

**TOWNSHIP OF ST. CLAIR
COUNCIL MINUTES
SESSION #18**

St. Clair Township Civic Centre
October 5, 2015
6:30 p.m.

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
October 5, 2015
6:30 p.m.

Declaration of Conflict of Interest:

Minutes:

Regular Council – Session #17 – September 21, 2015
Finance & Administration Minutes – September 21, 2015
Public Works & Operations Minutes – September 21, 2015
Clean Harbors Community Liaison & Advisory Committee Meeting Minutes – May 5, 2015
Clean Harbors Community Liaison & Advisory Committee Meeting Minutes – June 23, 2015
Heritage St. Clair Committee Meeting Minutes – July 15, 2015
Sombra Museum Board Committee Meeting Minutes – August 20, 2015
Lambton Group Police Services Board Meeting Minutes – August 26, 2015
Moore Museum Advisory Committee Meeting Minutes – September 9, 2015
Lambton County Historical Society Meeting Minutes – September 24, 2015

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 p.m. - Heritage St. Clair - David Pattenden
7:00 p.m. – OPG Presentation – Proposed Parkway Site Naturalization
- Susan Thurston, Tony Van Oostrom & Dan Gregory
7:15 p.m. – Kathy Vansickle -2417 &2421 Courtright Line
7:30 p.m. – Rogers Tower Site Consideration – Jeff McKay

CORRESPONDENCE:

a) Corunna Legion Branch 447 – Remembrance Week

INFORMATION:

- 1) OPG – Thank you
- 2) Sarnia Chamber of Commerce – Rory Ring
- 3) Brigden Optimist Club & Splash Pad – Thank you
- 4) Union Gas – Ontario Energy Board – Public Hearing
- 5) Dream Lottery Tickets

DRAINS:

By-law #6 of 2015, being a by-law to raise the sum of \$206, 066.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Sinclair Drain/Virostek 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.

REPORTS OF COMMITTEES AND OFFICERS:

- Barry Uitvlugt, Senior Planner
 - Follow up Report - 389 Murray St.
 - Site Plan Agreement – 4090 Telfer Road (Clean Harbors)

COORDINATOR OF ENGINEERING:

- St. Clair Parkway Curb Extension – North of Ward Line
- Lyndoch Street Pedestrian Crosswalk Recommendation (Tender close Monday, October 5 at 11:00 a.m.)

DRAINAGE SUPERINTENDENT:

- Miller Moffat Drain

DEPUTY CLERK/COORDINATOR OF PLANNING:

- Temporary Modular Agreement – Wellings Site (Corunna)

CLERK'S REPORT:

- AODA Accessibility Requirements

CAO'S REPORT:

MOTIONS:

BY-LAWS:

- 61 of 2015 – Temporary Modular Agreement – Wellings Site (Corunna)
- 62 of 2015 - Site Plan Agreement – 4090 Telfer Road (Clean Harbors)

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – Monday, October 19, 2015 ~ 3:00 p.m.
- Regular Council – Monday, October 19, 2015 ~ 5:00 p.m. after Committee of the Whole
- Regular Council – Monday, November 2, 2015 ~ 6:30 p.m.
- Committee of the Whole – Monday, November 16, 2015 ~ 3:00 p.m.

Council Meeting
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- Regular Council – Monday, November 16, 2015 ~ 5:00 p.m. after Committee of the Whole

In Camera

- Legal

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:

Moved by D. Randell Seconded by J. Agar
Motion #1 That the Minutes from the Council meeting Session #17 held September 21, 2015 be received and accepted as printed.

CARRIED

Moved by J. Agar Seconded by D. Randell
Motion #2 That the Minutes from the Finance and Administration meeting held September 21, 2015 be received and accepted as printed.

CARRIED

Moved by D. Randell Seconded by J. Agar
Motion #3 That the Minutes from the Public Works & Operations meeting held September 21, 2015 be received and accepted as printed.

