



Minutes Cornwall City Council

Meeting ID: 2010-15
Meeting Date: Mon June 14, 2010 07:00 PM
Location: Council Chambers
Chair: Bob Kilger, Mayor
Prepared By: Manon L. Poirier, Deputy Clerk

Attendance Committee Members:

Bob Kilger, Mayor
Denis Thibault, Councillor
Denis Carr, Councillor
Mark MacDonald, Councillor
Elaine MacDonald, Councillor
Glen Grant, Councillor
Kim Baird, Councillor
Bernadette Clément, Councillor
André Rivette, Councillor
Syd Gardiner, Councillor
Mary Ann Hug, Councillor

Attendance Staff:

Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gélinas, City Clerk
Manon L. Poirier, Deputy Clerk
Maureen Adams, G.M. Financial Services
Norm Levac, G.M., Infrastructure and Municipal Works
Robert Menagh, Manager Human Resources
Stephen Alexander, G.M. Planning, Parks and Recreation
Christine Lefebvre, Division Manager, Parks and Recreation Services
Debora M. Daigle, Manager Social and Housing Services

IN-CAMERA SESSION

An In-Camera meeting was held at 5:45 p.m. to discuss matters that fell under the Municipal Act, 2001, c.23 s.239:

- 2 (a) the security of the property of the municipality or local board;
- 2 (b) personal matters about an identifiable individual, including municipal or local board employees; and
- 2 (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

INVOCATION

Father Claude Thibault - Blessed Sacrament Church

NATIONAL ANTHEM

Assembly

ADDITIONS, DELETIONS OR AMENDMENTS

All matters listed under General Consent, save and except "Delegations" are considered to be routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation, the Council member shall request that this matter be moved to "Communications" at this time.

1. Removal of Resolution #2010-15 Wage Freeze for Members of Council.
2. Move Consent Item #1 to Communication Report 6 for Discussion purposes

DISCLOSURE OF INTEREST

There were no Disclosures of Interest declared.

COMMITTEE OF THE WHOLE

Motion that Council go into Committee of the Whole and that all Minutes, Presentations, Delegations, Consent/Correspondence, Resolutions, Reports and By-laws shall be considered and referred to that Committee.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor

Seconded By: Mary Ann Hug, Councillor

MOTION CARRIED

GENERAL CONSENT

ADOPTION OF MINUTES

The following Minutes were presented for adoption. There being no corrections noted, the Minutes were recommended for approval.

1 May 20, 2010 Cornwall City Council Meeting

Click for detail --> [☐](#)

2 May 25, 2010 Cornwall City Council Meeting

Click for detail --> [☐](#)

3 May 28, 2010 Cornwall City Council Meeting

Click for detail --> [☐](#)

Motion to endorse the Minutes of Council as presented.

Moved By: Bernadette Clément, Councillor

Seconded By: Kim Baird, Councillor

MOTION CARRIED

PASSING OF THE BY-LAWS - FIRST AND SECOND READINGS

The following By-laws were presented to Council for passing and it was recommended that By-laws 2010-069 to 2010-076 inclusive be read a first time and be considered as read a second time.

2010-069 A By-law to authorize annual Accreditation Program Service Agreements

Click for detail --> [□](#)

2010-070 A By-law to enter into a "Funding Agreement" for Grade Crossing Improvements, to the CN railway crossing, mile 64.71 of the Kingston Subdivision (CN crossing at Boundary Road), with Her Majesty The Queen in Right of Canada as represented by The Minister of Transport, Infrastructure and Communities

Click for detail --> [□](#)

2010-071 A By-law to enter into a 'Standard Crossing Reconstruction Agreement' with Canadian National Railway Company for cost sharing of improvements to the CN railway crossing, mile 64.71 of the Kingston Subdivision (CN crossing at Boundary Road)

Click for detail --> [□](#)

2010-072 A By-law to establish a percentage by which tax decreases are limited for a taxation year as a result of tax capping

Click for detail --> [□](#)

