

ST. CLAIR TOWNSHIP

COUNCIL MINUTES

SESSION # 22

St. Clair Civic Centre
Council Chambers
December 15, 2014
5:00 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
	T. Kingston	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
December 15, 2014
5:00 p.m.

Declaration of Conflict of Interest:

Minutes:

Regular Council – Session #19 – November 17, 2014
Finance & Administration Minutes – November 17, 2014
Public Works & Operations Minutes – November 17, 2014
Inaugural Council – Session #20 – December 1, 2014
Regular Council – Session #21 – December 2, 2014
Heritage St. Clair Committee Meeting – October 15, 2014
Emergency Services Committee Meeting – November 17, 2014
The Sombra Museum Board Committee Meeting – November 27, 2014
The Lambton County Historical Society Meeting – November 27, 2014

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

5:30 p.m. – Shell – Randy Provencal – Communications Manager
- Karen Miller, GM
- Jerome Gaspari, Projects Mngr. – SAFE crude expansion
- Rick Hillman, Projects Mngr. – radio tower project

CORRESPONDENCE:

- 1) ZGC Civil Group Ltd. – James St., Wilkesport
- 2) Eastern Power – Consent to Collateral Assignment
- 3) Turkey Raffle – Corunna Fire Station
- 4) SCRT tree limbs – Barry Sowerby

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- 5) Bluewater CAP
- 6) OGRA/ROMA Delegation Request
- 7) SCRCA – Board of Directors Appointment

INFORMATION:

- a) MNR – Wavy-rayed Lampmussel
- b) Heritage St. Clair – 2015 Membership
- c) Canada Post – Home delivery resolutions
- d) Thank you – Rick Mc Clemens
- e) Legion Br. 447 – New Year’s Day Levee
- f) Permits – October 2014
- g) MCIIT – Volunteer Award Nomination
- h) ELTO/OMB – Confirmation of Hearing Room Arrangements
- i) Union Gas – Sarnia Expansion Pipeline Project
- j) LC Planning & Development Services – Final Approval (Vandendool)

DRAINS:

By-law #21 of 2013, being a by-law to raise the sum of \$465,326.00 being money expended out of the General Funds of the Township of St. Clair for the drainage repairs and improvements to the drainage works on the McDonald Drain be given the third and final reading and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

By-law #28 of 2014, being a by-law to raise the sum of \$13,333.31 less \$2831.93 OMAFRA grant for a total of \$10,501.38 being money expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township.

By-law #29 of 2014, being a by-law to raise the sum of \$17,440.10 less \$4341.40 OMAFRA grant for a total of \$13,098.70 being money expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township.

By-law #30 of 2014, being a by-law to raise the sum of \$65,254.47 being money expended out of the General Funds of the Township of St. Clair for the construction of the Perch Creek Drain – Sim Bridge.

REPORTS OF COMMITTEES AND OFFICERS:

Barry Uitvlugt, Senior Planner
- Site Plan Agreement – Communications tower - 339 LaSalle Line (Shell)

PROPERTY STANDARDS/BY-LAW ENFORCEMENT OFFICER

- Property Standards Update – December 10, 2014

TREASURER’S REPORT:

- By-law for the OCIF – Formula Based Funding

DEPUTY CLERK/COORDINATOR OF PLANNING:

- Wellings Development – Status update
- Temporary Trailer – 4391 Highway 40 (Pembina Site)

CLERK’S REPORT:

- Property Standards By-law Amendment
- Capital Budget items: Committee Room 1 makeover & website update
- Update – Noise By-law 44 of 2014

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- Jason Miller Fundraiser Request (verbal)

CAO'S REPORT:

MOTIONS:

- Recommendations from December 15, 2014 – Finance & Administration and Public Works & Operations Committees

BY-LAWS:

63 of 2014 – Authorization for Contribution Agreement (OCIF)
64 of 2014 – Site Plan Agreement – Communications tower (Shell)
65 of 2014 – Temporary Trailer Agreement - Pembina
66 of 2014 – Confirming By-law
67 of 2014 – Council Remuneration By-law

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Capital Budget Meeting - December 18, 2014 ~ 5:00 p.m.
- Regular Council – Monday, January 5, 2015 ~ 6:30 p.m.
- Committee of the Whole – Monday, January 19, 2015 ~ 3:00 p.m.
- Regular Council – Monday, January 19, 2015 ~ 5:00 p.m. after Committee of the Whole

In Camera

- legal

ADJOURNMENT:

The Mayor called the meeting to order at 5:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

None declared.

ADOPT MINUTES:

Moved by D. Randell

Seconded by S. Miller

Motion #1 That the Minutes from the Council Session #19 meeting held – November 17, 2014 be received and accepted as printed.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #2 That the Minutes from the Finance and Administration meeting held November 17, 2014 – be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #3 That the Minutes from the Public Works meeting held November 17, 2014 be received and accepted as printed.

