

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

St. Clair Township Civic Centre
September 5, 2017
6:15 p.m.

A Regular Meeting of Council was held Tuesday, September 5, 2017 at the Council Chambers in Mooretown at 6:15 p.m. with the following people present:

S. Arnold	Mayor
P. Gilliland	Deputy Mayor
J. Agar	Councillor
J. De Gurse	“
D. Randell	“
T. Kingston	“
S. Miller	“

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

COUNCIL AGENDA

SESSION #17

Declaration of Conflict of Interest:

Minutes:

Regular Council Meeting – Session #16 – August 21, 2017
Finance & Administration Meeting – August 21, 2017
Public Works & Operations Meeting – August 21, 2017
Heritage St. Clair Committee Meeting – June 21, 2017
Emergency Services Committee Meeting – July 10, 2017
Moore Museum Advisory Committee Meeting - August 9, 2017
Sombra Township Museum Board Committee Meeting – August 17, 2017

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:15 p.m. – Good Neighbour Recognition Ceremony
6:45 p.m. – Kevin Smith – 50 Thomson Street
7:00 p.m. – Ashley Didone - Collins Barrow KMD LLP

CORRESPONDENCE:

- 1) Greenhouse Request – Ben Arnold
- 2) Property Standards – 1353 Wilkesport Line
- 3) St. Joseph’s School – Buddy Rocks
- 4) 4296 St. Clair Parkway – Proposed Shoreline Erosion Control Work
- 5) Optimist Club of Moore – Santa Claus Parade
- 6) Antonio’s – On-Street Parking Concern

INFORMATION:

- a) No Frills Corunna – New Ownership
- b) Sombra Museum – Volunteer Luncheon

- c) OPG – Security Concerns
- d) Chamber of Commerce – State of the County Address
- e) ROMA 2018
- f) County of Lambton – Official Plan Review
- g) TSL – Grant Writing Seminar
- h) UG – Panhandle Reinforcement Update
- i) LGS – ECA Application Buttress Blanket Cover
- j) UG – Bickford Storage Pool Tree Clearing
- k) Hydro One – Traffic Interruption on St. Clair River

DRAINS:

- Drainage By-law #21 of 2017, being a by-law to raise the sum of \$2,272.00 being money expended out of the General Funds of the Township of St. Clair for a reassessment of the Brown 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:

SENIOR PLANNER’S REPORTS:

- Marihuana Grow-Op in the former Murray Street School, 389 Murray Street, Corunna
- Removal of Holding Symbol on a portion of J.W. Seward Enterprises, 497 Courtright Line, Courtright

DIRECTOR OF FINANCE’S REPORTS:

- 2016 Audit Findings letter
- ARB (Assessment Review Board) Delegation of Authority
- Consolidated St. Clair Township 2016 Financial Statement

COORDINATOR OF OPERATIONS’ (WATER/WASTEWATER) REPORTS:

- Port Lambton North Lagoon Bio-solids Removal Proposal Recommendation
- Sombra Lagoon East Cell Bio-solids Removal Proposal Recommendation

COORDINATOR OF OPERATIONS’ (WORKS) REPORT:

- Bickford Line – Bank Slide

COORDINATOR OF ENGINEERING’S REPORT:

- Ferry Dock Storm Sewer Replacement – Recommendation

DRAINAGE SUPERINTENDENT’S REPORT:

- Heyland Drain

CLERK’S REPORT:

ACTING DEPUTY CLERK/COORDINATOR OF PLANNING’S REPORT:

- Notice of Public Meeting – Proposed Zoning By-law Amendment
Maximum Height Requirements in Industrial Type 3 M3 Zone

CAO’S REPORT:

MOTIONS:

BY-LAWS:

- By-law 39 of 2017 – To Remove the Holding Symbol (h) Pursuant to Section 36 of the Planning Act
- By-law 40 of 2017 – User Fees By-law

COUNCILLORS' REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – September 11, 2017 ~ 3:00 p.m.
- Regular Council – September 18, 2017 ~ 6:30 p.m.
- Regular Council – Monday, October 2, 2017 ~ 6:30 p.m.
- Committee of the Whole – Tuesday, October 10, 2017 ~ 3:00 p.m.
- Regular Council – Monday, October 16, 2017 ~ 6:30 p.m.