CARRIED

Moved by J. Agar Seconded by D. Randell
Motion #4 That the Minutes from the Clean Harbors Community Liaison & Advisory Committee meetings held May 5 and June 23, 2015 be received as printed.

CARRIED

Moved by J. Agar Seconded by D. Randell
Motion #5 That the Minutes from the Heritage St. Clair Committee meeting held July 15, 2015 be received as printed.

CARRIED

Moved by D. Randell Seconded by J. Agar
Motion #6 That the Minutes from the Sombra Museum Board Committee meeting held August 20, 2015 be received as printed.

CARRIED

Moved by J. Agar Seconded by D. Randell
Motion #7 That the Minutes from the Lambton Group Police Services Board meeting held August 26, 2015 be received as printed.

CARRIED

Moved by P. Gilliland Seconded by J. Agar
Motion #8 That the Minutes from the Moore Museum Advisory Committee meeting held September 9, 2015 be received as printed.

CARRIED

Moved by J. Agar Seconded by P. Gilliland
Motion #9 That the Minutes from the Lambton County Historical Society meeting held September 24, 2015 be received as printed.

CARRIED

CORRESPONDENCE:

Moved by P. Gilliland

Seconded by J. Degurse

Motion #10 That Council of the Township of St. Clair hereby supports Legion Branch 447 for “Remembrance Week” and “Poppy Weeks” between October 30, 2015 and November 11, 2015 and that support be given to all activities planned for November 11, 2015.

CARRIED

INFORMATION:

Moved by P. Gilliland

Seconded by S. Miller

Motion #11 That the Township of St. Clair supports the sale of Dream Lottery Tickets at the Shopper’s Drug Mart location in Corunna from October 2015 to December 2015.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #12 That the following items of information be dealt with as per Council’s instructions for items identified as agenda items #1 thru 5:

- 1) OPG – Thank you
- 2) Sarnia Chamber of Commerce – Rory Ring
- 3) Brigden Optimist Club & Splash Pad – Thank you
- 4) Union Gas – Ontario Energy Board – Public Hearing
- 5) Dream Lottery Tickets

CARRIED

DRAINS:

Moved by J. DeGurse

Seconded by T. Kingston

Motion #13 That Drainage By-law #6 of 2015, being a by-law to raise the sum of \$206,066.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Sinclair Drain/Virostek Drain be given third and final reading 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 T. Kingston

Seconded by J. DeGurse

Motion #14 That it be recommended to Council that the report of Barry Uitvlugt – Senior Planner dated October 1, 2015 with regard to 389 Murray Street be received as information.

CARRIED

Moved by J. DeGurse

Seconded by T. Kingston

Motion #15 That it be recommended to Council that the report of Barry Uitvlugt – Senior Planner dated October 1, 2015 with regard to 4090 Telfer Road, Clean Harbors Site Plan be received and that Council gives approval in principle to the site plan agreement, provided the municipal concerns are addressed; and that Council pass the executing by-law pertaining to this agreement.

CARRIED

COORDINATOR OF ENGINEERING:

Moved by S. Miller

Seconded by T. Kingston

Motion #16 That it be recommended to Council that the report of Paul daSilva – Coordinator of Engineering dated September 30, 2015 with regard to the St. Clair Parkway Curb Extension – North of Ward Line be received and that the tender submitted by Sevcon Paving in the amount of \$80,860.99 net HST for the St. Clair Parkway Curb Extension – North of Ward Line project be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

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Moved by T. Kingston

Seconded by S. Miller

Motion #17 That it be recommended to Council that the report of Paul daSilva – Coordinator of Engineering dated October 5, 2015 with regard to the Lyndoch Street Pedestrian Crosswalk be received and that the tender submitted by Ron Field & Son Electrical Limited in the amount of \$62,353.44 net HST for the Lyndoch Street Pedestrian Crosswalk (Electrical Work Only) project be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

DRAINAGE SUPERINTENDENT:

Moved by S. Miller

Seconded by T. Kingston

Motion #18 That it be recommended to Council that the report of Dave Neely – Drainage Superintendent dated October 1, 2015 with regard to the Miller Moffatt Drain be received and that the quotation submitted by J & L Henderson Limited in the amount of \$43,429.23 (including net HST) for the Miller Moffatt Drain construction be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING:

Moved by T. Kingston

Seconded by J. DeGurse

Motion #19 That the report by Carlie McClemens – Deputy Clerk/Coordinator of Planning dated October 1, 2015 be received and By-law 61 of 2015, being a By-law to execute an Agreement with Wellings of Corunna Inc., be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign the said by-law accordingly.

