



## REGULAR COUNCIL #19-2003

Monday, June 9, 2003  
Meeting began at 7:30 p.m.

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- PRESENT:** Mayor Brian Sylvester, Councillors Don Deebank , Dean Hollingsworth, Syd Gardiner, Denis Carr, Perry Lalonde, Claude Poirier and André Rivette
- ABSENT:** Councillors Susan Carter, Korey Kennedy and Naresh Bhargava
- ADMINISTRATION:** Graham Dart, Deputy Clerk, David Dick, Fernand Hamelin, Paul Fitzpatrick, Susan Cain, David Dick, Debora Daigle, David Fielding, Stephen Alexander, Roger Desjardins and Victor Leroux
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Acting Mayor André Rivette called the meeting to order at 7:30 p.m.

**INVOCATION:** Mr. Ash Bharti - Cornwall Hindu Community

### **ADDITIONS / CORRECTIONS / DELETIONS:**

Addition of Consent Item #5, Lions Club, Annual Carnival.

Deletion of Communications Item #3, Management of Cornwall Non Profit Housing Corporation by Cornwall & Area Housing Corporation; and

### **DISCLOSURE OF INTEREST:**

### **COMMITTEE OF THE WHOLE**

Moved by Councillors Perry Lalonde and Dean Hollingsworth that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consents/Correspondences, Reports and By-laws 098-2003 to 101-2003 be referred to that Committee; and that the Agenda of the Committee of the Whole for the meeting of June 9, 2003 be approved.

**Motion Carried**

### **GENERAL CONSENT**

### **ADOPTION OF MINUTES**

Moved by Councillors Claude Poirier and Syd Gardiner that the Minutes of the Regular meeting of Council #18-2003 under date of Monday, May 26, 2003 were presented for adoption. There being no corrections noted, the Minutes stand approved.

**Motion Carried**

## PRESENTATIONS

### 1. **Emergency Management Ontario Recognition of "Partnerships Towards Safer Communities" Award**

Dave Clarke, Community Officer, explained that the Partnerships Towards Safer Communities (PTSC) program was originally developed as a key measure to improve public safety throughout Ontario. The Program, which has been implemented by Emergency Management Ontario and the Canadian Association of Fire Chiefs, promotes cooperation and integration between both municipalities and industry in their Emergency Management Programs.

In other words, Communities and the Industries within those communities are encouraged to take part in joint emergency prevention, preparedness and response programs. The idea is that if we work together we will be better able to protect the health, welfare, lives and property of our citizens.

Dave Clarke further explained that the Partnership program is highly recommended for any communities which have facilities that use or store hazardous goods or those communities which are situated along dangerous goods transportation corridors.

Within the Partnership Toward Safer Communities program, there are three distinct levels of emergency management achievement, those being "Essential", "Enhanced", and "Comprehensive".

Dave Clarke was happy to announce that Cornwall has reached the "Enhanced" level. Our community has:

- developed an enhanced community emergency plan to include supporting plans (telecommunications, public alerting, notification, evacuation, resource list, specific risk-based industry plans, etc.);
- developed a comprehensive joint community / industry emergency information plan;
- developed an enhanced community emergency operations centre (EOC). Industries are included in the emergency operations centre in accordance with the community emergency plan and EOC operating procedures developed to respond to specific hazards;
- developed an integrated community / industry emergency telecommunications system;
- developed and implemented an annual joint community / industry emergency preparedness training program; and
- developed and implemented a comprehensive annual exercise program to evaluate joint community / industry emergency preparedness.

Ms. Suzanne Carrier-Armstrong, Public Education Officer of Southeastern Ontario presented Acting Mayor André Rivette with the Partnerships Towards Safer Communities Award.

## **2. Ontarians with Disabilities - Accessibility Advisory Committee**

Mr. Chuck Charlebois, Chairman of the Accessibility Advisory Committee, introduced some of the members of the Committee: Brian Bois, Huguette Burroughs and Sandra Lee Baker.

Mr. Charlebois explained that the Committee's mandate is to prepare a plan for The Corporation of the City of Cornwall and City Council to review. It has, as its intent, to have the City become fully accessible, a process that would occur over the coming years. The Committee's objective is to make all City buildings and City programs fully accessible, to sensitize City employees to accessibility issues and to have City employees trained on sensitivity and understanding. Mr. Charlebois stated that some of the City's Departments have already become sensitive to the needs of the disabled.