In Camera:

- 239 (2) (b) Personal tax matters about an identifiable individual

ADJOURNMENT:

DEPUTATIONS:

At the appointed time of 6:15 p.m., Mayor Arnold welcomed those in attendance for the second Good Neighbour ceremony.

The following neighbours were recognized as being significant contributors to their local communities:

Brad Knight, nominated by Jean Dunk
Sylvia and Allan Knight, nominated by Alison Corcoran
Glen Nantais, nominated by Lisa Lloyd
Joyce and Larry McDonald, nominated by Betty and Al Luckins
Lloyd McDonald, nominated by Gord Dawson
Colleen and John Flesher, nominated by Tara and Shawn Antle
Emma and Jordan Grant, nominated by Tara and Shawn Antle
Rose and Mary Ann Ryan, nominated by Cheryl Simpson

Mayor Arnold joined Council in thanking and congratulating all those who are recognized for brightening communities throughout the Township.

Declaration of Conflict of Interest:

Mayor Arnold declared a Pecuniary Interest for item 1 under Correspondence as his son was the party making the request.

MINUTES:

Moved by D. Randell

Seconded by J. Agar

Motion #1 That the Minutes from the Council meeting Session #16 - August 21, 2017 be received and accepted as corrected.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #2 That the Minutes from the Finance and Administration meeting held August 21, 2017 be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #3 That the Minutes from the Public Works meeting held August 21, 2017 be received and accepted as corrected.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #4 That the Minutes from the following meetings be received and accepted as printed:

- Heritage St. Clair Committee Meeting – June 21, 2017
- Emergency Services Committee Meeting – July 10, 2017
- Moore Museum Advisory Committee Meeting - August 9, 2017
- Sombra Township Museum Board Committee Meeting – August 17, 2017

CARRIED

Kevin Smith, 50 Thomson Street

At the appointed time of 6:45 p.m., Mayor Arnold welcomed Kevin Smith, owner of 50 Thomson Street, to discuss his outstanding tax arrears and a property standards bill.

Mr. Smith advised his water and sewer have not been connected for a series of years and as a result he asked that any outstanding monthly connection fees for water and sewer be relieved back to when they were disconnected. Mr. Smith advised he is unable to work due to health issues.

Moved by P. Gilliland

Seconded by J. Agar

Motion #5 That any outstanding balance related to monthly fees for water and sewer connections be waived after three consecutive monthly payments against the tax arrears.

CARRIED

Mr. Smith asked how much monthly payment was required to qualify for the elimination of sewer and water fees. He advised that he would be comfortable with \$500/month.

Moved by P. Gilliland

Seconded by J. De Gurse

Motion #6 That Kevin Smith be required to pay a monthly payment of \$500 until the arrears are fully paid off.

CARRIED

Mr. Smith continued by asking for a reduction in his Property Standards invoice which was transferred to his taxes in the amount of \$4722.93 on October 29, 2015. He explained that in his opinion the property standards officer inflated the invoices and intended on demolishing the dwelling.

Mayor Arnold asked staff to arrange a meeting to analyze and explain the Property Standards charges along with the Property Standards invoice.

Collins Barrow KMD LLP – Ashley Didone – 2016 Audited Financial Statements

At the appointed time of 7:00 p.m., Mayor Arnold welcomed Ashley Didone of Collins Barrow KMD LLP to summarize the 2016 Audit Findings.

Mrs. Didone highlighted sections of the 2016 Audited Financial Statements and concluded that the Township was in good standing and that the statements accurately reflected the financial position of the Township.

Moved by J. De Gurse

Seconded by T. Kingston

Motion #7 That Council receive and approve the 2016 revised draft Consolidated Financial Statements for St. Clair Township and that the Mayor and Clerk be authorized to sign the final version which will be dated September 5, 2017.

CARRIED

Mrs. Didone referred to the Audit Findings Letter where four recommendations were made in an effort to increase checks and balances for common practices within the Township.

Moved by P. Gilliland

Seconded by J. Agar

Motion #8 That Council receive and approve the Audit Findings Letter dated September 5, 2017 and the Mayor and Deputy Mayor be authorized to sign the recommendations with regard to the report.