Exp-072 Explanation of Purpose and Effect of By-law #2010-072 and #2010-073,

Click for detail --> [□](#)

2010-073 A By-law to establish tax capping options for properties in the Multi-Residential, Commercial and Industrial tax classes

Click for detail --> [□](#)

2010-074 A By-law to authorize the execution of an extension agreement pursuant to section 378 of the Municipal Act, 2001

Click for detail --> [□](#)

Exp-074 Explanation of Purpose and Effect of By-law #2010-074, Tax Extension Agreement

Click for detail --> [□](#)

2010-075 A By-law to authorize The Corporation of the City of Cornwall, on behalf of the Glen-Stor-Dun Lodge to enter into a Service Accountability Agreement with the Local Health Integration Network effective July 1, 2010, to March 31, 2013

Click for detail --> [□](#)

2010-076 A By-law to approve an Encroachment Agreement for 1313 Brookdale Avenue (Pizza Hut) to allow for the development of an additional parking area

Click for detail --> [□](#)

Exp-076 A By-law to approve an Encroachment Agreement for 1313 Brookdale Avenue

Click for detail --> [□](#)

CONSENT/CORRESPONDENCE

1 Kingston City Council - Payments in Lieu of Taxes

Click for detail --> [☐](#)

This matter was moved to Communication Item #6 for discussion.

2 Staff Replacement - Mechanic Class A for Cornwall Transit

Click for detail --> [☐](#)

Action Recommended

That Council approve the hiring of a Class A Mechanic for the Transit Division.

3 Staff Replacement - Data Entry Clerk

Click for detail --> [☐](#)

Action Recommended

That Council approve the replacement of a permanent part-time data entry clerk in the Building and By-law Division, Planning Parks and Recreation. The incumbent has tendered her resignation/retirement effective July 31, 2010.

4 Staff Replacement - One Full Time Recreation Staff

Click for detail --> [☐](#)

Action Recommended

Council approve the replacement of one (1) Full time Recreation Staff effective June 14, 2010.

Motion that all items listed under the General Consent portion of this Agenda for Monday June 14, 2010 be adopted as presented.

Moved By: Kim Baird, Councillor

Seconded By: André Rivette, Councillor

MOTION CARRIED

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

2010-15 Wage Freeze for Members of Council

Click for detail --> [☐](#)

Recognizing that the report presented by the Ad Hoc Committee of Council Compensation Review was received for information and no action was taken on any remuneration increases to Members of Council for the upcoming Term of Council, Councillor Mark MacDonald requested that this Resolution be withdrawn from the Agenda.

2010-16 Multi-Purpose Room and Gymnasium

Click for detail --> [□](#)

WHEREAS the Council at its Special Meeting of Tuesday May 11, 2010 endorsed the following motion:

"That Council endorse the construction of a Multi-Purpose room only and that the financing come from the operating budget and not the Progress Fund."; and

WHEREAS a "Notice of Motion" is legally available to Members of Council, as provided for in "Robert's Rules of Order" to introduce a motion to "amend something previously adopted", which by majority vote can re-introduce the motion previously dealt with at the May 11, 2010 meeting; and

WHEREAS if the motion to "amend something previously adopted", is adopted, the following amending motion will be introduced: that the motion be amended to strike out the word "only" immediately following a "Multi-Purpose room" and insert the words "and gymnasium"; and that the motion of May 11, 2010 be amended to read as follows:

That Council endorse the construction of a Multi-Purpose room and Gymnasium and that the financing come from the operating budget and not the Progress Fund".

NOW THEREFORE BE IT RESOLVED THAT the motion to "amend something previously adopted", be introduced and if adopted, that the motion be to amend the original motion of May 11th requesting to strike out the word "only" immediately following a "Multi-Purpose room" and insert the words "and gymnasium"

In accordance with the notice given at the last meeting of Monday May 25, 2010, it was moved to amend something previously adopted in that the motion "That Council endorse the construction of a Multi-Purpose room only and that the financing come from the operating budget and not the Progress Fund", by striking out the word "only" and adding the words "and gymnasium" in its place.