CARRIED

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Moved by T. Kingston

Seconded by D. Randell

Motion #4 That the Minutes from the Inaugural Council meeting Session #20 held December 1, 2014 be received and accepted as printed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #5 That the Minutes from the Council Session #21 meeting held – December 2, 2014 be received and accepted as printed.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #6 That the Minutes from the Heritage St. Clair Committee meeting held October 15, 2014 - be received as printed.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #7 That the Minutes from the Emergency Services Committee meeting held on November 17, 2014 - be received as printed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #8 That the Minutes from the Sombra Museum Board Committee meeting held November 27, 2014 - be received as printed.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion #9 That the Minutes from the Lambton County Historical Society meeting held on November 27, 2014 - be received as printed.

CARRIED

DEPUTATIONS:

At the appointed time, Mayor Arnold welcomed the delegation from Shell Manufacturing Centre and asked Communications Manager Randy Provencal to introduce his team. General Manager Karen Miller, Projects Manager Jerome Gaspari and Projects Manager Rick Hillman were introduced and led Council through a power point presentation.

Karen Miller provided her background and thanked Council for the opportunity to have Shell come to liaise with Township Council. She has been with Shell for over a month and has more than 23 years of petrochemical refinery experience across North America. She informed Council that Shell has a commitment to safety and that they are not happy with their performance in this area over the past two years. She expressed a commitment to redefine Shell as a safe place to work.

Jerome Gaspari then briefed Council on an upcoming project to increase the capacity from 80,000 barrels per day to 95,000 barrels. The expansion will not increase the footprint of the plant as they are exploring ways to create more efficiency, as well as demolishing an abandoned part of the plant and expanding within that footprint. A main initiative of the project will not only be to produce more product but also to produce less emissions.

Rick Hillman continued by briefing Council on a new 55 meter tall radio tower being erected on-site to improve on-site communications with two way radios and wi-fi. The tower will blend within existing infrastructure and is more than 300 meters from the nearest lot line.

Mayor Arnold welcomed Karen Miller to St. Clair Township and thanked the rest of the team for their continued cooperation with the Township and encouraged them to pursue safe working conditions for their employees and the residents of the Township as well as those of neighbouring Aamjiwnaang First Nations.

CORRESPONDENCE:

Moved by S. Miller

Seconded by D. Randell

Motion #10 That the request received by ZGC Civil Group Ltd. to consider the closure and sale of James Street in Wilkesport be referred to staff for a report on feasibility and options for next steps.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #11 That Council authorize the Consent to Collateral Assignment agreement requested by Eastern Power in their letter dated November 25, 2014.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #12 That the Corunna Firefighters Association be reimbursed the \$60 fee for a lottery license for the Operation Christmas Tree fundraiser.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #13 That Public Works be directed to remove the limbs across the St. Clair River Trail at the locations identified in a letter dated November 27, 2014 from Barry Sowerby.

CARRIED

Moved by D. Randell

Seconded by J. Degurse

Motion #14 That Steve Miller and Steve Arnold be appointed to the St. Clair Region Conservation Authority Board of Directors for the 2014-2018 term of Council.

CARRIED

Moved by T. Kingston

Seconded by P. Gilliland

Motion #15 That the following items of correspondence be accepted as per Council's direction:

- 1) ZGC Civil Group Ltd. – James St., Wilkesport
- 2) Eastern Power – Consent to Collateral Assignment
- 3) Turkey Raffle – Corunna Fire Station
- 4) SCRT tree limbs – Barry Sowerby
- 5) Bluewater CAP
- 6) OGRA/ROMA Delegation Request
- 7) SCRCA – Board of Directors Appointment

CARRIED

INFORMATION:

Moved by S. Miller

Seconded by P. Gilliland

Motion #16 That the members of the 2015 Heritage St. Clair Committee include Dave Pattenden, Al Anderson, Ian Mason, Paul Smith, Jan Smith, Dave Taylor, Murray McAllister, Don Carpenter, Ken Henry, Bob Nicol, and Bob Goodearle.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #17 That the following items of information be dealt with as per Council's instructions for items identified as agenda items a) thru j):

- a) MNR – Wavy-rayed Lampmussel
- b) Heritage St. Clair – 2015 Membership
- c) Canada Post – Home delivery resolutions
- d) Thank you – Rick Mc Clemens
- e) Legion Br. 447 – New Year's Day Levee
- f) Permits – October 2014
- g) MCIIT – Volunteer Award Nomination

- h) ELTO/OMB – Confirmation of Hearing Room Arrangements
- i) Union Gas – Sarnia Expansion Pipeline Project
- j) LC Planning & Development Services – Final Approval (Vandendool)