Several presentations have occurred before the Committee from various City Departments. In listening to those presentations, the Committee members have expressed their satisfaction on the services offered. However, more work is planned for the future.

Denise Labelle-Gélinas, City Clerk, is presently compiling information to include in the Draft Plan, which Plan is to be presented for the Committee's review very shortly. Mr. Charlebois invited anyone in the community who may wish to offer comments and/or suggestions to contact himself, the Office of the City Clerk or any one of the Committee members.

## **3. Financial Statement Review - 2002**

Ross Markell, from the offices of Craig Keen Despatie Markell, Chartered Accountants, presented the Financial Statements for the year ending December 31, 2002.

Mr. Markell's firm audited the consolidated statement of Financial Position of The Corporation of the City of Cornwall as at December 31, 2002, and the Consolidated Statements of Financial Activities and Changes in Financial Position for the year then ended. These Financial Statements are the responsibility of the Corporation's management. The firm's responsibility is to express an opinion on these Financial Statements based on its audit.

The firm has conducted its audit in accordance with Canadian generally accepted auditing standards. Those standards require that it plans and performs an audit to obtain reasonable assurance whether the Financial Statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the Financial Statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall Financial Statement presentation.

It is Mr. Markell's opinion that these Financial Statements present fairly, in all material respects, the financial position of the Corporation of the City of Cornwall as at December 31, 2002, and the results of operations for the year then ended, in accordance with Canadian generally accepted accounting principles.

***Mayor Brian Sylvester arrived at 8:05 p.m.***

## DELEGATIONS

### BY-LAWS

- 098-2003 A By-law to further amend By-law No. 751-1969, the Zoning By-law as amended, being a By-law respecting the use of land and the use and location of buildings;
- 099-2003 A By-law to further amend By-law No. 057-1982, as amended, being a By-law for prohibiting or regulating signs and other advertising devices and the posting of notices on buildings or vacant lots;
- 100-2003 A By-law to name and dedicate property at the southwest corner of Thirteenth Street and Sydney Street as an open road allowance and naming it Sydney Street, which property is legally described as Block D and Part of Lot 49, Plan 334, City of Cornwall, County of Stormont, now designated as Part 1 on Reference Plan 52R-3127; and
- 101-2003 A By-law authorizing the sale of Part of Lot 15, South Side of Second Street, City of Cornwall, County of Stormont, now designated as Part 11 on Reference Plan 52R-4667 to 495246 Ontario Ltd.

<b>CONSENT</b>
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**1. Planning Advisory and Hearing Committee**

That Council approve the following:

- i) That the subject lands at 614 Second Street East be rezoned from Institutional 10 (INS 10) zone to Special Uses 20 (SPU 20) zone;
- ii) That the City Signs By-law be amended, on a site-specific basis at 614 Second Street East, to identify that any new free-standing signage be no greater than 15sq. ft. in total area and that it not be illuminated;
- iii) That any physical alterations to the building and/or site be subject to receiving all applicable municipal approvals; and
- iv) That the existing western side yard and front yard setbacks and parking be recognized as the legal amount on a site specific basis and any changes to the existing situation be subject to Minor Variance or Rezoning.

**2. Planning Advisory and Hearing Committee**

That Council approve that the "Friends of Viscount School" group on record at the March and April PAC meetings be notified of the Site Plan modifications as well as any new information received concerning the VAPS expansion.

**3. Auditor Committee Minutes**

That Council receive the Audit Committee Minutes of May 20, 2003.

**4. Proclamation - Elder Abuse Awareness Month**

That Council approve the request from Rose Zukoniski, Club 353, Cornwall United Senior Citizens of Ontario, to declare the month of June, 2003, to be Elder Abuse Awareness Month.

**5. Lions Club - Annual Carnival**

That Council approve the request from Cornwall Lions Club to relocate its previously approved Annual Carnival from 1150 Montreal Road (the former Courtauld's site property) to Mark's Fifth Wheel and to hold the event for one extra evening of business. The request is to hold the Carnival from Tuesday, June 10, 2003, at 5:00 p.m. to Sunday, June 5, 2003, as opposed to the previously approved Wednesday, June 11, 2003, to Sunday, June 15, 2003.