CARRIED

The first recommendation was for expense report authorization for department heads to be signed by a department head from another department.

Moved by T. Kingston

Seconded by J. De Gurse

Motion #9 That all expense reports submitted by Department Heads be authorized by a Department Head of a separate department.

CARRIED

The second recommendation contained within the report was to review the payment authorization for all accounts payable for the Township. Currently, the procedure calls for a signature from either the Treasurer or Deputy Treasurer and a stamp of Mayor Arnold.

A robust discussion ensued considering alternatives, including Mayor Arnold physically signing each payment issued by the municipality. Understanding the onerous nature of that possibility, Mrs. Didone was asked what other similarly sized municipalities do to authorize payments.

Moved by S. Miller

Seconded by D. Randell

Motion #10 That any amendments to the Payment Authorization protocol within the Township be tabled to allow staff to produce alternatives and investigate protocols for other municipalities of similar size.

TABLED

The third recommendation suggests a check and balance for the Bank Reconciliation where a second signature is provided upon completion. Currently, the Treasurer signs off on the Bank Reconciliation and is the lone approval mechanism. The suggestion according to this report was to have a second signature on the approval.

Moved by P. Gilliland

Seconded by J. De Gurse

Motion #11 That the protocol for Bank Reconciliations require authorization from both the Treasurer and Deputy Treasurer.

CARRIED

The fourth and final recommendation contained within the report deals with the vacation carry-over policy. The audit discovered some senior staff as having significant vacation time accumulated over the years.

Moved by P. Gilliland

Seconded by T. Kingston

Motion #12 That an annual report be submitted to Council identifying the amount of vacation each member of senior staff has accumulated and that staff be directed to develop a vacation policy limiting the amount of vacation that can be carried over annually.

CARRIED

Mayor Arnold thanked Ashley Didone for her presentation and asked for information on what other municipalities of similar sizes do for Payment Authorization.

CORRESPONDENCE:

Mayor Arnold declared a pecuniary interest and vacated the chamber. Deputy Mayor Gilliland assumed the chair in Mayor Arnold’s absence.

Moved by D. Randell

Seconded by S. Miller

Motion #13 That the fee for a Temporary Use Permit for an agricultural greenhouse to be erected for a period of three years on the property known as Sombra Con 7 Pt Lots E and F; Plan 33 1Ft Reserve and RP 25R5629 Part 3 be waived.

CARRIED

Mayor Arnold returned as Chairman for the remainder of the meeting.

Moved by T. Kingston

Seconded by S. Miller

Motion #14 That the property standards complaint received against the properties known as 1353 and 1358 Wilkesport Line be referred to staff for investigation and that staff be directed to begin the process to remedy any non-compliance with appurtenant by-laws.

CARRIED

Moved by J. Agar

Seconded by T. Kingston

Motion #15 That the Township support the Buddy Rock equipment installation at St. Joseph School in Corunna by donating half the cost of the project up to the amount of \$1940 to be funded by the Education and Environment Fund.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #16 That a draft agreement be produced that satisfies both parties’ concerns for shoreline erosion control work at 4296 St. Clair Parkway and that it be brought back for consideration.

CARRIED

Moved by J. Agar

Seconded by J. De Gurse

Motion #17 That the closure of Lyndoch Street between Beckwith Street and Bunker Avenue on the evening of November 25, 2017 for the purpose of the Optimists of Moore Santa Claus Parade be approved.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #18 That the request submitted by the owner of Antonio’s Pizza to consider restricting on-street parking between Kay’s Petals and Plants and Antonio’s Pizza on the west side of Lyndoch Street be referred to staff for a report.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #19 That Council accept the following items of correspondence as per Council’s direction:

- 1) Greenhouse Request – Ben Arnold
- 2) Property Standards – 1353 Wilkesport Line
- 3) St. Joseph’s School – Buddy Rocks
- 4) 4296 St. Clair Parkway – Proposed Shoreline Erosion Control Work
- 5) Optimist Club of Moore – Santa Claus Parade
- 6) Antonio’s – On-Street Parking Concern

CARRIED

INFORMATION:

Moved by J. Agar

Seconded by P. Gilliland

Motion #20 That staff be directed to respond to ECA Amendment Number A031802 stating the Township does not want the Coal Ash Landfill covered and, instead, wants all coal ash removed from the site.