CARRIED

DRAINS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #18 That Drainage By-law #21 of 2014, being a by-law to raise the sum of \$465,326.00 being money expended out of the General Funds of the Township of St. Clair for the drainage repairs and improvements to the drainage works on the McDonald Drain be given the third and final reading and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #19 That Drainage By-law #28 of 2014, being a by-law to raise the sum of \$13,333.31 less \$2831.93 OMAFRA grant for a total of \$10,501.38 being money expended out of the General Funds of the Township of St. Clair for the 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

Moved by S. Miller

Seconded by T. Kingston

Motion #20 That Drainage By-law #29 of 2014, being a by-law to raise the sum of \$17,440.10 less \$4341.40 OMAFRA grant for a total of \$13,098.70 being money expended out of the General Funds of the Township of St. Clair for the 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

Moved by D. Randell

Seconded by P. Gilliland

Motion #21 That Drainage By-law #30 of 2014, being a by-law to raise the sum of \$65,254.47 being money expended out of the General Funds of the Township of St. Clair for the construction of the Perch Creek Drain – Sim Bridge 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 S. Miller

Motion #22 That the report of Barry Uitvlugt with regard to the Site Plan Agreement – Communications Tower at 339 LaSalle Line be accepted and that approval be given in principle to the site plan agreement provided all municipal concerns are addressed financially and otherwise.

CARRIED

PROPERTY STANDARDS/BY-LAW ENFORCEMENT OFFICER

Moved by J. Agar

Seconded by P. Gilliland

Motion #23 That the report of Kelly Bedard - Property Standards Update – December 10, 2014 be accepted and the following recommendations be approved:

1. That the Property Standards Officer be directed to close the file for 72 Thomson Street.
2. That the Property Standards Officer be directed to close the file for 467 Parkdale Crescent.
3. That the Property Standards Officer be directed to close the file for 4624 Old River Road.
4. That the Property Standards Officer be directed to re-inspect the property at 527 Belmont Avenue after December 12th and further the Property Standards Officer be

- directed to obtain quotes, accept the lowest quote and move ahead with the clean-up of the property in the event the Order is not complied with.
5. That the Property Standards Officer be directed to re-inspect 574 Albert Boulevard after December 12th and further the Property Standards Officer be directed to obtain quotes, accept the lowest quote and move ahead with the clean-up of the property in the event the Order is not complied with.
 6. That the Property Standards Officer be directed to grant the extension, to the owners of 357 Murray Street, via a formal letter contingent upon payment in full of the outstanding invoice to St Clair Township.
 7. That the Property Standards Officer be directed to follow up with property owners at 1204 White Line in 30 days to ensure the work on the east side of the property has been completed and further report back as to the status.
 8. That the Property Standards Officer be directed to retain an engineer and a locksmith, obtain the reports on both 2417 & 2421 Courtright Line and provide a formal report to Council on January 19, 2015 in the event the properties remain in contravention following the deadline.
 9. That the Property Standards Officer be directed to provide a 30 day extension via a formal letter to the owners of 244 Cameron Street to allow the property owner to sell the property or have the roof repaired and further the Property Standards Officer be directed to issue an Order utilizing the Property Standards By-Law with a 30 day deadline to have the roof repaired in the event the house is not listed for sale or the roof repaired after 30 days.
 10. That the Property Standards Officer be directed to provide a further 60 day extension and further report back with the status after 60 days for the property at 1962 Plank Road.

CARRIED

TREASURER'S REPORT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #24 That the report of Charles Quenneville with regard to the by-law for the OCIF – Formula Based Funding 2014 dated December 4, 2014 be received and that By-law 63 of 2014 be approved and the Mayor and Clerk be authorized to sign the contribution agreement with the Government of Ontario for the Ontario Community Infrastructure Fund – formula based component.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by S. Miller

Seconded by D. Randell

Motion #25 That the report of Carlie McClemens – Deputy Clerk with regard to the Wellings Development – Status update dated December 10, 2014 be accepted as received.

CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #26 That the report of Carlie McClemens – Deputy Clerk with regard to a Temporary trailer – 4391 Highway 40 dated December 9, 2014 be accepted as received and that By-law 65 of 2014 being a by-law to execute an Agreement with 1195714 Alberta Limited (Pembina) be passed and the Mayor and Clerk be authorized to sign the appurtenant agreement.

CARRIED

CLERK'S REPORT:

Moved by J. Degurse

Seconded by J. Agar

Motion #27 That the report of Jeff Baranek – Clerk with regard to the Property Standards By-law Amendment dated December 10, 2014 be accepted and the following recommendations approved:

1. Council amends By-law 17 of 2013, being the Property Standards By-law, to remove the 100% administration fee up to a maximum of \$5,000 and replace it with an administration fee of 10% of the value of work completed including the Property Standards Officer's time and mileage.