## **GENERAL CONSENT MOTION**

Moved by Councillors André Rivette and Perry Lalonde that all items listed under the General Consent portion of this Agenda be adopted.

**Motion Carried**

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## **RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION**

**#12-03 Transit Vehicles - Request for Funds**

Moved by Councillors André Rivette and Denis Carr

**WHEREAS** the Corporation of the City of Cornwall's Transit Division have made application for a request for an Allocation of Renewal Funds for conventional transit vehicles for the year 2003; and

**WHEREAS** The Council of the Corporation acknowledges, understands and agrees that the said funds shall be expended for conventional transit vehicles and that the Corporation shall be bound by all the terms and conditions set out in the Guidelines and Requirements; and

**WHEREAS** the request for allocation of renewal funds for the year 2003 is in the amount of \$360,000.00; and

**NOW THEREFORE**, The Corporation of the City of Cornwall continue to support Cornwall Transit's 2003 funding request to the Ministry of Transportation for conventional Transit Vehicles.

**Motion Carried**

**#13-03 CRF Reporting 2003**

Moved by Councillors Denis Carr and Claude Poirier

**WHEREAS** reporting requirements have been attached to the Community Reinvestment Fund (CRF) since 2000; and

**WHEREAS** financial information on all municipal revenues and expenditures, including the Community Reinvestment Fund (CRF), is already reported by municipalities to the Ministry of Municipal Affairs and Housing (MMAH) through the Financial Information Returns (FIRs).

**BE IT RESOLVED** that the Council of the Corporation of the City of Cornwall acknowledges their intent to use the CRF Allocations they will receive for the direct benefit of taxpayers; and accepts the 2003 CRF Allocations in accordance with the terms and conditions (Conditions of Community Reinvestment Fund Allocations) attached to the letter of November 27, 2002 from the Deputy Ministers of Finance and Municipal Affairs and Housing to municipal Treasurers/Clerk-Treasurers.

**Motion Carried**

**REPORTS from  
UNFINISHED BUSINESS**

**COMMUNICATION / REPORTS**

**1. Financial Audited Statement**

Moved by Councillors Denis Carr and Claude Poirier that Council of the City of Cornwall receive the Power Point Presentation made by David Dick.

**Motion Carried**

**2. Fire Ground Staffing**

Moved by Councillors Claude Poirier and Syd Gardiner that, subject to Council's concurrence with the Ontario Fire Marshal's recommendation on minimum fire ground staffing:

1. That Council authorize the immediate hiring of one (1) additional Probationary Firefighter;
2. That Council authorize the hiring of two (2) additional Probationary Firefighters in January, 2004; and
3. That Council authorize the 2003 recruitment and include a one (1) year shortlist.

***A recorded vote on this matter resulted as follows:***

**For:** Councillors Claude Poirier, André Rivette, Denis Carr, Syd Gardiner and Mayor Brian Sylvester

**Against:** Councillors Don Deebank and Dean Hollingsworth

**Absent:** Councillors Susan Carter, Korey Kennedy and Naresh Bhargava

**Motion Carried**

3. **Management of Cornwall Non Profit Housing Corporation by Cornwall & Area Housing Corporation** Deleted

4. **First Quarter Financial Update - 2003**

Moved by Councillors Denis Carr and André Rivette that the Council of the City of Cornwall receive the Financial Report (FI #016-2003) for the first quarter of 2003.

Motion Carried

5. **Insurance Costs - Solid Waste Disposal Site  
Insurance Costs - Marina 200**

Moved by Councillors André Rivette and Don Deebank that the Council of the City of Cornwall approve an additional budget expenditure of \$7,500.00 plus applicable taxes for pollution control coverage at the solid waste disposal site and let it be known that Administration requires an additional budget expenditure of \$6,738.00 plus applicable taxes for marina and pollution coverage at Marina 200.

