



CORPORATION OF THE TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #7

St. Clair Township Civic Centre
June 17, 2019
6:00 p.m.

A Regular Meeting of Council was held Monday, June 17, 2019 at the Council Chambers in Mooretown at 6:00 p.m. with the following people present:

S. Arnold	Mayor
S. Miller	Deputy Mayor
R. Atkins	Councillor
P. Brown	Councillor
J. De Gurse	Councillor
T. Kingston	Councillor
B. Myers	Councillor

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

AGENDA:

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. NEW BUSINESS

4. ADOPTION OF MINUTES

- 4.1 Regular Council Meeting - Session #6 – May 21, 2019
- 4.2 Committee of the Whole Meeting – June 4, 2019
- 4.3 Drainage Committee Meetings – March 26 and May 8, 2019
- 4.4 Lambton Farm Safety Association Meeting – April 15, 2019
- 4.5 Heritage St. Clair Meeting – April 17, 2019
- 4.6 Moore Museum Advisory Committee Meeting – May 1, 2019
- 4.7 St. Clair Township Accessibility Committee Meeting – May 16, 2019
- 4.8 St. Clair River Trail – Planning and Development Committee – Regular Meeting – May 22, 2019
- 4.9 Lambton County Historical Society Meeting – May 23, 2019

5. DELEGATIONS/PRESENTATIONS

5.1 - 6:00 p.m. – Cheque Presentations:

- Brigden & District Horticultural Society
- Corunna Community Safety Committee
- Lambton County 4-H Association
- Moore Agricultural Society
- Moore Presbyterian Foundation

5.2 – 6:10 p.m. – Public Rezoning Meeting – ZBLA – 4558 Kimball Road (Patricia Carter)

5.3 COURT OF REVISION:

- 6:15 p.m. – Biox Drain
- 6:30 p.m. – Bennett Drain
- 6:45 p.m. – Feddes Drain

5.4 – 7:00 p.m. – Antoinette Gander – Concerns in the Township

6. CORRESPONDENCE ITEMS

6.1 Marilyn Gladu, MP – Letter addressing stop sign concern on Sutherland Cemetery Road

6.2 Speed Limit and Safety Concerns

6.3 Dock Request – St. James Street

6.4 Port Lambton Gala Days – Refreshment Tent Request

6.5 Napoleon Street Beach Concerns

6.6 Stone Wall Proposal – Lexington Boulevard

6.7 Enbridge Pipelines – Request for exception to heavy traffic by-law

6.8 Property Standards Complaint – 295 Paget Street

7. INFORMATION ITEMS

7.1 Letter – Premier of Ontario to Heads of Council

7.2 Association of Municipalities of Ontario – Delegation Requests for 2019 Annual Conference

7.3 Royal Canadian Legion Branch 447 – Corunna Poppy Committee – Thank You

7.4 March – Building Permits Report

7.5 May – Building Permits Report

7.6 News Release – Lambton County Council Highlights – June 6, 2019

7.7 Town of Grimsby – Letter to Premier – Opposition to Bill 108

7.8 St. Clair Region Conservation Authority Meeting Highlights – April 18, 2019

7.9 St. Clair Region Conservation Authority – Conservation Update – June 2019

7.10 St. Clair Region Conservation Authority – Project Tour – June 27, 2019

8. DRAINS:

8.1 DRAFT Drainage By-Law 14 of 2019

9. BY LAWS

9.1 By-Law 29 of 2019 – To Close the Alley between 120 and 122 Emi Street

9.2 By-Law 30 of 2019 – Being a By-Law to Prohibit Passenger Bus Traffic on Beechwood Drive

9.3 By-Law 31 of 2019 – To Authorize an Agreement with Shell Canada for the purchase and installation of Rate of Speed Signs on St. Clair Parkway

9.4 By-Law 32 of 2019 – To Amend Comprehensive Zoning By-Law No. 17 of 2003 – 4558 Kimball Road

10. REPORTS OF COMMITTEES AND STAFF

10.1 PLANNER:

- 1) Zoning By-Law Amendment – 4558 Kimball Road

10.2 CLERK:

- 1) Legal Representation for LPAT Hearing
- 2) Property Standards Complaint – 505 John Street, Port Lambton

