sees little or no progress and never sees a worker present. He is concerned about the hard top being installed before the asphalt plants close for the winter and asked staff to investigate if there is a penalty clause in the contract.

He continued by informing those in attendance that he was able to secure funding from Sun Canadian Pipelines to be put towards the rejuvenation project in Brander Park. He indicated there is another grant in place and an announcement will be made soon.

Mayor Arnold concluded by informing Council that he met with representatives from Cogeco related to obtaining high speed internet coverage for the entire municipality. He stated it continues to be his goal to obtain 1 gig transfer speed fibre optic cable that serves the entire municipality and indicated those efforts are ongoing.

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Monday, October 20, 2014 – 3:00 p.m.
Regular Council – Monday, October 20, 2014 – 5:00 p.m. (after C.O.W.)

Moved by D. Randell

Seconded by S. Miller

Motion #36 That there be only one meeting of Council in the month of November 2014 and that it be held following the Committee of the Whole meeting on November 17, 2014.

CARRIED

IN-CAMERA:

Moved by S. Miller

Seconded by D. Randell

Motion #37 That the meeting enter into an in-camera session to discuss property, personnel and legal matters at 8:10 p.m.

CARRIED

Mayor Arnold declared the meeting back into open session at 8:40 p.m.

Seeing as there was no further business to discuss and nothing to rise and report from the in-camera session, Mayor Arnold called for a motion to adjourn.

Moved by D. Randell

Seconded by S. Miller

Motion #38 That the meeting of Council hereby adjourn.

CARRIED

The meeting adjourned at 8:45 p.m.

MAYOR

CLERK