

CITY COUNCIL #17-95

June 13th, 1995

7:30 p.m.

96/95

PRESENT

A regular meeting of Council was held with the following members present: His Worship, Mayor Ron Martelle, Aldermen Denis Carr, Brian Lynch, Chuck Charlebois, Dean Hollingsworth, Susan Carter, Naresh Bhargava, Dick Aubry, Chris Savard, and Brian Sylvester.

ABSENT

Alderman Claude Poirier (arrived at 7:55 p.m.)

IN ATTENDANCE

Mr. R. Allaire, Chief Administrator / Clerk, Mr. F. Hamelin, Assistance Chief Administrator / Manager Public Works, Steve Alexander, Natalie Fitzharris, Frank McDonald, Gerry McKenna, Brian Casselman, Herb Lefebvre, Russel Newton, and D.Labelle-Gélinas, Recording Secretary.

INVOCATION

Richard Allaire

DISCLOSURE OF INTEREST

PRESENTATIONS

#1 Financial Statements

Mr. Frank McDonald, Manager Finance and Mr. David Dick, Accountant from Deloitte Touche, were present this evening to provide Council with a review of the 1994 Municipal Financial Statement.

Mr. McDonald reflected on some significant changes which affected the statement, such as:

- i) Municipal Fund Balances at end of the year. [1994 - (\$487,507.00), 1993 - \$10,158.00.]
- ii) Reserves and Reserve Funds [1994 - \$8,131,243.00, 1993 -\$8,097,102.00.]
- iii) Balance of Fund [1994 - \$255,201.00, 1993 - \$526,565.00.]
- iv) Municipal Fund Balances [1994 - \$38,254,858.00, 1993 -\$51,062,439.00.]

Alderman Claude Poirier arrived at 7:55 p.m.

Following questions by members of Council, it was moved by Aldermen Denis Carr and Dick Aubry that the Financial Statements for 1994 be received.

MOTION CARRIED

#2 **Seaway Valley Farmers Energy Co-Operative Inc.**

Mr. Bud Atkins, President of the Seaway Valley Farmers Energy Co-Operative Inc., presented a progress report and update. Mr. Atkins indicated that the Co-Operative's funding was in place and the plant was sustainable economically. He continued in stating that the site layout was complete, the second phase of their fundraising campaign was underway, and that they had received a stamp of approval from Jobs Ontario Community Action funding and have signed an Ethanol Manufacturer's Agreement with the Government of Ontario. The Government of Ontario have also provided them with a fifteen (15) year exemption from the provincial fuel tax on ethanol sold for fuel in the Province.

Under regulation of the Ontario Ministry of Environment and Energy there will be a public meeting on June 19 at Nativity Hall to communicate the Seaway Valley's intent to apply for an Air Certificate of Approval.

In conclusion, Mr. Atkins thanked the members of Council and citizens of Cornwall and area for their support and encouragement.

ADOPTION OF MINUTES

It was moved by Aldermen Brian Lynch and Brian Sylvester that the regular Council minutes of **May 23rd, 1995** be adopted as amended.

MOTION CARRIED

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that the Committee of Council minutes of **May 23rd, 1995** be adopted as amended.

MOTION CARRIED

It was moved by Aldermen Chuck Charlebois and Chris Savard that the Special Council minutes of **May 29th, 1995** be adopted as circulated.

MOTION CARRIED

It was moved by Aldermen Chuck Charlebois and Susan Carter that the Special Committee of Council minutes of **May 29th, 1995** be adopted as circulated.

MOTION CARRIED

It was moved by Aldermen Chris Savard and Claude Poirier that the Special Council minutes of **June 1st, 1995** be adopted as amended.

MOTION CARRIED

COMMITTEE OF THE WHOLE

It was moved by Aldermen Chuck Charlebois and Naresh Bhargava that Council go into the Committee of the Whole and that all delegations, resolutions, communications, and by-laws be referred to that Committee and that By-laws 075-1995 to 089-1995 inclusive be given first reading.