10.3 DIRECTOR OF PUBLIC WORKS:

- 1) Froomfield Sanitary Connection Update R1

10.4. COORDINATOR OF OPERATIONS (WATER/WASTEWATER):

- 1) Jacobs (CH2M) Contract Amendment #8 - Wastewater Facilities

10.5. COORDINATOR OF ENGINEERING:

- 1) Left Turn Lane into Shell Terminal on St. Clair Parkway
2) Paddock Green Ltd. – Phase 18A Acceptance
3) St.Clair River Trail Replacement – Victoria Street to Emily Street

11. IN CAMERA SESSION

12. COUNCILLORS' REPORTS

13. NOTICES OF MOTION

14. UPCOMING MEETINGS

- 14.1 Committee of the Whole - Tuesday, July 2, 2019 at 3:00 p.m.
14.2 Regular Council - Monday, July 15, 2019 at 6:00 p.m.
14.3 Committee of the Whole - Tuesday, August 6, 2019 at 3:00 p.m.
14.4 Regular Council - Monday, August 26, 2019 at 6:00 p.m.

15. ADJOURNMENT

1. CALL TO ORDER

Mayor Arnold called the meeting to Order at 6:00 p.m.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. NEW BUSINESS

4. ADOPTION OF MINUTES

- 4.1 Moved by R. Atkins Seconded by S. Miller
Motion 1 Be it resolved that the Minutes from Council Session #6 held May 21, 2019 be received and accepted as printed.

CARRIED

- 4.2 Moved by R. Atkins Seconded by S. Miller
Motion 2 Be it resolved that the Minutes from the Finance & Administration and the Public Works & Operations meeting held June 4, 2019 be received and accepted as printed.

CARRIED

- 4.3 Moved by R. Atkins Seconded by P. Brown
Motion 3 Be it resolved that the Minutes from the following meetings be received and accepted as printed:

- Drainage Committee Meetings – March 26 & May 8, 2019
- Lambton Farm Safety Association Meeting – April 15, 2019
- Heritage St. Clair Meeting – April 17, 2019
- Moore Museum Advisory Committee Meeting – May 1, 2019
- St. Clair Township Accessibility Committee Meeting – May 16, 2019

- St. Clair River Trail – Planning & Development Committee – Regular Meeting – May 22, 2019
- Lambton County Historical Society Meeting – May 23, 2019

CARRIED

5. DELEGATIONS/PRESENTATIONS

5.1 Cheque Presentations

Mayor Arnold presented the cheques as approved in the 2019 Operating Budget to five groups selected from the large number of organizations who received such donations from the Township for their 2019 operations:

- Brigden & District Horticultural Society
- Corunna Community Safety Committee
- Lambton County 4-H Association
- Moore Agricultural Society
- Moore Presbyterian Foundation

Mayor Arnold commended their continued efforts and thanked them for their endless contributions to the community.

5.2 Public Rezoning Meeting – ZBLA – 4558 Kimball Road (Patricia Carter)

At the appointed time of 6:10 p.m. Mayor Arnold declared the Public Meeting to consider rezoning R3 for the property known as 4558 Kimball Road to order.

Township Planner - Ezio Nadalin summarized his planning report. This rezoning was a condition of severance B1/19 which removed a dwelling from a farm lot that was purchased as a result of farm consolidation. The rezoning would prohibit new dwellings from the retained lot and recognize the smaller, newly created lot.

Moved by T. Kingston

Seconded by B. Myers

Motion 4 Be it resolved that the rezoning as presented by application R3 for the property known as 4558 Kimball Road be approved and that the appurtenant by-law be given all three readings and be thereby passed.

CARRIED

5.3 Court of Revision

Biox Drain

At the appointed time of 6:15 p.m. Mayor Arnold convened the Court of Revision for the Biox Drain. Both the Engineer - Ray Dobbin and the Clerk of the Township confirmed that no written submissions were received. Mayor Arnold asked if anyone wished to speak to their assessment and nobody came forward.

Mayor Arnold closed the Court and reminded the Drainage Committee of two conditions placed on the drain during the consideration meeting: comments from Walpole Island First Nation and ensured compliance with the ECA by the MOECC.

Moved by J. De Gurse

Seconded by B. Myers

Motion 5 That Engineer - Ray Dobbin's assessments for the Biox Drain, in accordance with his report dated March 8, 2019, be accepted and confirmed; and that third reading of the By-law be recommended subject to confirmation of compliance with the ECA for 224 West Holt Line and no concerns reported by Walpole Island First Nation.