Motion Carried

6. **Marleau Avenue - Sewer / Watermain Project**

Moved by Councillors André Rivette and Syd Gardiner that the Council of the City of Cornwall approve the withdrawal from working reserves in the amount of \$41,200.00 to proceed with the watermain / sewer project on Marleau Avenue

Motion Carried

7. **Printing / Photocopy Requirements**

Moved by Councillors Syd Gardiner and Don Deebank that the Council of the City of Cornwall approve the expenditure of \$8,500.00 from working reserves for 2003 in order to proceed with issuing RFP 03-R01 Supply and Maintenance of Photocopiers and that Administration report back to Council on a quarterly basis on the impact of the multi-function photocopies on the usage of other office equipment and the resulting savings generated.

Motion Carried

8. **St. Michel Avenue - Foundation Survey**

Moved by Councillors André Rivette and Denis Carr that the Council of the City of Cornwall approve an additional budget expenditure of \$2,500.00 more or less plus applicable taxes to be taken from working reserves in order to conduct foundation surveys of the residences on the east side of St. Michel Avenue

Motion Carried

9. **Staff Replacement**

Moved by Councillors Syd Gardiner and Don Deebank that the Council of the City of Cornwall authorize the establishment of an Assistant Supervisor's position as outlined in the above Report.

Moved by Councillors Syd Gardiner and André Rivette to defer this report to the June 23, 2003, Council Meeting and that Administration report back on the benefit thereof.

Motion Carried

**10. Economic Development Marketing Plan for 2003**

Moved by Councillors Denis Carr and Perry Lalonde that the Council of the City of Cornwall receive Report EDRS #025-2003 prepared by Paul Fitzpatrick, Manager, Economic Development and Recreation Services under date of June 3, 2003.

**Motion Carried**

**11. Verbal Physical Harassment - Corporate Policy**

Moved by Councillors André Rivette and Denis Carr that the Council of the City of Cornwall endorse the Verbal and physical Harassment Policy as outlined in the said Report for all of the City's municipal recreation facilities and that minor sports associations be encouraged to assist and cooperate with the implementation of this policy.

**Motion Carried**

**12. Council Write-offs / Adjustments**

Moved by Councillors André Rivette and Denis Carr that the Council of the City of Cornwall authorize tax write-offs/adjustments/vacancies under sections 357 and 364 of the Municipal Act, 2001, as outlined in Report FI #017-2003 prepared by David Dick, Manager, Financial Services, under date of June 2, 2003.

**Motion Carried**

**TENDER and  
REQUEST FOR PROPOSAL BLOCK**

Moved by Councillors André Rivette and Don Deebank that the Requests for Proposals and Tenders listed within this block be approved as follows:

**1. Request for Proposal No. 03-R01**

**Supply and Maintenance of Photocopiers**

That the Corporation enter into a forty-eight (48) month Lease Contract with OE Technologies Group, Cornwall, Ontario, in the amount of \$57,752.03 per annum plus a reduced cost per copy estimated at \$31,331.75 per annum for a total annual amount of \$89,083.78 (net cost to the Corporation - \$85,985.37) being the best bid meeting the specifications.

**2. Tender No. 03-T24**

**Maintenance of Traffic Control Signals, Flashing Beacons  
& Pedestrian Crossovers Lighting - Three Years**

That Tender 03-T24 be awarded for a three-year period to Black & McDonald Limited, Ottawa, Ontario, at the total bid price of \$159,249.60 (net cost to the Corporation - \$499,839.37) being the best bid meeting the tender specifications.

***Councillor Don Deebank requested that this item be separated for discussion.***

3. **Tender No. 03-T25**  
**Response Maintenance of Roadway Lighting - Three Years**  
That Tender 03-T25 be awarded for a three-year period to Dundas Power Line Ltd., Chesterville, Ontario, at the total bid price of \$262,299.80 (net cost to the Corporation - \$252,494.69) being the best bid meeting the tender specifications.
4. **Tender No. 03-T38**  
**Supply of Polyelectrolytes - Three Years**  
That Tender 03-T38 be awarded for a three-year period to Ciba Speciality Chemicals Canada Inc., Mississauga, Ontario, at the total bid price of \$81,373.50 (net cost to the Corporation - \$78,331.65) being the best bid meeting the tender specifications.
5. **Tender No. 03-T40**  
**Supply and Delivery of Ferric Sulphate or Ferric Chloride**  
That Tender 03-T40 be awarded to Eaglebrook Inc. of Canada, Varennes, Quebec, at the total bid price of \$859.04 per tonne (net cost to the Corporation - \$826.91 per tonne) being the best bid meeting the tender specifications.
6. **Tender No. 03-T43**  
**Supply of LED Traffic Signals Modules**  
Moved by Councillors André Rivette and Syd Gardiner that the following Tender be approved as follows:  
That Tender 03-T43 be awarded to Electromega Ltd., Candiac, Quebec, at the total bid price of \$42,145.20 (net cost to the Corporation - \$40,679.35) being the best bid meeting the tender specifications

