Council met, in regular session, for the transaction of general business.

Mayor Bradley took the Chair and the following Members of Council were present: Councillors A. Bruziewicz, D. Boushy, T. Burrell, J. Foubister, A.M. Gillis, M. Kelch, B. MacDougall and J. McEachran.

"O CANADA"

In accordance with City Council Policy, the National Anthem was played.

OPENING PRAYER

Reverand Paul Schallhorn, of Christ Lutheran Church, attended and opened the meeting with Prayer.

REPORT OF THE CLOSED MEETING

There was no closed meeting.

Disclosures of Pecuniary Interest (Direct or Indirect) and the General Nature Thereof

There were no disclosures of pecuniary interest.

Mayor Bradley acknowledged the members of the 23rd Boy Scouts Troop from St. Bartholomew’s Church who were in attendance at the meeting.

PUBLIC MEETING

   Mayor Bradley opened the Public Meeting.
Mr. Kim Bresee, Director of Planning and Building, presented the Planning Department report.

Mr. Frances DeSena, on behalf of the Applicant - Goodwill Industries, indicated that the donation centre will be attended between the hours of 9:00 a.m. and 9:00 p.m. seven days per week, where vehicles will be immediately unloaded and the donations taken indoors. The items would be sorted at this site then taken to the Palmerston site.

Mr. DeSena also indicated that the applicant is not opposed to replacing the trees that will be removed. In response to the concerns regarding signage, Mr. DeSena indicated that the applicant felt that 2 signs were required in order to properly identify the building.

No one else indicated a desire to speak in favour of, or in opposition to, the proposed rezoning and OPA.

Mayor Bradley closed the Public Meeting.

Moved by Councillor Kelch, seconded by Councillor McEachran,

1) THAT Council APPROVE Official Plan Amendment No. 33 as follows:
   The Sarnia Official Plan is hereby amended by deleting Section 2.3.2.4.10 and replacing it with a new Section 2.3.2.4.10, as follows:
   2.3.2.4.10 The lands legally described as Plan 629, Part Block M, RP25R-5464; Part 1 and municipally known as 1121 Wellington Street shall be used for the minor institutional uses of Goodwill Industries – Essex Kent Lambton Inc. in the existing building on the site, and may include facilities for the drop-off and indoor recycling and storage of clothing, and non-offensive, non-noxious household items. Other minor institutional uses are permitted. The outdoor storage of goods, materials or equipment, and retail activities shall not be permitted.

2) AND THAT Council APPROVE Rezoning Application 1-2009-85 of 2002 as follows:
   Zoning By-law 85 of 2002 is hereby amended by deleting Section 7.3.36 and replacing it as follows:
   7.3.36 URI-36 (See Zoning Map Part 61)
   7.3.36.1 Permitted Uses
   (1) Accessory uses and buildings.
   (2) May include a minor institutional use comprised of: offices; employment/training programs and services; and facilities for the drop-off and indoor recycling and storage of clothing, and non-offensive, non-noxious household items, operated by Goodwill Industries – Essex Kent Lambton Inc.
   (3) Other minor institutional uses.
   7.3.36.2 Site Zone Regulations
   (1) Lot Area: (minimum) 4300m² (0.43 ha)
   (2) Lot Frontage: (minimum) 135m
   (3) Front Yard Depth: (minimum) -10m from Wellington Street for the main building
-1.9m from Wellington Street for a canopy roof structure attached to the main building
(4) Interior Side Yard Widths: (minimum) 3m
(5) Exterior Side Yard Widths: (minimum) 106m from Murphy Road
(6) Rear Yard Depth: (minimum) 3m
(7) Lot Coverage: (maximum) 13%
(8) Height: (maximum) 10.5m
(9) Landscaped Open Space: (minimum) 42%
(10) Open Storage: not permitted
(11) Sign area of freestanding signs: (maximum) 15m²
(12) Number of Signs: (maximum) 2
(13) Special Regulations:
    (a) The Wellington Street lot line shall be deemed to be the front lot line
    (b) The Murphy Road lot line shall be deemed to be the exterior side lot line, and

THAT the site plan agreement be amended to include that all trees removed be replaced in kind, according to the normal formula used by the City and its arborist.

An amendment moved by Councillor Burrell, seconded by Councillor MacDougall, and carried:

THAT the staff recommendation be amended to include provision for only 1 sign.

The main motion, as amended, was carried.

CORRESPONDENCE

1. Director of Corporate Services, dated February 25th, 2009, reporting to Council on the City of Sarnia and County of Lambton Community Development Corporation - Phase 1 Servicing Project.