Moved By: Bernadette Clément, Councillor

Seconded By: Kim Baird, Councillor

A point of order was brought forward by Councillor Grant, in that the motion "*to amend something previously adopted*" was not in order and against the Council's normal procedure. The Chair ruled that the motion was indeed in order.

A motion to appeal the decision of the Chair was presented and seconded. The motion was presented to Members of Council for a vote and the Chair's ruling was sustained.

Moved By: Glen Grant, Councillor

Seconded By: Denis Thibault, Councillor

MOTION TO SUSTAIN CARRIED

Motion to amend Resolution 2010-16 to add, at the end of the motion, "and that the Curling Club be contacted to request that they consider a partnership in the construction of a gymnasium which would be incorporated with the Curling Club, as well as a financial contribution in the amount of \$250,000; and that this matter be brought to Members of Council no later than the 21st day of June for debate and resolution".

Moved By: Denis Thibault, Councillor
Seconded By: Mark MacDonald, Councillor

THE AMENDED MOTION CARRIED

Motion

That Council endorse the construction of a Multi-Purpose room and gymnasium and that the financing come from the operating budget and not the Progress Fund; and that the Curling Club be contacted to request that they consider a partnership in the construction of a gymnasium which would be incorporated with the Curling Club, as well as a financial contribution in the amount of \$250,000; and that this matter be brought to Members of Council no later than the 21st day of June for debate and resolution.

A recorded vote on the Main Motion as amended resulted as follows:

Votes For = 10

Bob Kilger, Mayor
Denis Thibault, Councillor
Denis Carr, Councillor
Mark MacDonald, Councillor
Elaine MacDonald, Councillor
Glen Grant, Councillor
Kim Baird, Councillor
Bernadette Clément, Councillor
Syd Gardiner, Councillor
Mary Ann Hug, Councillor

Votes Against = 1

André Rivette, Councillor

MAIN MOTION AS AMENDED CARRIED

REPORTS FROM UNFINISHED BUSINESS

1 Off- Leash Dog Park

Click for detail -->

Action Recommended

That Council provide a letter of support for an off-leash dog park on the Cedar Rapids property adjacent to and North of Optimist Park.

Motion to amend the main motion in that the word "support" be struck out and that the words "no objection" be added .

Moved By: Denis Carr
Seconded By: Denis Thibault

MOTION DEFEATED


Off- Leash Dog Park (cont..)

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Kim Baird, Councillor

MAIN MOTION CARRIED

2 Waterfest

Click for detail --> 

Action Recommended

That Council provide direction with regards to the request from the Organizing Committee for Waterfest for services in kind and financial assistance with the cost of insurance.

Motion that Council approve funds in the amount of \$6,269.77 as outlined in Report PPR #2010-07 to the Waterfest Committee for the proposed three day event and that the funds be taken from Working Reserves. The expense is to provide services in kind.

Moved By: Glen Grant, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

3 Gender Balance - Management - Supervisory Staff

Click for detail --> 

Action Recommended

That Council receive the data contained in Report HR #2010-03 for information purposes.

Motion to approve the recommendation as presented.

Moved By: Elaine MacDonald, Councillor
Seconded By: Denis Thibault, Councillor

MOTION CARRIED

COMMUNICATIONS / REPORTS

1 Request from St-Columban's Parish Social Steering Committee

Click for detail --> 

Action Recommended

That Council authorize in kind services through labour and equipment to the St-Columban's Parish Social Steering Committee for their upcoming parish social event.

Moved By: Mark MacDonald, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

2 Memorandum of Understanding - Mohawk Council of Akwesasne and the City of Cornwall - Waterfront Lands

Click for detail -->

Action Recommended

Motion That Council authorize the Memorandum of Understanding outlining very general terms to ensure cooperation and consultation on this matter to establish separate special Committees on cooperative ventures on waterfront lands.