MOTION CARRIED

BY-LAWS - First Reading

- 075-1995 A by-law to authorize the Mayor and Clerk to enter into a Lease Agreement with Free To Become Nursery School for office space at the Kinsmen Municipal Center for a one year period.
- 076-1995 A by-law to appoint David Brownlee and David McKiver as Enforcement Officers for the Sewer Use By-law, and to appoint Maurice Cayer and Bill de Wit as Enforcement Officers for the Solid Waste By-law.
- 077-1995 A by-law to appoint April Roxanne Malette and Charles Joseph Lessard as Enforcement Officers for the purpose of enforcing parking regulations on private property. (Royal Oaks Housing Cooperative).
- 078-1995 A by-law to amend the Noise By-law respecting time and place prohibitions.
- 079-1995 A by-law to provide for the borrowing by way of temporary advances for the Fly Creek Flood Reduction Program.
- 080-1995 A by-law to provide for the borrowing of \$495,000.00 to provide financing for the reconstruction of a highway, and the reconstruction of existing watermain, storm and sanitary sewer services on McConnell Avenue, from First Street to Montreal Road.
- 081-1995 A by-law to provide for the borrowing of \$340,000.00 to provide financing for the reconstruction of a highway, and the reconstruction of existing storm drainage system and watermain on Second Street West, from Power Dam Drive to Saunders Drive.
- 082-1995 A by-law to authorize the refurbishing of four transit coaches.
- 083-1995 A by-law to provide for the borrowing of \$120,000.00 to provide financing for the refurbishing of four transit coaches.
- 084-1995 A by-law to amend the Official Plan concerning the former Courtaulds' site between Montreal Road and Second Street to facilitate redevelopment of the site to residential, recreational and other mixed used.
- 085-1995 A by-law to amend the Zoning By-law to accommodate a proposed Plan of Subdivision and corresponding waterfront recreational trail.
- 086-1995 A by-law to amend the Zoning By-law to permit a mixed use facility in the former Mill building(s).
- 087-1995 A by-law to enter into an agreement for the third mural project by the Heritage Murals of Cornwall Committee with the property owner, the Royal Canadian Legion, Branch 297.

- 088-1995 A by-law to enter into an agreement with artist David Yeatman for the painting of the third mural project by the Heritage Murals of Cornwall Committee.
- 089-1995 That the Corporation of the City of Cornwall enter into an Agreement with Comsat Video Enterprises Inc. for an A.H.L. Hockey Franchise.

DELEGATIONS

#1 Agapè Center

Mr. Jean-Paul Lepage, Director of Integrated Services for the Agape Center, presented a request to City Council for financial assistance towards the continuation of the Agape Center.

The Center provides moral and practical assistance and educational programs to a range of clients who require financial assistance. Mr. Lepage indicated that their services are solely funded with contributions from the community. During the past several years they have seen their client base grow through economic difficulties and, despite their various partnerships and emergency fundraising efforts, find themselves with a \$25,000.00 shortfall.

In conclusion, the Center appealed to City Council to recognize the value of all disadvantaged citizens and look favorably on their request for \$25,000.00 funding in order that they may continue the provision of services essential to this community.

It was moved by Aldermen Claude Poirier and Brian Lynch that this matter be referred to Administration with a copy of their financial statement, and report back to Council at the meeting of June 26th, 1995 providing an overview of programs and services provided and how they function financially.

MOTION CARRIED

#2 Coat of Arms / 50th Anniversary of the Incorporation of the City of Cornwall

Mr. Ian Bowering, Curator/Administrator of the Historical Society, requested Council's endorsement in approving the proposed Coat of Arms to mark the 50th Anniversary of the Incorporation of the City of Cornwall.

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that Council endorse the Coat of Arms as the official Coat of Arms for the City of Cornwall.

MOTION CARRIED

Mr. Bowering continued to identify that the S.D. & G. Historical Society along with the Cornwall 50 Committee, Canada Week, the Legion, R.C.A.F Wing, and the Navy Vets will be holding a memorial on June 30th, 1995 in the bandshell in Lamoureux Park in celebration of the 50th Anniversary of the Incorporation of the City of Cornwall. Mr. Bowering requested Council's indulgence in sending official representation to this event, honouring our World War II veterans and marking the end of the war.