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #21 That the Township submit a letter to Union Gas and the St. Clair Region Conservation Authority requiring the 2:1 replant of 1000 seedlings/acre for the Bickford Storage Pool Tree Clearing be planted within the Township of St. Clair.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #22 That the following items of information be dealt with as per Council's instructions for items identified as agenda items a) through k):

- a) No Frills Corunna – New Ownership
- b) Sombra Museum – Volunteer Luncheon
- c) OPG – Security Concerns
- d) Chamber of Commerce – State of the County Address
- e) ROMA 2018
- f) County of Lambton – Official Plan Review
- g) TSL – Grant Writing Seminar
- h) UG – Panhandle Reinforcement Update
- i) LGS – ECA Application Buttress Blanket Cover
- j) UG – Bickford Storage Pool Tree Clearing
- k) Hydro One – Traffic Interruption on St. Clair River

CARRIED

DRAINS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #23 That Drainage Bylaw 21 of 2017, being a by-law to raise the sum of \$2,272.00 being money expended out of the General Funds of the Township of St. Clair for a reassessment of the Brown 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.

CARRIED

SENIOR PLANNER'S REPORTS:

Moved by P. Gilliland

Seconded by J. Agar

Motion #24 That the report of Barry Uitvlugt – Senior Planner dated August 28, 2017 related to the former Murray Street School be received as information.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #25 That the report of Barry Uitvlugt – Senior Planner dated August 29, 2017 be received as information and that Council pass a by-law to remove a holding symbol for non-processing permitted uses on only those lands north of the hydro corridor on 497 Courtright Line.

CARRIED

DIRECTOR OF FINANCES' REPORTS:

(* 2016 Audit Findings Letter done by Motion #8)

Moved by T. Kingston

Seconded by J. De Gurse

Motion #26 That the report submitted by Charles Quenneville – Treasurer dated August 24, 2017 with regard to the Assessment Review Board Delegation of Authority with respect to Property Assessment and the Collection be tabled to be considered at the Committee of the Whole Meeting.

TABLED

(*Consolidated St. Clair Township 2016 Financial Statement done by Motion #7)

COORDINATOR OF OPERATIONS' (WATER/WASTEWATER) REPORTS:

Moved by J. De Gurse

Seconded by J. Agar

Motion #27 That the report of Chris Westbrook – Coordinator of Operations (Water/Wastewater) dated September 5, 2017 with regard to Port Lambton North Lagoon

Bio-solids Removal Proposal Recommendation be accepted and that Council approve the proposal submitted by Terratec Environmental for the removal of 3049 Bone Dry Tonnes of Bio-solids from the Port Lambton North Cell project and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Moved by T. Kingston

Seconded by J. De Gurse

Motion #28 That the report of Chris Westbrook – Coordinator of Operations (Water/Wastewater) dated September 5, 2017 with regard to Sombra Lagoon East Cell Bio-solids Removal Proposal Recommendation be accepted and that Council approve the proposal submitted by Terratec Environmental for the removal of 2417 Bone Dry Tonnes of Bio-solids from the Sombra Lagoon East Cell project and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

COORDINATOR OF OPERATIONS' (WORKS) REPORT:

Moved by T. Kingston

Seconded by J. De Gurse

Motion #29 That the report of David Neely – Coordinator of Operations (Works) dated August 16, 2017 with regard to Bickford Line – Bank Slide be received and that the Township procurement policy be waived for economic benefits, and that the quote submitted by GJS Contracting Ltd. in the amount of \$52,600.00 for the repair of 168m of drain slope, along the north side of Bickford Line (Scott Drain) be accepted, and to be paid from the 2017 operations budget.

