



**CORPORATION OF THE TOWNSHIP OF ST. CLAIR  
COUNCIL MINUTES**

**SESSION #3**

January 16, 2023  
3:00 p.m.  
Council Chambers

A Regular Meeting of Council was held Monday, January 16, 2023, at 3:00 p.m. with the following people participating:

J. Agar	Mayor
S. Miller	Deputy Mayor
P. Brown	Councillor
H. Foster	Councillor
C. Langis	Councillor
B. Langstaff	Councillor
B. Myers	Councillor

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

**AGENDA:**

**1. CALL TO ORDER**

**2. DECLARATION OF PECUNIARY INTEREST**

**3. ADOPTION OF MINUTES**

- 3.1 Regular Meeting of Council – Session 2 – December 19, 2022
- 3.2 Golf Course Committee Meeting Minutes – December 21, 2022

**4. DELEGATIONS/PRESENTATIONS**

- 4.1 3:15 p.m. – Public Meeting - Fence Hearing – 619 Secretariate Street

**5. CORRESPONDENCE**

- 5.1 Canadian Cancer Snow-Pitch – Request for Support
- 5.2 Moore Skating Club – Sponsorship Request
- 5.3 Sacred Heart Food Bank – Request for Support
- 5.4 Sombra Hall – Community Card Game Request
- 5.5 Request for Reconsideration – Enbridge BESS Project
- 5.6 BESS Project Clarification Letter – Santo Giorno

**6. INFORMATION ITEMS**

- 6.1 Battery Energy Storage Systems – Letter of Disappointment in Council's Endorsement

**7. STAFF REPORTS**

- 7.1 Clerk Report – Kennel Setback Increase
- 7.2 Treasurer's Report – Vendor Invoices and CIBC Visa Charges
- 7.3 Treasurer's Report – 2023 Earthquake and Flood Insurance

- 7.4 Treasurer's Report – 2021 Financial Indicator Review
- 7.5 Treasurer's Report – 2023 Grants
- 7.6 Treasurer's Report – 2023 OPP Annual Billing & Reconciliation of 2021 Costs
- 7.7 Deputy Treasurer Report – Payment in Lieu of Taxes – Business Education Rate
- 7.8 Coordinator of Operations (Works) Report – Road Signs Reflectivity
- 7.9 Coordinator of Operations (Works) Report – Flashing Beacon Request – Kimball/Rokeby
- 7.10 Coordinator of Operations (Works) Report – Monthly Report
- 7.11 Coordinator of Operations (Water/Wastewater) Report – Monthly Report
- 7.12 Drainage Superintendent Report – Monthly Report
- 7.13 Fire Chief – Monthly Report
- 7.14 Fire Chief – Fire Dispatching Service
- 7.15 Director of Community Services Report – Golf Course Clubhouse
- 7.16 Director of Community Services Report – Courtright Community Hall
- 7.17 Director of Community Services Report – Monthly Report

## **8. COUNCILLOR'S REPORTS/NOTICE OF MOTION**

## **9. DRAINAGE BY-LAWS**

- 9.1 DRAFT By-Law 1 of 2023 – Enniskillen Arm Drain Amending

## **10. BY-LAWS**

- 10.1 DRAFT By-Law 1 of 2023 – Noise By-Law Enforcement Contract
- 10.2 DRAFT By-Law 2 of 2023 – Waste Collection Agreement – Marcotte
- 10.3 DRAFT By-Law 3 of 2023 – Assumption of 17, 18A, 18B Paddock Green
- 10.4 DRAFT By-Law 4 of 2023 – Prohibiting Parking on Murray Street
- 10.5 DRAFT By-Law 5 of 2023 – Borrowing By-Law
- 10.6 DRAFT By-Law 6 of 2023 – Interim Tax By-Law
- 10.7 DRAFT By-Law 7 of 2023 – to amend by-law 12 of 2009 to increase kennel setbacks

## **11. IN-CAMERA SESSION**

- 11.1 Section 239(2)(d) to discuss a potential fire service with local industry
- 11.2 Section 239(2)(d) to discuss a contract for an Integrity Commissioner

## **12. UPCOMING MEETINGS**

- 12.1 Regular Meeting - Session 4 - Monday, February 6, 2023 at 3:00 p.m.
- 12.2 Regular Meeting - Session 5 - Tuesday, February 21, 2023 at 6:00 p.m.
- 12.3 Regular Meeting – Session 6 – Monday, March 6, 2023 at 3:00 p.m.