   Moved by Councillor Gillis, seconded by Councillor Foubister, and carried:

   THAT Sarnia City Council approve the expenditure of $89,782.10 (plus GST) for the extension of a 27.6 Kv Hydro Feeder and the installation of street lights on Wellington Street from Highway 40 easterly along Wellington Street by Bluewater Power Distribution Corporation.

Moved by Councillor MacDougall, seconded by Councillor Gillis, and carried:

THAT Sarnia City Council ask staff to prepare a report for Council's consideration on the possibility of integrating Sarnia Parking with other sites, which may include Sarnia Transit, Lambton Mall Library, City Hall, as well as any other alternative that might be considered, and

THAT this report be prepared for Council's consideration within the next 18 months, and

THAT the necessary remedial action take place at the current Sarnia Parking location.

3. Director of Community Services, dated March 2nd, 2009, reporting to Council on the Award of Quotation #09-212 Brush Chipper.

Moved by Councillor Foubister, seconded by Councillor Gillis, and carried:

THAT Sarnia City Council accept the low quotation submitted by Vermeer Canada Inc. for the supply of a Brush Chipper at a cost of $50,511.00 including taxes.


Moved by Councillor Burrell, seconded by Councillor Kelch, and carried:

THAT Sarnia City Council accept the low quotation submitted by Middlesex Supply & Maintenance Limited in the amount of $80,539.00 + GST for the relocation of the existing fuel pumps at the Public Works site, and

THAT the Mayor and Clerk be authorized to sign the necessary agreements.

5. Director of Community Services, dated March 2nd, 2009, reporting to Council on Gypsy Moths.

A motion by Councillor Foubister, seconded by Councillor McEachran, that Sarnia City Council authorize staff to hire BioForest Technologies to manage the public notification process, was later withdrawn.

Moved by Councillor Kelch, seconded by Councillor Boushy, and carried:

THAT Sarnia City Council authorize staff to hold a public input meeting regarding the aerial insecticide spraying for Gypsy Moths and to review other options.
NOTICE OF MOTION

1. Notice of Motion - Councillor Burrell
   Moved by Councillor Boushy, seconded by Councillor MacDougall, and carried:
   
   THAT Councillor Terry Burrell be appointed to represent the City of Sarnia on the Southwestern Ontario Clean Air Council.

MINUTES

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:

THAT the minutes of February 23rd, 2009 (Closed Meeting), and February 23rd, 2009 (Regular Meeting), as printed, be adopted.

INQUIRIES, INFORMATION AND URGENT MATTERS

1. VOLUNTEERS
   Councillor Bruziewicz acknowledged the volunteer who helped him with this meetings agenda.

2. SPECIAL COUNCIL MEETINGS
   In response to a question from Councillor MacDougall on the series of special meetings of Council, the City Solicitor/Clerk advised that dates and subject matter were currently being considered. The City Solicitor/Clerk also advised that a special meeting has been arranged for 2:00 p.m. on April 20th, 2009 regarding the Accessibility issues.

ROUTINE APPROVALS, ACTION AND INFORMATION

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:

THAT Items A to G, under Routine Approvals, Action and Information be introduced.

Moved by Councillor [name], seconded by Councillor [name], and carried:

*Received andFiled*

B. Director of Transit, dated March 2nd, 2009, reporting to Council on the Bus Shelter License for 914 Confederation Street. (See By-Law 2)

Moved by Councillor [name], seconded by Councillor [name], and carried:

*THAT Sarnia City Council authorize the Mayor and City Solicitor/Clerk to execute the Bus Shelter License between The Corporation of the City of Sarnia and The Corporation of the County of Lambton.*


Moved by Councillor [name], seconded by Councillor [name], and carried:

*THAT the Treasurer's Statement - Development Charges Reserve Fund as at December 31st, 2008, be received and filed.*

D. Director of Finance, dated March 2nd, 2009, reporting to Council on Development Area 1 Stormwater Management and Drain Enclosure Billings. (See By-Laws 3 and 4)

Moved by Councillor [name], seconded by Councillor [name], and carried:

*THAT Sarnia City Council approve the billings for Stormwater Management and Drain Enclosures in Development Area 1.*

*In response to a question from Councillor Burrell, the Director of Finance indicated that this item has already been paid for through the Capital Project budget.*

E. Director of Corporate Services, dated March 2nd, 2009, reporting to Council on an ACAP - Airports Capital Assistance Program Contribution Agreement for the acquisition of a replacement plow truck. (See By-Law 5)

Moved by Councillor [name], seconded by Councillor [name], and carried:

*THAT Sarnia City Council adopt the By-Law to Authorize the execution of an Airports Capital Assistance Program - Contribution Agreement respecting the acquisition of a replacement plow truck for the Sarnia Chris Hadfield Airport.*

F. Director of Corporate Services, dated March 2nd, 2009, reporting to Council on the County of Lambton Community Development Corporation & Engineering Agreement. (See By-Law 6)
A motion by Councillor Burrell, seconded by Councillor Bruziewicz, that the report of the Director of Corporate Services, dated March 2nd, 2009, be deferred in order to complete a competitive bid process, was lost when put to the vote.

