

TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #21

St. Clair Township Civic Centre
Council Chambers
November 21, 2016
5:00 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
	J. DeGurse	“
	D. Randell	“
	S. Miller	“
	J. Agar	“
Staff:	J. Rodey	CAO
	J. Baranek	Clerk/ Deputy CAO

TOWNSHIP OF ST. CLAIR

COUNCIL AGENDA

St. Clair Township Civic Centre
November 21, 2016
5:00 p.m.

Declaration of Conflict of Interest:

Minutes:

Regular Council Meeting – Session #20 – November 7, 2016
Sombra Township Museum Board Committee Meeting – September 15, 2016

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

5:30 p.m. – Public Meeting – Proposed Temporary Use By-law – 1120 George Robertson Waterway*
Applicant: Richard Gray
*See separate agenda

6:00 p.m. – Court of Revision – Allingham Drain

CORRESPONDENCE:

- 1) Property Standards – 2522 Courtright Line
- 2) Sarnia Seniors’ Cruise – Donation Request
- 3) Merlink Internet – Tower Location Request
- 4) Moore Charitable Foundation – Donation Request
- 5) Mooretown Flags – Donation Request
- 6) Physician Recruitment – Deputation Request

INFORMATION:

- a) Spiles – Sombra Park
- b) Tribunal – McClure Drain Decision
- c) Sombra Internet Access

DRAINS:

Drainage By-law #24 of 2016, being a by-law to amend Drainage By-law #12 of 2016 for construction of the Doyle Drain in the Township of St. Clair be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

REPORTS OF COMMITTEES AND OFFICERS:

TREASURER'S REPORT:

- Infrastructure Ontario Loan Interest Rate 2.22%

PROPERTY STANDARDS OFFICER'S REPORT:

- Property Standards Update

DEPUTY CLERK/COORDINATOR OF PLANNING:

CLERK'S REPORT:

- Ranked Ballots – 2018 Municipal Election
- Voting Method – 2018 Municipal Election
- Community Dock – Sombra Park – tender results

CAO'S REPORTS:

MOTIONS:

BY-LAWS:

- 45 of 2016 – OILC Debenture By-law
- 46 of 2016 – Lease – Family Physician Team By-law

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Regular Council – Monday, December 5, 2016 ~ 6:30 p.m.
- Capital Budget Meeting – December 15, 2016 ~ 5:00 p.m.
- Committee of the Whole – Monday, December 19, 2016 ~ 3:00 p.m.
- Regular Council – Monday, December 19, 2016 ~ 5:00 p.m. after Committee of the Whole

In Camera

- [S.239 (2) (b) Personal Matters – Tax Arrears]
- [S.239 (2) (b) Personal Matters – Personnel]

ADJOURNMENT:

Council Meeting
November 21, 2016

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 J. Agar

Motion #1 That the Minutes from the Council meeting Session #20 held November 7, 2016 be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #2 That the Minutes from the Sombra Township Museum Board Committee meeting held September 15, 2016 be received and accepted as printed.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

Public Meeting – Proposed Temporary Use By-Law – 1120 George Robertson Way

At the appointed time of 5:30 p.m., Mayor Arnold welcomed those in attendance for the public meeting to consider a temporary use by-law which would permit the use of an accessory building on an otherwise vacant lot for a period of three years.

Township Planner - Barry Uitvlugt summarized his report advising that the property was located on Fawn Island, was zoned residential and that the applicant owns 4 abutting lots on a registered plan of subdivision that the applicant plans to consolidate thereby, creating one lot. Mr. Gray built a 16 foot by 12 foot shelter on the otherwise vacant lot without a permit. The building does not contain a washroom or kitchen facilities and is used for shelter and storage. The applicant stays on his boat when at the island but, needed a secure space to store items on land.

Temporary Use By-laws are permitted by the Township Official Plan and the applicant plans to build a cottage on the lot within the three year period.

The Clerk advised that the Township has received four letters of support and no letters of opposition to the proposal.

Richard Gray, the applicant, brought forward a petition signed by 35 owners of lots on Fawn Island in support of the application. He advised that he made an honest mistake and that he obtained permission from the Fawn Island Council who referenced the former Township of Sombra Zoning By-law which allowed buildings under 200 square feet to be erected without a permit. Mr. Gray advised that on-land storage was necessary to house land maintenance tools and, sometimes, as a refuge from Fawn Island mosquitos.

Councillor Miller advised that his concern for permitting accessory structure without a principal building was the potential for the operation of an illegal business but, this was a remote fear as the subject land cannot be accessed by land.