Moved By: Bernadette Clément, Councillor

Seconded By: Denis Thibault, Councillor

MOTION CARRIED

3 Elected Officials Expense Statements for the period ending April 30, 2010

Click for detail -->

Action Recommended

That Council approve the Statement of Expenses for Elected Officials for the period ending April 30, 2010.

Motion to approve the recommendation as presented.

Moved By: Syd Gardiner, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

4 Ontario Senior Games/ Supplement Report

Click for detail -->

Action Recommended

That Council approve a request from the Ontario Senior Games Organizing Committee, bidding to become host to the 2012 Ontario Senior Actifest Games, and that the City act as guarantor in the event the games generate a deficit.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor

Seconded By: André Rivette, Councillor

MOTION CARRIED

5 Bill 168 - Harassment & Violence in the Workplace

Click for detail -->

Action Recommended

That Council approve the amendments to the City's Harassment and Violence in the Workplace policies.


Motion to approve the recommendation as presented.

Moved By: Denis Thibault, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

6 Kingston City Council - Payments in Lieu of Taxes

Click for detail --> 

This matter was moved from Consent Item #1 for discussion.

Action Recommended

That Council support the City of Kingston and its resolution which urges the government of the Province of Ontario to make payments in lieu of taxes to Municipalities for services provided.

Motion to approve the recommendation as presented.

Moved By: Elaine MacDonald, Councillor

Seconded By: Bernadette Clément, Councillor

Motion to refer this matter to Administration requesting that a full list of properties under the administration of Federal and Provincial Governments, including Hospitals and Educational facilities, which will provide information on what payments in lieu of taxes are received and who determines what payments are to be given to the municipality.

Moved By: Glen Grant, Councillor

Seconded By: Syd Gardiner, Councillor

MOTION TO REFER CARRIED

TENDERS AND REQUESTS FROM PROPOSAL

1 Tender No. 05-T03 Operation of the Solid Waste Recycling Program and Curbside Solid Waste Collection

Click for detail --> 

Action Recommended

That Council approve the extension of this contract with HGC Management of Oakville, Ontario for a period of six (6) months (September 2010 - March 2011) with an option to extend for another six (6) month period.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor

Seconded By: Denis Thibault, Councillor

MOTION CARRIED

2 Tender No. 10-T48 Decommissioning of Outdoor Pools at Various Locations.

Click for detail --> 

Action Recommended

That Tender 10-T48 be awarded as follows:

Items 1 and 2 be awarded to Malyon Excavation Ltd., Cornwall, Ontario, at the total bid price of \$18,811.80 and that item 3 be awarded to City and District Steeplejacks Ltd., Martintown, Ontario at the total bid price of \$17,745.00 (net cost to the Corporation - \$34,816.00) being the best bids meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Glen Grant, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION CARRIED

3 RFP No. 10-R10 Supply & Installation of Play Structures

Click for detail --> 

Action Recommended

That RFP 10-R10 be awarded as follows:

- The playstructure for the Reg Campbell Park and the Kinsmen Park be awarded to Henderson Recreation Equipment Ltd. , Simcoe, Ontario at the total bid price of \$69,590.25 plus applicable HST.
- The playstructure for the Bell Centennial Park be awarded to Playground Planners at the total bid price of \$17,695.48 plus applicable HST being the best bids meeting the specifications.

Motion to approve the recommendation as presented.

Moved By: André Rivette, Councillor
Seconded By: Kim Baird, Councillor

MOTION CARRIED

4 Tender No. 10-T44 Watermain Construction on Brookdale Ave from Tollgate Rd to Cornwall Centre Rd

Click for detail --> 

Action Recommended

That Tender 10-T44 be awarded to Louis W. Bray Construction Ltd., Ontario, at the total bid revised price of \$1,353,039.40 (net cost to the Corporation - \$1,218,453.89) being the best bid meeting the tender specifications.

Motion to approve the recommendation as presented.

Moved By: Denis Thibault, Councillor
Seconded By: André Rivette, Councillor

MOTION CARRIED

PRESENTATIONS

There were no Presentations.