## **13. ADJOURNMENT**

---

### **1. CALL TO ORDER**

At the appointed time of 3:00 p.m., Mayor Agar called the meeting to Order and welcomed those in attendance physically and via electronic means.

### **2. DECLARATION OF PECUNIARY INTEREST**

None Declared.

### **3. ADOPTION OF MINUTES**

3.1 Moved by S. Miller

Seconded by H. Foster

**Motion 1** Be it resolved that the Minutes from the Regular Council Meeting Session #2 held on December 19, 2022, be received and accepted as printed.

**CARRIED**

3.2 Moved by B. Myers

Seconded by C. Langis

**Motion 2** Be it resolved that the Golf Course Committee Meeting held on December 21, 2022 be accepted and approved.

**CARRIED**

#### **4. DELEGATIONS/PRESENTATIONS**

##### **4.1 - 3:15 p.m. – Public Hearing for Fence Variance – 619 Secretariate**

At the appointed time of 3:15 p.m., Mayor Agar declared open the public meeting to consider a fence variance request to permit an eight foot tall fence at 619 Secretariate that is contrary to Fence By-law 36 of 2010.

Clerk Jeff Baranek noted there were two letters of support received, and one letter of opposition.

The owners of 619 Secretariate stated they are installing a pool and had that contractor install a privacy fence at a height of eight feet – which is contrary to By-law 36 of 2010 which prohibits fences to be taller than six feet. The owners claim the height and location of their and their neighbour's decks completely eliminates any privacy in their rear yard.

Councillor Brown stated that eight feet is too tall in his opinion; and Councillor Myers noted the fact it was already built is a concern and stated permission should be sought prior to installation.

Seeing no other comments forthcoming, Mayor Agar declared the public meeting closed and asked for any forthcoming motions.

Moved by S. Miller

Seconded by H. Foster

**Motion 3** Be it resolved that the variance requested submitted by the owners of 619 Secretariate Street to authorize a fence up to eight feet in height in the rear yard be denied, and that the owners be ordered to lower the fence to the permitted height of six feet.

**CARRIED**

#### **5. CORRESPONDENCE ITEMS**

Moved by S. Miller

Seconded by P. Brown

**Motion 4** Be it resolved that Council accept the following items of correspondence as per Council's direction:

5.1 Canadian Cancer Snow-Pitch – Request for Support

5.2 Moore Skating Club – Sponsorship Request

5.3 Sacred Heart Food Bank – Request for Support

5.4 Sombra Hall – Community Card Game Request

5.5 Request for Reconsideration – Enbridge BESS Project

5.6 BESS Project Clarification Letter – Santo Giorno

**CARRIED**

5.1 Moved by S. Miller

Seconded by B. Myers

**Motion 5** Be it resolved that the request submitted the Canadian Cancer Society to sponsor their Snow-Pitch tournament being held on February 25, 2023 at CAP Park by making a donation equivalent to the facility rental fees be approved.

**CARRIED**

5.2 Moved by S. Miller

Seconded by H. Foster

**Motion 6** Be it resolved that sponsorship request as submitted by the Moore Skating Club be referred to 2023 Budget deliberations.

**CARRIED**

5.3 Moved by H. Foster

Seconded by C. Langis

**Motion 7** Be it resolved that the request for donation submitted by the Sacred Heart Food Bank be referred to 2023 Budget Deliberations.

**CARRIED**

5.5 Moved by H. Foster

Seconded by B. Langstaff

**Motion 8** Be it resolved that Motion 2 from the Regular Meeting held on December 19, 2022 be Reconsidered.

**MOTION LOST**

## **6. INFORMATION**

Moved by s. Miller

Seconded by B. Langstaff

**Motion 9** Be it resolved that the following items of information be received as information:

6.1 Battery Energy Storage Systems – Disappointment in Council's Endorsement

**CARRIED**

## **7. REPORT OF COMMITTEES AND STAFF**

7.1 Moved by P. Brown

Seconded by C. Langis

**Motion 10** Be it resolved that the Kennel Setbacks report as submitted by Clerk Jeff Baranek be received as information and that staff be directed to amend By-law 12 of 2009 to increase the setback for all kennels from a dwelling on an abutting lot to 200 meters

**CARRIED**

7.2 Moved by H. Foster

Seconded by C. Langis

**Motion 11** Be it resolved that the vendor invoices report as submitted by Treasurer George Lozon be received as information and that vendor invoices be approved for the period of November 27, 2022, to January 7, 2023, totaling \$8,000,946.08; along with the CIBC Visa charges for the period of October 25, 2022, to November 24, 2022, totaling \$23,815.35.