CARRIED

Bennett Drain

At the appointed time of 6:15 p.m. Mayor Arnold convened the Court of Revision for the Bennett Drain. Both the Engineer - Ray Dobbin and the Clerk of the Township confirmed that no written submissions were received. Mayor Arnold asked if anyone wished to speak to their assessment and nobody came forward.

Ray advised that the SCRCA had a concern with the proposed length of the culvert and reported that their approval has yet to be granted. He reminded the committee that if the drain proceeds without SCRCA approval, it is not subject to grant funding.

Moved by B. Myers

Seconded by P. Brown

Motion 6 That Engineer - Ray Dobbin's assessments for the Bennett Drain, in accordance with his report dated March 8, 2019, be accepted and confirmed; and that third reading of the By-law be recommended for approval subject to obtaining approval from the St. Clair Region Conservation Authority.

CARRIED

Feddes Drain

At the appointed time of 6:15 p.m., Mayor Arnold convened the Court of Revision for the Feddes Drain. Both the Engineer - Ken Graham and the Clerk of the Township confirmed that no written submissions were received. Mayor Arnold asked if anyone wished to speak to their assessment and nobody came forward.

Moved by B. Myers

Seconded by J. De Gurse

Motion 7 That Engineer – Ken Graham's assessments for the Feddes Drain, in accordance with his report dated March 25, 2019, be accepted and confirmed.

CARRIED

5.4 **Antoinette Gander**

At the appointed time of 7:00 p.m. Mayor Arnold welcomed Mrs. Gander to present her concerns.

Mrs. Gander was concerned about the lack of maintenance at the Corunna Library, the Mooretown Campground, and the former Murray Street School. She stated that, in her opinion, all three are losing ground and are not up to the standard that residents of St. Clair should expect.

Mayor Arnold explained that all Township property is maintained where required and advised that both municipal locations mentioned have been upkept as recently as Spring 2019 (tree trimming and road grading). He explained that it is the responsibility of private property owners to maintain their property to an acceptable level, noting that the Township does not get involved unless a formal written complaint is received.

Moved by S. Miller

Seconded by P. Brown

Motion 8 Be it resolved that staff investigate the property known as 389 Murray Street for non-compliance with Property Standards By-law 53 of 2017 and that staff be directed to produce a report outlining maintenance for the Corunna Library and the Mooretown Campground.

CARRIED

6. **CORRESPONDENCE ITEMS**

Moved by S. Miller

Seconded by P. Brown

Motion 9 Be it resolved that Council accept the following items of correspondence as per Council's direction:

- 6.7 Moved by S. Miller Seconded by T. Kingston
Motion 17 Be it resolved that the request submitted by Enbridge Pipelines Inc. to allow heavy truck traffic to access the Shell refinery via Hill Street and the St. Clair Parkway during replacement of Line 5 under the St. Clair River be approved subject to proper notification being distributed and proper signage posted.

CARRIED

- 6.8 Moved by T. Kingston Seconded by P. Brown
Motion 18 Be it resolved that the property standards complaint received against the property known as 295 Paget Street be referred to staff for investigation.

CARRIED

7. **INFORMATION ITEMS**

Moved by R. Atkins Seconded by S. Miller
Motion 19 Be it resolved that the following items of information be dealt with as per Council's instructions for agenda items identified as 1) to 10):

1. Letter – Premier of Ontario to Heads of Council
2. Association of Municipalities of Ontario – Delegation Requests for 2019 Annual Conference
3. Royal Canadian Legion Branch 447 – Corunna Poppy Committee – Thank You
4. March – Building Permits Report
5. May – Building Permits Report
6. News Release – Lambton County Council Highlights – June 6, 2019
7. Town of Grimsby – Letter to Premier – Opposition to Bill 108
8. St. Clair Region Conservation Authority Meeting Highlights – April 18, 2019
9. St. Clair Region Conservation Authority – Conservation Update – June 2019
10. St. Clair Region Conservation Authority – Project Tour – June 27, 2019

CARRIED

8. **DRAINS:**

DRAFT Drainage By-Laws:

- 8.1 Moved by S. Miller Seconded by R. Atkins
Motion 20 Be it resolved that Drainage By-law No. 14 of 2019, being a by-law to raise the money expended out of the General Funds of the Township to St. Clair for the maintenance completed by the Municipality of Chatham-Kent to the Botting Drain and Camden-Chatham-Sombra-Dawn Townline Drain be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

9. **BY-LAWS**

- 9.1 Moved by T. Kingston Seconded by J. De Gurse
Motion 21 Be it resolved that By-law 29 of 2019 being a by-law to close the alley between 120 and 122 Emi Street in Courtright receive all three readings and be thereby passed, authorizing the Mayor and Clerk to execute the By-law and any appurtenant agreements.