*Councillor Don Deebank requested that this item be separated for discussion.*

**Motion Carried**

## **ITEMS SEPARATED FOR DISCUSSION**

2. **Tender No. 03-T24**  
**Maintenance of Traffic Control Signals, Flashing Beacons  
& Pedestrian Crossovers Lighting - Three Years**  
Moved by Councillors Don Deebank and Perry Lalonde that the following Tender be approved as follows:  
That Tender 03-T24 be awarded for a three-year period to Black & McDonald Limited, Ottawa, Ontario, at the total bid price of \$159,249.60 (net cost to the Corporation - \$499,839.37) being the best bid meeting the tender specifications.
6. **Tender No. 03-T43**  
**Supply of LED Traffic Signals Modules**  
Moved by Councillors André Rivette and Syd Gardiner that the following Tender be approved as follows:  
That Tender 03-T43 be awarded to Electromega Ltd., Candiac, Quebec, at the total bid price of \$42,145.20 (net cost to the Corporation - \$40,679.35) being the best bid meeting the tender specifications

**Motion Carried**

## **NEW BUSINESS**

### **1. Seaway Management Corporation**

Moved by Mayor Brian Sylvester and Councillor André Rivette

**WHEREAS** the recently completed Canada Marine Act Review includes a recommendation which states that "the Canada Marine Act should be amended to allow the Board of directors of the St. Lawrence Seaway Management Corporation to locate the head office of the organization wherever the board deems most appropriate from a business and operational perspective"; and

**WHEREAS** the legislation approved by the Parliament of Canada in December 1997 resulting in the creation of the St. Lawrence Seaway Management Corporation included that this organization "shall maintain its head office including Corporate services in respect of its seaway operations at Cornwall, Ontario"; and

**WHEREAS** Stormont-Dundas-Charlottenburgh M.P., Bob Kilger, ensured that this legislation included Cornwall as a site for the head office; and

**WHEREAS** any consideration towards the relocation of this head office from Cornwall is unacceptable; and

**WHEREAS** the St. Lawrence Seaway Authority has enjoyed a long and proud history in our community and that the St. Lawrence Seaway Management Corporation is an important part of our local economy; and

**WHEREAS** every effort must be made to ensure the St. Lawrence Seaway Management Corporation maintains a prominent and significant presence in our community.

**THEREFORE** be it resolved that Cornwall City Council is strongly opposed to any consideration towards the relocation of this head office from Cornwall and that the office of the Mayor in corporation with the office of Bob Kilger, M.P., take whatever steps necessary to ensure that the head office of the St. Lawrence Seaway Management Corporation remain in Cornwall.

**Motion Carried**

### **2. Written Reports - Unsigned Reports**

Moved by Councillors André Rivette and Claude Poirier

**WHEREAS** it is critical that Council receive proper information needed to make policies or decisions on the operation of the Corporation; and

**WHEREAS** on a number of occasions reports have come before Council unsigned, verbally or with no recommendation from administration; and

**WHEREAS** Councillors, on a number of occasions, have voiced concerns regarding these types of reports; and

**NOW THEREFORE** be it resolved that the Mayor instruct the CAO's office and the Clerk's office that all reports from administration must be signed by the author of the report along with all parties who's name appears on the report; and

**FURTHERMORE** any report that is presented to Council for its consideration shall be in writing whether it is for the Closed or the Open session of a Council meeting and that all reports shall include recommendations from administration if requesting a Council decision; and

**FURTHERMORE** any deviation from this policy because of special circumstances will be approved by the Mayor before it is presented to Council.