DELEGATIONS

There were no Delegations.

NEW BUSINESS

1. Media Trends

☐ - Submission Cornwall City Council - 06/14/2010 07:00:00 PM - Media Trends

WHEREAS The City of Cornwall has a need to advertise, for various reasons; and

WHEREAS There is a "changing face of media", with respect to moving away from traditional forms of advertising; and

WHEREAS More and more, people are using the internet to stay current, regarding local news; and now, therefore, be it

RESOLVED That Administration prepare a report with respect to how we are dividing our advertising budget, and be it further

RESOLVED That this report include "developing trends", with respect to how Cornwallite's are gathering the news.

Moved By: Mark MacDonald, Councillor
Seconded By: Mary Ann Hug, Councillor

MOTION CARRIED

PASSING OF BY-LAWS - THIRD AND FINAL READING

Motion that By-laws 2010-069 to 2010-076 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

Motion to approve the recommendation as presented.

Moved By: Mary Ann Hug, Councillor
Seconded By: Glen Grant, Councillor

MOTION CARRIED

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

1. Councillor Syd Gardiner invited Council to attend the Cornwall Regional Airport to attend the Father's Day Breakfast on Sunday June 20, 2010.
2. Councillor Elaine MacDonald thanked the Children's Aid Society pursuant to attending its Annual General Meeting.
3. Councillor Kim Baird congratulated the Transit Department on their clean Air Day Initiative

4. Councillor Elaine MacDonald announced, on behalf of the Social Development Committee, that the Seaway Valley Heath Centre will hold its Annual General Meeting on June 16, 2010.

NOTICES OF MOTION

1 Creating Tools in Municipal Parks

Click for detail --> 

WHEREAS the City of Cornwall has invested in beautifying and developing many areas of parkland for the general public; and

WHEREAS the City of Cornwall has also developed and continues to develop areas within the city for people to use and also for the younger generations to enjoy and take pride in; and

WHEREAS the City of Cornwall is also developing new infrastructures for the general population, including the younger generations, to use and enjoy.

NOW THEREFORE, BE IT RESOLVED that within these areas of general public usage, that the parks and recreation department look into placing several blank, usable boards and erasable creating tools of the type that can be utilized by the public, including the younger generations, for the purpose of allowing the people to create their own art work. This would help foster a feeling that these areas truly belong to them and that they have a personal investment to keep these areas in good shape, and therefore would generate of sense of pride.

Proposed by Councillor Mary Ann Hug
Seconded by Councillor Mark MacDonald

2 Murals - Downtown Area

Click for detail --> 

WHEREAS the City Of Cornwall has invested in the production and the positioning of various heritage related murals throughout the downtown area; and

WHEREAS these murals have added historically relevant works of art as well as interesting works of art to various areas of the downtown; and

WHEREAS these murals have been left unattended for some years since their initial production; and

WHEREAS these murals are in various need of repair and restoration.

NOW THEREFORE, BE IT RESOLVED That an art and mural restorer be commissioned to give an estimate of the actual work needed to be done to restore these murals to their original state of beauty and that council be made aware of the costs involved to save these murals.

Proposed by Councillor Mary Ann Hug
Seconded by Councillor Mark MacDonald

3. Expansion of Canada's Public Pension System

☐ - Submission Cornwall City Council - 06/14/2010 07:00:00 PM - Expansion of Canada's Public Pension System

WHEREAS The Canadian economic downturn is putting the retirement security of many workers at risk; and

WHEREAS Canadian cities are directly impacted as they are key front line providers of social services and support programs for older workers and retirees; and

WHEREAS Ontario cities bear an additional portion of the cost of providing such programs; and

WHEREAS The significant economic downturn in combination with an increased number of employer bankruptcies across various sectors have resulted in under-funded pension plans and the actual and potential loss of promised pension benefits; and

WHEREAS Only one in four private sector workers belong to an employer pension plan and the remaining 3 out of 4 workers must rely more heavily on personal savings to provide for their retirement; and