A recorded vote was requested as follows:

Yea

Councillor Burrell
Councillor McEachran
Councillor Bruziewicz

Nay

Councillor Boushy
Councillor Foubister
Councillor Kelch
Councillor MacDougall
Councillor Gillis
Mayor Bradley

Moved by Councillor , seconded by Councillor , and carried:

THAT the Mayor and Solicitor/Clerk be authorized to sign an agreement between the City of Sarnia and T.W. Gray & Associates Engineering Ltd. in respect of engineering services to be provided pursuant to the Cost Sharing Agreement, dated November 3rd, 2003 between the City of Sarnia and the County of Lambton Community Development Corporation.

Mayor Bradley agreed to pass on Council's concerns to the Board.

G. City Solicitor/Clerk, dated March 3rd, 2009, reporting to Council on an Amendment to the Municipal Law Enforcement Officers By-Law. (See By-Law 7)

Moved by Councillor , seconded by Councillor , and carried:

THAT Sarnia City Council amend By-Law Number 134 of 1994, as amended, by revising Schedule "A" City Solicitor/Clerk's Department Animal Control.

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:

THAT Items A to G, under Routine Approvals, Action and Information, as recommended or approved by this Council, be adopted and appended to the Minutes.

CIVIC REPORTS

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:
THAT the Civic Reports be received and filed.


   In response to a question from Councillor MacDougall, the Director of Transit indicated that the transit ridership is up approximately 10% and revenue is also up. He clarified that the loss of revenue was in reference to free passes that have been issued according to Council's new policy.

2. Minutes of the Police Services Board meeting held on January 8th, 2009 and agenda for its meeting held on February 26th, 2009.


5. Minutes of the SAAC meeting held on February 18th, 2009 and agenda for its meeting to be held on March 18th, 2009.

BY-LAWS

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:

THAT By-Laws No. 1 - 7, as printed, be introduced for the first and second reading thereof, and be taken as read for the first and second time.

1. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:

   **A By-Law to Confirm the Proceedings of Council at its meeting held on March 9th, 2009. (By-Law #29 of 2009)**

2. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:
A By-Law to Authorize an Agreement with The Corporation of the County of Lambton. (Re: 914 Confederation Street - Bus Shelter License) (See Agenda Info B) (By-Law #30 of 2009)

3. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:
   
   A By-Law to Authorize the Imposition of Rates for Drain Enclosures on Specified Lands in Development Area 1. (See Agenda Info D) (By-Law #31 of 2009)

4. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:
   
   A By-Law to Authorize the Imposition of Rates for Stormwater Management Facilities and Study on Specified Lands in Development Area 1. (See Agenda Info D) (By-Law #32 of 2009)

5. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:
   
   A By-Law to Authorize a Financial Assistance Agreement with Her Majesty the Queen in Right of Canada. (Re: Sarnia Chris Hadfield Airport - Replacement Plow Truck) (See Agenda Info E). (By-Law #33 of 2009)

6. For 1st, 2nd and 3rd Readings:
   Moved by Councillor , seconded by Councillor , and carried:
   
   A By-Law to Authorize an Agreement with T.W. Gray & Associates Engineering Ltd. (Re: Engineering Services for the City of Sarnia and the County of Lambton Community Development Corporation) (See Agenda Info F) (By-Law #34 of 2009)

7. For 1st, 2nd and 3rd Readings:
   Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:
   
   THAT By-Laws No. 1 to 7, as printed, be taken as read the third time and finally passed.
   Moved by Councillor , seconded by Councillor , and carried:
   
   A By-Law to Amend By-Law Number 134 of 1994. (Re: Municipal Law Enforcement Officers By-Law) (See Agenda Info G) (By-Law #35 of 2009)
ADJOURNMENT

Moved by Councillor Foubister, seconded by Councillor McEachran, and carried:

THAT Sarnia City Council adjourn to its next regular meeting to be held on Monday, March 30th, 2009.

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Mayor

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City Solicitor/Clerk