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2. Council amends the property standards policy to allow staff to send an initial letter allowing the property owner time to bring the property into compliance before triggering a visit from the property standards officer.

CARRIED

Moved by T. Kingston

Seconded by J. Agar

Motion #28 That the report of Jeff Baranek – Clerk with regard to Capital Budget items: Committee Room 1 makeover & website update be accepted and that staff be directed to pursue an update for the Township website and renovations be considered for Committee Room 1 and brought back to Council for approval.

CARRIED

Moved by J. Degurse

Seconded by J. Agar

Motion #29 That the report of Jeff Baranek – Clerk with regard to an Update – Noise By-law 44 of 2014 dated December 10, 2014 be accepted.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #30 That staff be directed to pursue a candidate to enforce Noise By-law 44 of 2014.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #31 That the report of Jeff Baranek – Clerk with regard to the Jason Miller Fundraiser Request be accepted and that a donation of four rounds of golf with cart at St. Clair Parkway Golf Course be sent on behalf of the Township.

CARRIED

MOTIONS:

Moved by T. Kingston

Seconded by S. Miller

Motion #32 That the recommendations from the December 15, 2014 – Finance & Administration and Public Works & Operations Committees be received.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #33 That By-laws 63 – 67 receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- 63 of 2014 – Authorization for Contribution Agreement (OCIF)
- 64 of 2014 – Site Plan Agreement – Communications tower (Shell)
- 65 of 2014 – Temporary Trailer Agreement - Pembina
- 66 of 2014 – Confirming By-law
- 67 of 2014 – Council Remuneration By-law

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland wished to thank staff for their efforts in rehabilitating the fence along the property line at 200 St. Clair Boulevard. He reported the fence was now being replaced.

Councillor Agar:

Councillor Agar indicated that Paul Mitchell would like to use the Township van for Operation Christmas Tree since the Courtright Fire Hall van is now out of commission.

Moved by J. Agar

Seconded by T. Kingston

Motion #34 That the volunteers for Operation Christmas Tree be authorized to use the Township van for Christmas basket delivery on December 20 and 21.

CARRIED

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Councillor Agar concluded by wishing everyone a Merry Christmas and Happy Holiday Season.

Councillor Randell:

Councillor Randell wished everyone a safe and happy holiday season.

Councillor Miller:

Councillor Miller informed Council he had a good time representing the Township at the Corunna Santa Claus parade and extended season's greetings to everyone for a safe holiday season.

Councillor Kingston:

Councillor Kingston thanked everyone for the support of the Santa Claus parade in Corunna.

Councillor DeGurse:

Councillor Degurse asked staff to produce an update with regard to the activity at the former Murray Street School for the next meeting.

Mayor Arnold:

Mayor Arnold was happy to report to Council that the controversial "Love Canal" waste slated to be transported to Clean Harbors for incineration has been routed to a different facility and will not pass through St. Clair Township. He suggested this was a positive step in the continued efforts by Clean Harbors to build strong relationships with its community.

Mayor Arnold continued by informing Council that Cogeco Canada is exploring a program that may bring high speed internet to four remote communities within the township: Sombra, Port Lambton, Brigden, and the residential corridor that connects Sombra to Port Lambton. He indicated that Cogeco is in the initial stages of the program called Connecting Canadians where funding is being sought from the Federal Government, but cautioned that a third party investor may still be required to make the project feasible.

Moved by S. Miller

Seconded by D. Randell

Motion #35 Council of the Township of St. Clair fully supports, in principle, the application submitted by Cogeco Cable Canada for the Connecting Canadians program to offer high speed internet service to four remote urban areas within the township.

CARRIED

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Capital Budget– Thursday, December 18, 2014 ~ 5:00 p.m.
- Regular Council – Monday, January 5, 2015 ~ 6:30 p.m.
- Committee of the Whole – January 19, 2015 ~ 3:00 p.m.
- Regular Council – Monday, January 19, 2015 ~ 5:00 p.m. after the Committee of the Whole

IN-CAMERA:

Moved by J. Degurse

Seconded by D. Randell

Motion #36 That the meeting enter into an in-camera session to discuss legal matters at 6:40 p.m.

CARRIED

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Mayor Arnold declared the meeting back into open session at 7:00 p.m. and asked for a motion to rise and report.

Moved by D. Randell

Seconded by J. Degurse

Motion #37 That the amendment to Property Standards By-law approved by Motion #27 be retroactive to include a 10% administration fee for all outstanding Property Standards Invoices to a maximum of \$5000.

CARRIED

Seeing there was no further business to discuss, it was:

Moved by D. Randell

Seconded by S. Miller

Motion #38 That the meeting of Council hereby adjourn.

CARRIED

The meeting adjourned at 7:10 p.m.

MAYOR

CLERK