CARRIED

COORDINATOR OF ENGINEERING'S REPORT:

Moved by T. Kingston

Seconded by J. De Gurse

Motion #30 That the report of Paul DaSilva – Coordinator of Engineering dated August 30, 2017 with regard to Ferry Dock Storm Sewer Replacement - Recommendation be accepted and that the tender submitted by Cope Construction Ltd. in the amount of \$145,745.25 net HST be approved and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

DRAINAGE SUPERINTENDENT'S REPORT:

Moved by S. Miller

Seconded by T. Kingston

Motion #31 That the report of Lucas DePooter – Drainage Superintendent dated August 30, 2017 with regard to Heyland Drain be accepted and that the quote submitted by JLH Excavating Inc. in the amount of \$26,236.07 (incl. Net HST) be approved and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

ACTING DEPUTY CLERK/COORDINATOR OF PLANNING'S REPORT:

Moved by T. Kingston

Seconded by S. Miller

Motion #32 That the report of Caroline DeSchutter - Acting Deputy Clerk/ Coordinator of Planning dated August 30, 2017 be received and that Council authorize staff to proceed with advertisement of Notice of Public Meeting for the proposed Zoning by-law Amendment to address Maximum Height Requirements in the Municipality's Industrial Type 3 MC Zone.

CARRIED

BY-LAWS:

Moved by S. Miller

Seconded by T. Kingston

Motion #33 That By-law 39, being a bylaw to remove the Holding Symbol (h) pursuant to Section 36 of the Planning Act, receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed.

CARRIED

COUNCILLOR’S REPORTS:

Deputy Mayor Gilliland

Deputy Mayor Gilliland attended the opening of the Lambton Room at the Meadowview Villa in Petrolia.

He updated Council on John Bruton, former regular Council Meeting attendee, who now resides in Port Perry by advising that he is doing well and continues to keep an eye on the Township.

Deputy Mayor Gilliland concluded that the Township email system spam filter needs to be updated as he continuously receives spam emails.

Councillor Agar

Councillor Agar was honoured to have marched in the Labour Day Parade on behalf of Council.

Councillor Randell

Councillor Randell asked for a status report from staff on the former school located at 1188 Kimball Road.

Councillor Kingston

Councillor Kingston attended the Brigden Fair Ambassador Pageant and advised that she was going to seek clarification of By-law 33 of 2017 regarding the parking of vehicles and trailers in the Township.

Mayor Arnold

Mayor Arnold has attended many things on behalf of Council since the last meeting of Council including: the volunteer appreciation event at the Lambton Heritage Museum; the Brigden Fair Ambassador Pageant; a safety award ceremony at CF Industries; a meeting at Nova providing funding opportunities; the Labour Day Parade and the finals of the OBA Championships at Van Damme Park in Port Lambton where the Port Lambton Pirates lost in the finals.

Mayor Arnold reminded Council of the upcoming Sombra Township Child Care Open House being held on September 10.

UNFINISHED BUSINESS:

None at this time.

NEW BUSINESS:

Motion to Reconsider:

Moved by T. Kingston

Seconded by S. Miller

Motion #34 That Motion #3 from the Public Works Committee of the Whole meeting be reconsidered. (*both Mover and Seconder supported the original motion)

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #35 That the waste bag limit be reduced from six to four bags per pickup.

DEFEATED

**The Bag limit remains at 6 bags

UPCOMING MEETINGS:

- Committee of the Whole – Monday, September 11, 2017 ~ 3:00 p.m.
- Regular Council – Monday, September 18, 2017 ~ 6:30 p.m.
- Regular Council – Monday, October 2, 2017 ~ 6:30 p.m.
- Committee of the Whole – Tuesday, October 10, 2017 ~ 3:00 p.m.
- Regular Council – Monday, October 16, 2017 ~ 6:30 p.m.

IN-CAMERA:

Moved by J. Agar

Seconded by T. Kingston

Motion #36 That the meeting enter an in-camera session to discuss the following:

- Municipal Act Section 239 (2)(b) Personal tax matters about an identifiable individual
- Municipal Act Section 239 (2)(c) Potential sale of Township land

CARRIED

Mayor Arnold declared the meeting back into an open session and asked for any forthcoming motions.

Moved by J. Agar

Seconded by D. Randell

Motion #37 That Lot 10 on Plan 34, 5 Fairview Boulevard in Froomfield be declared surplus and the lot be listed for sale by Patty Harkins with ReMax Realty.

CARRIED

ADJOURNMENT:

Seeing no other business to conduct, be it resolved that:

Moved by S. Miller

Seconded by D. Randell

Motion #38 That the meeting do hereby adjourn.

CARRIED

The meeting was adjourned at 9:00 p.m.

MAYOR

CLERK