CARRIED

CLERK'S REPORT:

Moved by S. Miller

Seconded by T. Kingston

Motion #20 That it be recommended to Council that the report of Jeff Baranek – Clerk dated September 30, 2015 with regard to AODA Accessibility Requirements be received as information.

CARRIED

CAO'S REPORT:

BY-LAWS:

Moved by J. DeGurse

Seconded by S. Miller

Motion #21 That the By-laws 61 - 62 receive all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute any appurtenant agreements:

- 61 of 2015 – Temporary Modular Agreement – Wellings Site (Corunna)
- 62 of 2015 - Site Plan Agreement – 4090 Telfer Road (Clean Harbors)

CARRIED

UNFINISHED BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – Monday, August 10, 2015 ~ 3:00 p.m.
- Regular Council – Monday, August 10, 2015 ~ 5:00 p.m. after Committee of the Whole
- Regular Council – Tuesday, September 8, 2015 ~ 6:30 p.m.
- Committee of the Whole – Monday, September 21, 2015 ~ 3:00 p.m.
- Regular Council – Monday, September 21, 2015 ~ 5:00 p.m. after Committee of the Whole

DEPUTATIONS AND APPOINTMENTS:

Heritage St. Clair – Dave Pattenden

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At the appointed time of 6:45pm, Mayor Arnold welcomed Dave Pattenden to make his presentation to Council about two new recognition plaques for historically significant events in the Township of St. Clair.

Mr. Pattenden advised Council that Heritage St. Clair would like to erect two new plaques in 2015: one to recognize a past, trailblazing magician Stuart James and one to recognize the St. Clair Rebellion of 1837 and 1838.

Stuart James grew up in Courtright and is world renowned for his contributions to the field of magic. He invented many of the illusions still used by magicians today. Known as more of an inventor than a performer, Stuart lived in Courtright his entire life. Mr. James even served in World War II where he entertained the soldiers. The plan for a commemorative plaque is to place it across from his family's former residence at Courtright Waterfront Park.

Many soldiers lost their lives defending the shores of the St. Clair River during the Rebellion of St. Clair in 1837 and 1838. These events had an impact on the development of Canada. A plaque to commemorate the Rebellion is planned for the municipal park at the north end of Sombra.

Moved by D. Randell

Seconded by S. Miller

Motion #22 That Council of the Township of St. Clair support, in principle, the development and installation of two commemorative plaques commemorating Stuart James' contributions to the field of magic and the Rebellion of St. Clair in 1837 and 1838 and that Heritage St. Clair work together with the Director of Community Services to determine the best locations for the plaques.

CARRIED

OPG Naturalization Project – Susan Thurston, Tony Van Oostrom, Dan Gregory

At the appointed time of 7:00 p.m., Mayor Arnold welcomed representatives from OPG to come forward and make their presentation related to the naturalization of a portion of land at the former Lambton Generating Station.

The lands of the former Lambton Generating Station contain 290 natural acres of which there have been continued efforts of naturalization focusing on species at risk and habitat creation. OPG wishes to extend these naturalization efforts on land between the River Trail and the St. Clair River.

The proposal is to plant long planting beds (3 meters wide by 50 meters long) parallel to the River Trail as test plots. They would be planted with natural grasses and flowers of different heights and with different blooming seasons and colours. The species of plants includes different types of milkweed designed to attract the Monarch Butterfly, which has recently been identified as a species at risk. This proposal would see 9 of these planting beds along the River Trail with visions of the entire area eventually being encompassed by the species' natural seeding process.