It was moved by Aldermen Chuck Charlebois and Susan Carter to endorse this request.

MOTION CARRIED

RESOLUTIONS

#20-1995

It was moved by Aldermen Claude Poirier and Chris Savard that:

WHEREAS the expenditures of the City of Cornwall are financed through public funds; and

WHEREAS the public, being concerned with where and how their money is spent, have the right to know such information.

NOW THEREFORE BE IT RESOLVED that, effective immediately, the terms of all future termination agreements be a matter of public record.

MOTION CARRIED

#21-1995

It was moved by Aldermen Chuck Charlebois and Naresh Bhargava that:

WHEREAS the Corporation of the City of Cornwall have endorsed a Co-sponsorship for a Lamoureux Park Project with the Rotary Club; improvements to docks and shoreline at the Marina 200; partnerships with private sector developers on Canal restorations; and Optimist Clubhouse restoration; and

WHEREAS the Corporation wishes to consolidate all applications.

NOW THEREFORE the Council of the Corporation of the City of Cornwall endorses funding applications for these projects and that all Co-sponsored projects listed within this resolution be forwarded under one application to the Jobs Ontario Action Program for funding.

MOTION CARRIED

CONSENT AGENDA

It was moved by Aldermen Brian Lynch and Naresh Bhargava that Item E be moved to Communications as item #17, and that the Consent Agenda, items A through D inclusive, be approved as presented.

MOTION CARRIED

A. TOWNSHIP OF PERCY

That Council endorse the correspondence from the Township of Percy regarding funds in lieu of taxes for trailers.

B. CORNWALL GENERAL HOSPITAL FOUNDATION

That Council approve the request to conduct a lottery in 1995 / 1996 in the City of Cornwall, proceeds to be used toward the purchase of medical equipment for Cornwall General Hospital.

C. ROYAL LIFE SAVING SOCIETY OF CANADA

That Council approve the request to conduct a Tag Day on Saturday July 22, 1995 in the City of Cornwall.

D. TOWN OF NEWMARKET

That Council endorse the correspondence from the Town of Newmarket regarding the duties of the Division Registrar.

E. MINISTRY OF THE SOLICITOR GENERAL & CORRECTIONAL SERVICES

Moved to Communications as item #17.

COMMUNICATION

1. HERITAGE MURALS OF CORNWALL PROJECT

It was moved by Aldermen Brian Sylvester and Susan Carter that Council authorize the Mayor and Clerk to enter into two agreements on behalf of the Heritage Murals of Cornwall Committee; one with the building owner for the use of their wall, and the second with the artist to paint the mural.

MOTION CARRIED

2. SERVICES FOR POLICE DEPARTMENT

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that Council receive the report from the Manager, Finance dated may 24, 1995 regarding services provided to the Police Department.

MOTION CARRIED

3. NOISE BY-LAW

It was moved by Aldermen Brian Lynch and Susan Carter that Council approve the amendments to time restrictions on clause #10 to read "All times" and time restrictions on clause #12 to read "11:00 p.m. to 7:00 a.m.".

It was moved by Aldermen Chris Savard and Dean Hollingsworth that the motion be amended to include Clause #4 and that the hours of prohibition read 11:00 p.m. to 7:00 a.m.

It was then moved by Claude Poirier and Dick Aubry that the amended motion be referred to Administration for further report on language.

A recorded vote on the amended resulted as follows:

For

Mayor Ron Martelle
Alderman Denis Carr
Alderman Chuck Charlebois
Alderman Claude Poirier
Alderman Dick Aubry
Alderman Brian Lynch
Alderman Naresh Bhargava

Against

Alderman Brian Sylvester
Alderman Susan Carter
Alderman Chris Savard
Alderman Dean Hollingsworth

MOTION CARRIED 7-4 *off.* 6-5

MAIN MOTION CARRIED

4. SPENDING POLICY

It was moved by Aldermen Dick Aubry and Claude Poirier that Council receive the report from the Manager, Finance dated June 2, 1995 regarding the spending policy for obtaining goods and services.