CARRIED

- 9.2 Moved by R. Atkins Seconded by P. Brown
Motion 22 Be it resolved that By-law 30 of 2019 being a by-law to prohibit busses on Beechwood Drive in Corunna receive all three readings and be

thereby passed, authorizing the Mayor and Clerk to execute the By-law and any appurtenant agreements.

*Mayor Arnold requested a recorded vote.

Councillor Atkins	Aye
Councillor Brown	Aye
Deputy Mayor Miller	No
Councillor Myers	No
Councillor Kingston	No
Councilor De Gurse	No
Mayor Arnold	Aye

DEFEATED

Moved by B. Myers

Seconded by P. Brown

Motion 23 Be it resolved that the draft by-law be amended to permit busses in specific circumstances such as a special needs resident or otherwise and resubmitted for consideration.

CARRIED

9.3 Moved by S. Miller

Seconded by P. Brown

Motion 24 Be it resolved that By-law 31 of 2019 being a by-law to authorize a speed sign agreement with Shell Canada Ltd. receive all three readings and be thereby passed, authorizing the Mayor and Clerk to execute the By-law and any appurtenant agreements.

CARRIED

9.4 Moved by B. Myers

Seconded by T. Kingston

Motion 25 Be it resolved that By-law 32 of 2019 being a by-law to amend zoning By-law 17 of 2003 as per Rezoning R3/2019 receive all three readings and be thereby passed, authorizing the Mayor and Clerk to execute the By-law and any appurtenant agreements.

CARRIED

10. REPORTS OF COMMITTEES AND STAFF

10.1 PLANNER:

Moved by J. De Gurse

Seconded by T. Kingston

Motion 26 Be it resolved that the report dated June 3, 2019, submitted by Planner - Ezio Nadalin with regard to Zoning By-Law Amendment – 4558 Kimball Rd. (Vanderlinde) be received for information purposes.

CARRIED

10.2 CLERK:

Moved by T. Kingston

Seconded by J. De Gurse

Motion 27 Be it resolved that the report submitted by Clerk – Jeff Baranek dated June 12, 2019 be received and that Council approve the retention of SMO Barristers & Solicitors to represent the Township at LPAT Hearing PL190074 to defend the position of the Committee of Adjustment on application A-32-18.

CARRIED

Moved by J. De Gurse

Seconded by T. Kingston

Motion 28 Be it resolved that the report submitted by Clerk – Jeff Baranek dated June 12, 2019 be received and that Council direct staff to investigate the property standards complaint received against 505 John Street, Port Lambton and to begin any necessary process to correct any discovered deficiencies.

CARRIED

10.3 **DIRECTOR OF PUBLIC WORKS:**

Moved by T. Kingston

Seconded by B. Myers

Motion 29 Be it resolved that the *Froomfield Sanitary Connections Update* report dated June 12, 2019 submitted by Director of Public Works – Brian Black be received as information.

CARRIED

10.4 **COORDINATOR OF OPERATIONS (WATER/WASTEWATER):**

Moved by T. Kingston

Seconded by B. Myers

Motion 30 Be it resolved that the report dated June 12, 2019 submitted by Coordinator of Operations (Water/Wastewater) – Chris Westbrook be received as information and that the Jacobs (CH2M) contract amendment No.8 for the Operations, Maintenance and Management of the Courtright WWTP and the Corunna Pumping Station in the amount of \$391,109 for the period from June 1, 2019 to May 31, 2020 be approved and the documents signed by the Mayor and Clerk.

CARRIED

10.5 **COORDINATOR OF ENGINEERING:**

Moved by J. De Gurse

Seconded by B. Myers

Motion 31 Be it resolved that the report submitted by Paul daSilva – Coordinator of Engineering dated June 12, 2019 be received and that Council approves the facilitation of the design and construction of a left turn lane into Shell Terminal on St. Clair Parkway with all costs being borne by Shell Product.