Susan advised Council that they are set to meet with members of the River Trail Committee tomorrow to discuss their plans.

Moved by S. Miller

Seconded by J. Agar

Motion #23 That support for the naturalization of OPG lands be tabled to allow the St. Clair River Trail committee to review and comment.

TABLED

2417 and 2421 Courtright Line – Kathy Vansickle

At the appointed time of 7:15 p.m., Mayor Arnold welcomed Kathy Vansickle and her daughter to make their presentation to Council related to property standards concerns at 2417 and 2421 Courtright Line.

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Kathy advised Council that she is asking for a reconsideration of the motions passed at the September 21, 2015 meeting of Council where the buildings at both 2417 and 2421 Courtright Line were set to be demolished. A complaint submitted at that same meeting acknowledged some work was being undertaken by the owners, the Vansickles. Kathy advised she has a copy of the engineer's report produced by a contractor of the County of Lambton and did not necessarily disagree with its findings. She is currently considering using the same engineer, or one of her finding, to undertake the necessary improvements to have the buildings considered structurally safe.

The building located at 2421 Courtright Line experienced a devastating fire in the 1980's where the entire building was gutted and rebuilt. This was done to meet the current Ontario standards in conjunction with township inspectors, so she does not understand how it is not considered structurally safe this short time later.

Removing the structures will have a significant impact on Larry, according to both Kathy and her daughter. He has endured many losses in his life and places tremendous value on the buildings in question.

Kathy advised that she could not put timelines on how long it would take to bring the properties into compliance but, guaranteed she could work on the properties at least one day a week until compliance is accomplished. She maintained that the buildings are not occupied and there are no plans to do so.

Kathy advised she is not comfortable working with the property standards officer, Kelly Bedard. Mrs. Vansickle advised that Kelly had quotes for the teardown of the buildings on both properties back in March and feels there may be a personal agenda.

Mayor Arnold reminded Council that, if they are to reconsider this, they would need a reconsidering motion which would need to be moved by someone who voted for the demolition and a majority of 75% must be achieved.

Moved by P. Gilliland

Seconded by D. Randell

Motion #24 That the motion to demolish the buildings at 2417 and 2421 Courtright Line be reconsidered.

CARRIED

Deputy Mayor Gilliland advised that, in his opinion, the buildings are going to be expensive to repair as both roofs need structural work in addition to shingling. Kathy advised she is aware of the financial commitment required but, assured Council that her intention is to undertake whatever work is necessary, including purging the interior contents.

Moved by P. Gilliland

Seconded by J. Degurse

Motion #25 That the owners of 2417 and 2421 Courtright Line be granted a one year extension until October 5, 2016 to bring both properties into a state of compliance with Property Standards By-law 3 of 2015, or risk having them demolished by the municipality at their expense. Be it further moved that the Owner appear before Council bi-monthly for the next 12 months to identify progress made.

CARRIED

Rogers Cell Tower – Site Reconsideration

At the appointed time of 7:30 p.m. Mayor Arnold welcomed Jeff McCay to make his presentation to Council related to the location of a telecommunications tower to be located at 359 Moore Line, being a works yard of the municipality.

Council will remember the ongoing communication related to a telecommunications tower being proposed for 359 Moore Line where most recently a motion was passed to move the tower to the furthest south limit of the property. Jeff advised Council that this location removes the targeted consumers in Mooretown from the coverage zone and renders the tower useless. Further, if located in this location, it would essentially cover the area already covered by an existing tower to the south.

The latest technology sees towers of this proposed height provide an adequate service area of 1.3 kilometers from the tower base. The location at the north part of the agricultural field, as it was last proposed, removes a portion of Mooretown from the prime service area as it is. They will still have service but, not at speeds those within 1.3 kilometers of the tower will receive.