**CARRIED**

7.3 Moved by S. Miller

Seconded by P. Brown

**Motion 12** Be it resolved that the Earthquake and Flood Insurance report as submitted by Treasurer George Lozon be received as information.

**CARRIED**

7.4 Moved by B. Myers

Seconded by H. Foster

**Motion 13** Be it resolved that the 2021 *Financial Indicator Review* report as submitted by Treasurer George Lozon be received as information.

**CARRIED**

7.5 Moved by S. Miller

Seconded by C. Langis

**Motion 14** Be it resolved that the 2023 *Grants* report as submitted by Treasurer George Lozon be received as information.

**CARRIED**

7.6 Moved by H. Foster

Seconded by C. Langis

**Motion 15** Be it resolved that the 2023 *OPP Annual Billing & Reconciliation of 2021 Costs* report as submitted by Treasurer George Lozon be received as information.

**CARRIED**

7.7 Moved by B. Myers

Seconded by S. Miller

**Motion 16** Be it resolved that the *Payment in Lieu of Taxes – Business Education Tax Rate* report as submitted by Deputy Treasurer Eric Hicks be received as information.

**CARRIED**

7.8 Moved by C. Langis

Seconded by P. Brown

**Motion 17** Be it resolved that the *Road Sign Reflectivity Inspections* report as submitted by Coordinator of Works (Roads) Dave Neely be received as information and that the Township procurement policy be waived for economic benefits, and that the quote from Advantage Data Collection is approved in the amount of \$19,415.81 (including net HST) per year for the next 3 years of inspection of sign reflectivity, to be paid each year from the operations 'sign budget'.

**CARRIED**

7.9 Moved by H. Foster

Seconded by C. Langis

**Motion 18** Be it resolved that the *Flashing Beacon Request – Kimball/Rokeby* report as submitted by Coordinator of Works (Roads) Dave Neely be received as information.

**CARRIED**

Moved by H. Foster

Seconded by C. Langis

**Motion 19** Be it resolved that staff be directed to request that Nova Chemicals pay for the purchase and installation of flashing beacons on the stop signs on Rokeby Line at Kimball Road.

**CARRIED**

7.10 Moved by B. Myers

Seconded by C. Langis

**Motion 20** Be it resolved that the *Monthly* report as submitted by Coordinator of Works (Roads) Dave Neely be received as information.

**CARRIED**

7.11 Moved by H. Foster

Seconded by P. Brown

**Motion 21** Be it resolved that the *Monthly* report as submitted by Coordinator of Works (Water) Chris Westbrook be received as information.

**CARRIED**

7.12 Moved by P. Brown

Seconded by C. Langis

**Motion 22** Be it resolved that the *Monthly* report as submitted by Drainage Superintendent Jason Brunt be received as information and that the following recommendations be approved:

1. That the request for maintenance on the Walton Drain be accepted , and further, that staff be approved to hire a qualified contractor to complete such work, and that all costs be shared by the landowners in accordance with the most recent bylaw for the Walton Drain.
2. Be it resolved that the entrance installation request on the O'Connor Drain be approved, and that staff be approved to hire a qualified contractor to complete such work, and that all costs be paid by the requesting landowners.
3. Be it resolved that the request for maintenance on the Marwood Drain be accepted, and further, that staff be approved to hire a qualified contractor to complete such work, and that all costs be shared by the landowners in accordance with the most recent bylaw for the Marwood Drain.

**CARRIED**

7.13 Moved by B. Myers

Seconded by B. Langstaff

**Motion 23** Be it resolved that the *Monthly* report as submitted by Fire Chief Richard Boyes be received as information.

**CARRIED**

7.14 Moved by C. Langis

Seconded by S. Miller

**Motion 24** Be it resolved that the *Fire Dispatch Service* report as submitted by Fire Chief Richard Boyes be received as information.

**CARRIED**



Moved by B. Myers

Seconded by P. Brown

**Motion 25** Be it resolved that staff be authorized to negotiate a draft fire dispatch agreement with SPS for future consideration by Council.

**CARRIED**

7.15 Moved by B. Langstaff

Seconded by C. Langis

**Motion 26** Be it resolved that the *Golf Course Club House* report as submitted by Director of Community Services Kendall Lindsay be received as information.

**CARRIED**

Moved by S. Miller

Seconded by B. Myers

**Motion 27** Be it resolved that the decision to select an option to proceed with golf clubhouse improvements be deferred to the 2023 Capital Budget Deliberations.