MOTION CARRIED

5. COUNCIL WRITE-OFFS / ADJUSTMENTS

It was moved by Aldermen Brian Lynch and Brian Sylvester that Council authorize the tax write-offs / adjustments.

MOTION CARRIED

6. CLUBHOUSES

It was moved by Aldermen Claude Poirier and Brian Sylvester that Council agree with the service in kind arrangement until such time the User Fee Policy is presented for Council's approval.

MOTION CARRIED

7. POLICE AT ACES GAMES

It was moved by Aldermen Claude Poirier and Chris Savard that:

1. The Complex continue with Uniformed Security at Aces Games. Furthermore, that Mr. Newton and the Manager of the Facility, when deemed necessary, hire Police to do crowd control at Aces Games; and
2. That the Cornwall Police Services Board be approached and advised of the problem of congestion after Aces Games and that Police presence by means of a walk-through during Aces Games be prioritized as important issues to be resolved through the Police Chief prior to the 95/96 Season.

It was then moved by Aldermen Claude Poirier and Dean Hollingsworth that this matter be postponed until such time as all information can be presented to Council.

MOTION CARRIED

8. **PARKING - CIVIC COMPLEX**

It was moved by Aldermen Chuck Charlebois and Dick Aubry that:

1. The Public Works Department provide a cost to the Cornwall Aces and the Civic Complex to have the east lot prepared to use as additional parking facilities. The cost to maintain the lot during the winter months must also be included in the estimate costs as both are not budgeted items; and
2. That with the attendance at Colts games reaching levels over 2,000, they will also use the additional spaces on their game nights.

MOTION CARRIED

9. **COMMUNITY GARDENS**

It was moved by Aldermen Chuck Charlebois and Susan Carter that Council approve the location of the Community Garden as proposed in this report.

It was then moved by Denis Carr and Naresh Bhargava that this matter be postponed and returned to Administration until such time as Administration could determine if this Community Garden project can become part of the overall Rotary Club project.

MOTION DEFEATED

MAIN MOTION CARRIED

10. **TENDER #08-95** - Office Products

It was moved by Aldermen Susan Carter and Naresh Bhargava that Council approve the report.

MOTION CARRIED

11. **TENDER #36-95** - Flat Deck Tandem Trailer

It was moved by Aldermen Claude Poirier and Brian Sylvester that in lieu of re-tendering, the Purchasing Department directly contact source suppliers and obtain quotations to acquire the equipment as it is still required.

MOTION CARRIED

12. **TENDER #37-95** - Removal of Boiler, Asbestos Gas Piping, Ductwork at W.P.P.

It was moved by Aldermen Chuck Charlebois and Brian Lynch that this tender be awarded to Cornwall & District Steeplejacks Ltd., St. Andrews West, Ontario at the total bid price of \$15,996.50 including tax being the low bid meeting the tender specifications.

MOTION CARRIED

13. **TENDER #38-95** - Supply/delivery of centrate pumps, motors & variable frequency drives at W.W.T.P.

It was moved by Aldermen Dean Hollingsworth and Chuck Charlebois that the project be re-tendered.

MOTION CARRIED

14. CORNWALL REGIONAL VISITOR & CONVENTION BUREAU

It was moved by Aldermen Dick Aubry and Brian Sylvester that Council receive the report from the Cornwall Regional Visitor & Convention Bureau.