Mayor Arnold confirmed that the building has a water connection and hydro but, no washroom facilities. Mr. Gray advised that he used his boat for washroom facilities and the island clubhouse is nearby.

Mr. Gray concluded by advising Council that a cottage will be built on the subject lands within the three years but, that securing a traditional mortgage is complicated as the island has only seasonal access. Councillor Miller advised that an extension is available up to a total of five years if approved by Council near the end of the first three year term.

Moved by S. Miller

Seconded by D. Randell

Motion #3 That the passing of a temporary use by-law to permit the use of an accessory structure at 1120 George Robertson Waterway be deferred until the proponent enters into

an agreement with the Township to provide for securities until a principal building is erected on site.

CARRIED

Court of Revision:

At the appointed time of 6:00 p.m., Mayor Arnold welcomed those in attendance for the Court of Revision for the Allingham Drain.

Philip Keightley of MIG Consulting summarized his report dated September 21, 2016 identifying that a single ratepayer petitioned for the report and will be responsible for all costs. The works requested by Nova Chemicals were related to their proposed 20-20 project but, the report also included an updated schedule of assessment for future works.

Mr. Keightley advised that he included a clause within the report that would have Nova pick up all costs for any work to the drain within their land without assessing cost to upstream ratepayers on the drain for a period of seven years. This clause was in the existing report for the drain authored in 1976 where former owner of the subject lands, Petrosar, was responsible for all costs associated with drainage works on their property.

Tom Wilson, owner of 894 Petrolia Line, expressed concern that Nova would only be required to pay 100% of costs for works within their property for seven years. In his opinion, this should be extended indefinitely as works within their land will cost more than on an agricultural parcel.

Mayor Arnold questioned why the special seven year clause was not specifically identified in the proposed by-law. Mr. Keightley advised that it was captured within the by-law as it was a part of the engineer's report approved by the by-law. Mayor Arnold asked that a note be placed in the file specifying that Council may extend the seven year clause at any point when a ratepayer requests a report on the Allingham Drain under Section 76 of the Drainage Act.

Moved by D. Randell

Seconded by P. Gilliland

Motion #4 That the assessments for the Allingham Drain according to the report submitted by Philip Keightley of MIG Consulting and dated September 21, 2016 be confirmed and that the drain be referred to Council for the final reading of Drainage By-law 22 of 2016.

CARRIED

CORRESPONDENCE:

Moved by S. Miller

Seconded by J. Agar

Motion #5 That the property standards complaint received for the property known as 2522 Courtright Line be referred to staff to determine if the property is in non-compliance with Property Standards By-law 3 of 2015 and that staff be directed to initiate the process to correct any discovered non-compliance.

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #6 That the request submitted for donations towards the Sarnia Senior's Cruise be received and filed.

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #7 That the request submitted by Merlink Communications Inc. for Council to support a telecommunications tower to be erected at 3536 St. Clair Parkway be received and that Merlink be authorized to work with Township staff to host a public consideration meeting and report results back to Council.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #8 That the request submitted by the Moore Charitable Foundation to increase their annual donation from \$5000 to \$10,000 be referred to 2017 budget deliberations.

CARRIED

Council Meeting
November 21, 2016

Moved by D. Randell

Seconded by S. Miller

Motion #9 That the request submitted by the Mooretown Flags Hockey Club for a donation be referred to the 2017 budget deliberations.

CARRIED

Moved by J. Agar

Seconded by P. Gilliland

Motion #10 That the request submitted by the Physician Recruitment Team for a deputation with Council be received and filed without action.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #11 That the following items of correspondence be accepted per Council's direction:

- 1) Property Standards – 2522 Courtright Line
- 2) Sarnia Seniors' Cruise – Donation Request
- 3) Merlink Internet – Tower Location Request
- 4) Moore Charitable Foundation – Donation Request
- 5) Mooretown Flags – Donation Request
- 6) Physician Recruitment – Deputation Request

CARRIED

INFORMATION:

Moved by D. Randell

Seconded by P. Gilliland

Motion #12 That the following items of information be dealt with as per Council's instructions for items identified as agenda items a) thru c):

- a) Spiles – Sombra Park
- b) Tribunal – McClure Drain Decision
- c) Sombra Internet Access

CARRIED

DRAINS:

Moved by P. Gilliland

Seconded by J. Agar

Motion #13 That Drainage By-law #24 of 2016, being a by-law to amend Drainage By-law #12 of 2016 for construction of the Doyle Drain in the Township of St. Clair be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

TREASURER'S REPORT:

Moved by D. Randell

Seconded by P. Gilliland

Motion #14 That the report by Charles Quenneville – Director of Finance dated November 8, 2016 with regard to Infrastructure Ontario Loan Interest Rate 2.22% be received and that the Treasurer, Clerk & Mayor be authorized to sign all necessary debenture documents including By-Law 2016-45 in the amount of \$636,200 at 2.22% paid semi-annual for ten years with a debenture date of December 1, 2016 with Ontario Infrastructure and Lands Corporation (OILC).