**Motion Carried**

**3. Sewer Laterals**

Moved by Councillors Claude Poirier and André Rivette

**WHEREAS** Cornwall City Council instituted a policy to replace the municipal portion of sewer laterals; and

**WHEREAS** property owners must demonstrate that damaged sewer lateral are on city property before the city assumes any cost of the work.

**NOW THEREFORE** be it resolved that the Manager of Municipal Works and Services report on the policy in place and the justification and the cost associated with requesting that the property owner demonstrate that the sewer lateral is damaged.

**Motion Carried**

**4. Elimination of Parking**

Moved by Councillors Dean Hollingsworth and Syd Gardiner

**WHEREAS** on street parking on narrow streets presents significant challenges for snow removal and emergency vehicles; and

**WHEREAS** many older centre city streets are narrow yet vital to move traffic.

**NOW THEREFORE** be it resolved that administration report on the possible elimination of parking on the south side of First Street between Cumberland Street and Pitt Street.

**Motion Carried**

**5. Sidewalk on Westmoreland Avenue**

**WHEREAS** Westmoreland Avenue is a significant North-South roadway in the Riverdale area; and

**WHEREAS** Westmoreland Avenue is also a main walking route for children who attend both Viscount Alexander and St. Anne's elementary schools; and

**WHEREAS** buses and vehicles are often in close proximity of Dover Road and Westmoreland Avenue especially at school drop-off and pick-up times at these two elementary schools.

**NOW THEREFORE** be it resolved that Council request from administration for a report on the use of potential tender savings to build a side walk on Westmoreland Avenue

**Motion Carried**

## **PASSING OF BY-LAWS - Third and Final Reading**

Moved by Councillors Perry Lalonde and André Rivette that By-laws 098-2003 to 101-2003 inclusive, listed on the Agenda for third reading be taken as read a third time and finally passed.

**Motion Carried**

## **NOTICES OF MOTION**

### **1. Cornwall Transit - 2003 Capital Budget**

**WHEREAS** Council of the City of Cornwall has approved the 2003 budget which includes \$795,870.00 for Cornwall Transit Capital Budget; and

**WHEREAS** Cornwall Transit has received \$188,016.00 in damages from the Municipal Insurance carrier for the replacement of a Transit bus; and

**WHEREAS** Cornwall Transit has been allocated \$375,000.00 from the Ministry of Transportation to go towards the purchase of a Transit vehicle; and

**WHEREAS** Cornwall Transit is submitting a revised 2003 Capital Budget to Council of the Corporation of the City of Cornwall which will require additional funding of \$65,109.00 and must be identified publicly prior to the Council deliberating the issue at its meeting of June 23, 2003;

### **2. Brookdale Avenue - M.T.O. Connecting Link Funding**

**WHEREAS** the City of Cornwall made an application to the Ministry of Transportation for funding under their Connecting Link Program to undertake the design and approvals for the reconstruction of Brookdale Avenue from Fourteenth Street to Tollgate Road; and

**WHEREAS** the City of Cornwall has received funding through the Ministry of Transportation's Connecting Link Program in the amount of \$112,500.00 covering 75% of the gross cost of \$150,000.00 of the design and approvals phase of the reconstruction of Brookdale Avenue; and

**WHEREAS** the City of Cornwall's contribution to the project in the amount of \$37,500.00 was not budgeted for during the 2003 budget process and must be identified publicly prior to the Council deliberating the issue at its meeting of June 9, 2003.

**NOW THEREFORE** let it be known that Administration requires Council's approval to withdraw from the Working Reserves \$37,500.00 as the City's contribution to proceed with the design and approvals of the reconstruction of Brookdale Avenue.

## UNFINISHED BUSINESS LISTING

### CONFIRMING BY-LAW

Moved by Councillors André Rivette and Syd Gardiner that By-law 102-2003 being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, June 9, 2003, having been read a first, second and third time be now taken as read and passed.

**Motion Carried**

Adjourned 10:20 p.m.

  
DENISE LABELLE-GÉLINAS  
CLERK

  
BRIAN SYLVESTER  
MAYOR

  
GRAHAM DART  
DEPUTY CLERK