MOTION CARRIED

15. P.A.C. 5-1 - Courtaulds' Site

It was moved by Aldermen Chuck Charlebois and Dean Hollingsworth that:

1. The Courtaulds' lands north of Montreal Road to redesignated from "Industrial" to "Comprehensive Redevelopment Area";
2. That the existing "Community Improvement Policy Area" identified as Area 14 on Schedule 6 to the Official Plan be extended to include all Courtaulds' lands;
3. That the Administration building, Mill No. One and its surrounding lands as requested, be amended from "Manufacturing 20" to "Commercial 51";
4. That the Courtaulds' lands south of Montreal Road be rezoned from "Manufacturing 20" to "Residential 20", with the exception of the waterfront strip (equivalent in scale to the P.O.S. designation) which is to be rezoned "Open Space 10". Also included is a provision for a public docking facility and protection of private property behind the east seven cottages.

MOTION CARRIED

17. MINISTRY OF THE SOLICITOR GENERAL & CORRECTIONAL SERVICES

It was moved by Aldermen Claude Poirier and Denis Carr that all matters of correspondence previously sent to the Solicitor General and Minister of Correctional Services regarding the 1993 Inspection Report of the Cornwall Police Services be re-forwarded to the newly appointed Solicitor General and Minister of Correctional Services.

MOTION CARRIED

ADOPTION OF THE COMMITTEE OF THE WHOLE

BY-LAWS Second Reading

It was moved by Aldermen Chuck Charlebois and Brian Sylvester that the Committee of the Whole be adopted as reported and that by-laws 075-1995 to 089-1995 inclusive, be given second reading.

MOTION CARRIED

BY-LAWS Third Reading

It was moved by Aldermen Susan Carter and Brian Sylvester by-laws 075-1995 to 088-1995 inclusive, be taken as read a third time and finally passed.

MOTION CARRIED

It was moved by Aldermen Chris Savard and Susan Carter that by-law 089-1995 be taken as read a third time and finally passed.

MOTION CARRIED

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

Alderman Naresh Bhargava informed Council that the Economic Development Committee have had three meetings to date. The first initial meeting, the second meeting Mr. Fitzpatrick provided a status report, and the third meeting was to meet with the S.D. & G. United Counties.

Alderman Naresh Bhargava indicated that the United Counties gave a positive reaction towards this committee and have indicated their desire to be part of the membership. Alderman Bhargava requested Council's support to enlarge the Committee by three members from the United Counties.

It was moved by Aldermen Claude Poirier and Susan Carter that Council approve the enlargement by 3 committee members from the S.D. & G. United Counties; one member to be elected, one member from Administration; and one member from the business section.

MOTION CARRIED

NOTICES OF MOTION

UNFINISHED BUSINESS

NEW BUSINESS

1. Voice Mail

It was moved by Mayor Ron Martelle and Alderman Chuck Charlebois that Administration review the effects of the Corporation's Voice Mail Telephone System and report their findings to City Council no later than September 15, 1995.

MOTION CARRIED

2. Policies & Financial Statements

It was moved by Aldermen Naresh Bhargava and Brian Sylvester that any policy or financial statement for Council's deliberation or approval must be presented at least 10 working days prior to putting on the agenda of the Council meeting.

It was moved by Aldermen Dean Hollingsworth and Susan Carter that this matter be referred to Administration for details.

DEFEATED

A recorded vote on the main motion resulted as follows:

For

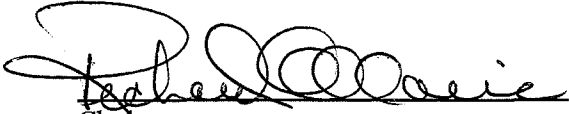
Alderman Brian Sylvester
Alderman Claude Poirier
Alderman Dean Hollingsworth
Alderman Naresh Bhargava


Against

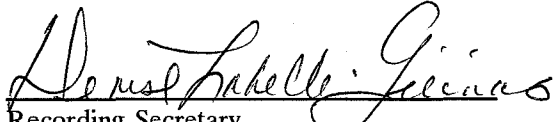
Mayor Ron Martelle
Alderman Denis Carr
Alderman Susan Carter
Alderman Chris Savard
Alderman Chuck Charlebois
Alderman Dick Aubry
Alderman Brian Lynch

DEFEATED 7-4

Adjournment: 10:40 p.m.


Clerk


Mayor


Recording Secretary