WHEREAS The Canadian public pension system including Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) plus the Canada Pension Plan (CPP) is safe but falls well short of replacing the 50% to 70% of pre-retirement income needed to maintain a decent standard of living; now, therefore, be it

RESOLVED That the City of Cornwall join the Federation of Canadian Municipalities (FCM) as well as individual municipalities in calling for support of expansion of Canada's public pension system by, and at the cost of the Federal Government and not municipalities:

1. by increasing the Guaranteed Income Supplement (GIS) by 15%, so no senior lives in poverty; and
2. by protecting Canadian pensions through a federal system of pension insurance; and be it further

RESOLVED That the City of Cornwall support the call on the federal government to hold a national summit on the issue of pensions and support the expansion of the Canada Pension Plan.

Proposed by Elaine MacDonald, Councillor
Seconded by Andre Rivette, Councillor

4. **Council Compensation - 2011 to 2014**

- Submission Cornwall City Council - 06/14/2010-07:00:00 PM - Council Compensation 2011 to 2014

WHEREAS The Council Compensation Review Ad-Hoc Committee presented, on May 10th, 2010 its report on options available to Members of Council for a remuneration compensation package, that would come into effect January 1, 2011 up to and including December 31, 2014; and

WHEREAS Members of Council chose to receive the report and not take any action on the recommendations presented by the Committee on this matter; and

WHEREAS It is deemed desirable that this report be re-introduced to Members of Council so that they may re-debate the report in question and now, therefore, be it

RESOLVED that this Notice is to inform Members of Council that the motion being brought forward at its meeting of June 28th is a motion of "*Reconsideration*" on its original motion to receive the report submitted by the Council Compensation Review Committee by adopting one of the two Options presented.

Proposed by Councillor Kim Baird
Seconded by Councillor Elaine MacDonald

5. **Seventh Street - Three Way Stop Sign**

WHEREAS the Temporary customs station has been established at the foot of the bridge on Brookdale Avenue as a result of which those travelling north on Brookdale Ave, have been re-routed onto the Seventh Street Extension and around the back of St. Hubert's BBQ; and

WHEREAS traffic at the intersection of Seventh Street and the Seventh Street extension has been dramatically increased; and

WHEREAS In spite of the fact that there are rules of the road that apply, drivers continue to be confused; and given public concern and the fact that an end date to the temporary situation on Brookdale is not yet in place; now, therefore, be it

RESOLVED that the current intersection be labelled a 3-way stop for the duration of the interim.

Proposed by Councillor Elaine MacDonald
Seconded by Councillor Syd Gardiner

PENDING BUSINESS LISTING

The Pending Business Listing was presented and no discussion ensued.


1 Pending Business for June 14, 2010

Click for detail -->

CONFIRMING BY-LAW
FIRST, SECOND AND THIRD READINGS

That By-law 2010-070, being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meeting held on Monday, June 14, 2010, having been read a first, second and third time, be now taken as read and passed.

2010-070 A By-law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday June 14, 2010

Click for detail --> 

Moved By: Mary Ann Hug, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION CARRIED

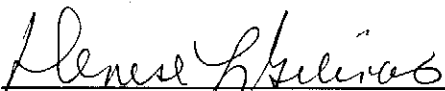
ADJOURNMENT

Motion to adjourn the Regular Council Meeting of Monday, June 14, 2010, at 9: 35 p.m.

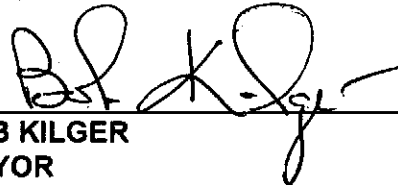
Moved By: André Rivette, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION CARRIED

NEXT REGULAR MEETING OF COUNCIL to be held Monday, June 28, 2010



DENISE LABELLE-GELINAS
CITY CLERK



BOB KILGER
MAYOR



MANON L. POIRIER
DEPUTY CITY CLERK