CARRIED

Moved by B. Myers

Seconded by J. De Gurse

Motion 32 Be it resolved that the report submitted by Paul daSilva – Coordinator of Engineering dated June 12, 2019 be received and that Council accepts the development work performed at the Paddock Green Subdivision – Phase 18A and that the 2-year maintenance period be in force until May 31, 2021.

CARRIED

Moved by B. Myers

Seconded by T. Kingston

Motion 33 Be it resolved that the report submitted by Paul daSilva – Coordinator of Engineering dated June 12, 2019 be received and that Council approve the following recommendations:

1. That the tender submitted by 1197245 Ontario Ltd. (Sevcon Paving) in the amount of \$124,085.44 net HST for the St. Clair River Trail Replacement project be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.
2. That an additional \$25,000 be allocated to the project from the Environment and Education fund.

CARRIED

11. **IN CAMERA SESSION:**

There was no in-camera session held during this meeting.

12. **COUNCILLORS' REPORTS**

Deputy Mayor Miller

Deputy Mayor Miller attended the County Council meeting, the Port Lambton Optimists Car Show and the Clean Harbors meeting.

He also inquired about the following: obtaining car magnets for all members of Council; which boards the recently passed Code of Conduct applies to and if staff can have a former Councillor's misspelled name on the plaque at the Courtright Wastewater Treatment plant corrected.

Councillor Brown

Councillor Brown attended the Asset Management training and the re-opening of Stewart Park.

Councillor Brown advised that he received calls related to the garbage accumulation at 451 Lyndoch Street and asked staff to prepare a draft by-law that would prohibit its accumulation in advance of collection day.

Councillor Atkins

Councillor Atkins attended the Asset Management training, the St. Clair River Trail meeting, the Moore Sports Complex Restoration meeting, the Lambton Farm Safety meeting and participated in Participaction.

Councillor Atkins asked if Council could be made aware of all complaints received by the Township.

Councillor Myers

Councillor Myers attended the Ducks Unlimited meeting, the Participaction kickoff walk, the Duthil and Bear Creek Cemetery Decoration days and the Sombra Museum 60th Anniversary dinner.

He congratulated Riverview Restaurant for 50 years of business.

To conclude, Councillor Myers extended a congratulations to 13-year old Nick Leonard who recently won a gold medal in music theatre.

Councillor Kingston

Councillor Kingston attended the Fireman's Field Day Parade, the Participaction kickoff walk, the Sombra 60th Anniversary dinner, the Asset Management training and the Committee of Adjustment conference.

Councillor Kingston also reported that she received a complaint that Council did not notify the public about specific material being shipped to Clean Harbors and noted that Council did not receive any such notice either.

Mayor Arnold

Mayor Arnold attended the following events on behalf of Council: Sombra 60th Anniversary; Riverview Restaurant 50th Anniversary; the Trevor Daye Memorial Tournament and an emergency meeting with MPP Bob Bailey and the Minister of Health Care - Christine Elliott related to upcoming changes to health care and ambulance response.

Mayor Arnold also reminded everyone of the upcoming Ride Don't Hide event. The Mayor advised that he will be representing Council at the Sacred Heart and Riverview Kindergarten graduations.

Moved by S. Miller

Seconded by R. Atkins

Motion 34 Be it resolved that Mayor Arnold be authorized to submit a letter to The Honorable Gretchen Whitmer, Governor of Michigan, identifying the significance of Enbridge's Line 5 and its importance to the local economy.

CARRIED

13. NOTICES OF MOTION

14. UPCOMING MEETINGS

14.1 Committee of the Whole - Tuesday, July 2, 2019 at 3:00 p.m.

- 14.2 Regular Council - Monday, July 15, 2019 at 6:00 p.m.
- 14.3 Committee of the Whole - Tuesday, August 6, 2019 at 3:00 p.m.
- 14.4 Regular Council – Monday, August 26, 2019 at 6:00 p.m.

15. **ADJOURNMENT**

Seeing no other business to conduct, it was thereby moved:

Moved by B. Myers

Seconded by J. De Gurse

Motion 35 Be it resolved that the meeting do hereby adjourn.

CARRIED

The meeting was adjourned at 7:50 p.m.



Clerk – Jeff Baranek



Mayor – Steve Arnold