CARRIED

PROPERTY STANDARDS OFFICER'S REPORT:

Moved by T. Kingston

Seconded by J. DeGurse

Motion #15 That the Property Standards Update report by Kelly Bedard – Property Standards/By-Law Enforcement Officer (PSO) dated November 15, 2016 be received and that the PSO be directed to close the file on 411 Beresford.

CARRIED

CLERK'S REPORTS:

Moved by J. DeGurse

Seconded by T. Kingston

Motion #16 That it be recommended to Council that the report of Jeff Baranek – Clerk with regard to Ranked Ballots – 2018 Municipal Election dated November 14, 2016 be received and that Council approve maintaining the existing first-past-the-post election model for the upcoming 2018 Municipal election.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion #17 That it be recommended to Council that the report of Jeff Baranek – Clerk with regard to Voting Method – 2018 Municipal Election dated November 14, 2016 be received and that Council approves the Vote By Mail method for the upcoming election in 2018.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #18 That it be recommended to Council that the report of Jeff Baranek – Clerk with regard to the Community Dock – Sombra Park – Tender Results dated November 16, 2016 be received and that Council approves the quote in the amount of \$44,922 (not including the decking in the amount of \$3880.40) submitted by Bill Hart for the repairs to the seawall and the construction of a community dock in Sombra Park with the Council contribution being funded from the Environment and Education Fund.

CARRIED

MOTIONS:

Moved by S. Miller

Seconded by T. Kingston

Motion #19 That the recommendation from the November 21, 2016 – Finance & Administration and Public Works & Operations Committees' meetings be received and approved.

CARRIED

BY-LAWS:

Moved by D. Randell

Seconded by J. Agar

Motion #20 That the following By-laws receive all three readings and that the Mayor and Clerk are authorized to execute appurtenant agreements and be thereby passed:

- 45 of 2016 – OILC Debenture By-law
- 46 of 2016 – Lease – Family Physician Team By-law

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland advised that he sat in on interviews in the absence of Mayor Arnold for the coordinator positions, and that he attended many events on behalf of the Township including Brigden Remembrance Day Ceremony, the Poor Boy Lunch at the Corunna Legion for Operation Christmas Tree and the Fire Department Christmas Party.

Councillor Randell:

Councillor Randell advised that he attended the Remembrance Day Ceremony in Wallaceburg, and that he was appointed to remain on the Source Water Protection Board, in what will be the 9th year of a five year appointment.

Councillor Kingston:

Councillor Kingston attended the Remembrance Day Ceremony at Aamjiwnaang and a recent Accessibility Committee meeting where the Sombra Museum was audited for compliance with AODA/IASR standards.

Councillor Kingston also attended the Teeny Tiny Summit in Brooke-Alvinston which was a good event.

Mayor Arnold:

Mayor Arnold attended many events representing the Township including the Aamjiwnaang Remembrance Day Ceremony, Scouts' Remembrance Day Service on November 10, 2016 and stopped in at both Brigden and Corunna Legions for their Remembrance Day gatherings.

He also attended the Poor Boy Lunch in support of Operation Christmas Tree, the Christmas Parade in Wilkesport and the Fire Department Christmas Party.

Mayor Arnold also had the honour of spending an afternoon with three students from Sir John Moore School to demonstrate a day in the life of the Mayor of St. Clair Township.

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Regular Council – Monday, December 5, 2016 ~ 6:30 p.m.
- Committee of the Whole – Monday, December 19, 2016 ~ 3:00 p.m.
- Regular Council – Monday, December 19, 2016 ~ 5:00 p.m. after Committee of the Whole

IN-CAMERA:

Moved by J. DeGurse

Seconded by P. Gilliland

Motion #21 That the meeting enter an in-camera session under Section 239(b) of the Municipal Act to discuss personal matters related to a tax arrears account and Township personnel.

CARRIED

Mayor Arnold declared the meeting back into open session and advised that there was nothing to rise and report.

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

Moved by D. Randell

Seconded by S. Miller

Motion #22 That the meeting of Council hereby adjourned.

CARRIED

The meeting adjourned at 7:15 p.m.

MAYOR

CLERK