**CARRIED**

7.16 Moved by S. Miller

Seconded by H. Foster

**Motion 28** Be it resolved that the *Courtright Community Hall Demolition Update* report as submitted by Director of Community Services Kendall Lindsay be received as information and the extra cost in the amount of \$56,918.31 + HST submitted by Salandria Ltd. for the removal of asbestos be approved to be funded by the Year End Surplus Reserve.

**MOTION LOST**

Moved by P. Brown

Seconded by H. Foster

**Motion 29** Be it resolved that the demolition of the Courtright Community Hall be retendered to include the removal of asbestos.

**CARRIED**

7.17 Moved by C. Langis

Seconded by S. Miller

**Motion 30** Be it resolved that the *Monthly* report as submitted by Director of Community Services Kendall Lindsay be received as information.

**CARRIED**

## **8. COUNCILLOR'S REPORTS / NOTICE OF MOTION**

### **Councillor Brown**

Councillor Brown attended many events including golf committee, the emergency services meeting, and the SCRCA Flood Action Plan meeting. Councillor Brown noted he would prefer any proposed BESS projects to be relocated to more appropriate locations.

### **Councillor Foster**

Councillor Foster had nothing to report.

### **Councillor Langis**

Councillor Langis participated in many events including the Emergency Services meeting; AMCTO Council – Staff Relations training; and the townhall session with MPP Bob Bailey.

### **Councillor Langstaff**

Councillor Langstaff attended many events including the Moore Museum meeting; the golf committee meeting; the Ontario Agricultural Conference; the Ontario Federation of Agriculture meeting; and Farm Safety meeting; and and Lambton Soil and Crop General Meeting.

### **Deputy Mayor Miller**

Deputy Mayor Miller attended the County Council meeting; the Police Services Board meeting; and the Emergency Services meeting.

## **Mayor Agar**

Mayor Agar attended several events including the New Year's Day Levee at the Legion; dropped the ceremonial puck to open the local Silverstick; and the Emergency Services meeting.

### **9. DRAINAGE BY-LAWS**

Moved by P. Brown

Seconded by B. Langstaff

**Motion 31** Be it resolved that the following drainage by-laws receive first, second, third and final readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements:

9.1 Drainage By-Law 1 of 2023 – Enniskillen Arm Drain

**CARRIED**

### **10. BY-LAWS**

Moved by H. Foster

Seconded by B. Langstaff

**Motion 32** Be it resolved that the following by-law receive all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements:

10.1 DRAFT BY-LAW 1 of 2023 - Noise By-Law Enforcement Contract

10.2 DRAFT BY-LAW 2 of 2023 - Waste Collection Agreement – Marcotte

10.3 DRAFT BY-LAW 3 of 2023 - Assumption of 17, 18A, 18B, Paddock Green

10.4 DRAFT BY-LAW 4 of 2023 - Prohibiting Parking on Murray Street

10.5 DRAFT BY-LAW 5 of 2023 - Borrowing By-Law

10.6 DRAFT BY-LAW 6 of 2023 - Interim Tax By-Law

10.7 DRAFT BY-LAW 7 of 2023 - Amend By-Law 12 of 2009 - to increase kennel setbacks

**CARRIED**

### **11. IN-CAMERA**

Moved by C. Langis

Seconded by S. Miller

**Motion 33** Be it resolved that the meeting enter an in-camera session to consider the following:

11.1 Section 239(2)(d) - to discuss a potential fire services agreement with a local industry

11.2 Section 239(2)(d) To discuss a contract for an Integrity Commissioner

**CARRIED**

### **Rise and Report**

Mayor Agar declared the meeting back into open session and asked for any forthcoming motions; No resolutions were moved.

### **12. UPCOMING MEETINGS**

12.1 Regular Meeting - Session 4 - Monday, February 6, 2023 at 3:00 p.m.

12.2 Regular Meeting - Session 5 - Tuesday, February 21, 2023 at 6:00 p.m.

12.3 Regular Meeting – Session 6 – Monday, March 6, 2023 at 3:00 p.m.

**13. ADJOURNMENT**

Moved by P. Brown

Seconded by S. Miller

**Motion 34** Be it resolved that the meeting do hereby adjourn.

**CARRIED**

The meeting was adjourned at 4:40 p.m.

\_\_\_\_\_  
Mayor Jeff Agar



\_\_\_\_\_  
Clerk Jeff Baranek