Jeff advised Council that, when asked by Council to move the tower from the originally proposed location to as far south as possible, Rogers again visited the site and calculated how far south they could go before the tower would be largely ineffective. They then undertook the engineering and surveying necessary to propose the tower at the “new” location at the north end of the agricultural field. When Council subsequently directed, by motion, the tower to be moved to the furthest portion south on the site, it rendered the tower useless as moving it any further south would completely miss the target consumer cluster. Thus, Jeff asked Council to reconsider their motion that directed Rogers to move the tower as far south as possible on the site.

Moved by T. Kingston

Seconded by J. Degurse

Motion #26 That the motion of Council directing Rogers to move the proposed telecommunications tower for 359 Moore Line as far south as the lot will allow be reconsidered.

CARRIED

Jeff advised Council that the proposed tower location is 353 meters from Moore Line. In his opinion, a house built on adjacent properties, if built with similar setbacks as all other houses on Moore Line, would still have a setback of over 250 meters from the tower’s location. The proposed tower may not even require lighting at the top as it is not the tallest structure in the vicinity but, that will not be known until later in the process as mandated by Industry Canada.

Moved by S. Miller

Seconded by T. Kingston

Motion #27 That, as a result of the demand for affordable high speed service by ratepayers, the telecommunications tower proposed for 359 Moore Line be permitted at 353 meters back from Moore Line (the north part of the agricultural parcel) as long as it is in a location that does not disrupt operations on-site or impact potential future development plans for the site.

CARRIED

COUNCILLORS’ REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland expressed concern from the St. Clair River Trail Committee about future funding initiatives. Currently, the Township matches 2:1 all funds raised annually to a maximum of \$100,000. Now that the trail is “complete”, the committee is concerned that the ratio may be reduced.

Moved by P. Gilliland

Seconded by J. Agar

Motion #28 That the St. Clair River Trail Committee be invited to attend a meeting of Council to discuss future fundraising plans and expectations.

CARRIED

Councillor Randell:

Councillor Randell advised that Bell is offering a portable hub that can be connected anywhere for wireless high speed internet. He believes the price of the unit to be approximately \$200 with a monthly operation fee of around \$50. He asked that a report be produced by staff.

Councillor Miller:

Councillor Miller had the opportunity to barbecue hamburgers for the Township staff lunch. He appreciated and enjoyed the event. Further, he advised that he has a property issue to discuss in-camera.

Councillor Kingston:

Councillor Kingston attended the Brigden Splash Pad dedication which was a great event. She also directed Council to an article in the Travel section of the Sarnia Observer that described the water front park in Courtright as needing some “TLC” by painting the flag pole and tending to some shrubs. Mayor Arnold directed staff to look into the situation.

Councillor Degurse:

Councillor Degurse advised that he received a complaint from a ratepayer along Petrolia Line who indicated that he received no notice of a power shut-off by HydroOne who has been shutting it down to allow modules to be moved from the Industrial Park to Imperial Oil.

Mayor Steve Arnold:

Mayor Arnold advised that he remains very busy attending many events such as the Splash Pad Dedication in Brigden and the Henderson memorial forest ceremony. Mayor Arnold also received, on behalf of the township, two awards:

1. From the Brigden Splash Pad Committee for monetary support for the project; and,
2. From Warden MacDougall for a beach and Waterfront Community.

These awards, along with many others will be featured in a new trophy case in the Civic Centre once completed.

IN-CAMERA:

Moved by P. Gilliland

Seconded by D. Randell

Motion #29 That the meeting enter an in-camera session to discuss two legal matters and a property issue.

CARRIED

Mayor Arnold declared the meeting back into open session at 8:20 p.m. and noted there was nothing to rise and report from the in-camera session.

NEW BUSINESS:

Moved by D. Randell

Seconded by S. Miller

Motion #30 That staff be directed to produce a report on unidentified fill being brought into the township from developments or otherwise.

CARRIED

Seeing no further business to discuss, it was thereby moved:

Moved by D. Randell

Seconded by S. Miller

Motion #31 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 8:30 p.m.