

# CITY COUNCIL #28-97

October 14, 1997

Meeting began at 7:30 p.m.

169/97

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**PRESENT:** A regular meeting of Council was held with the following members present: Mayor Dick Aubry, Aldermen Brian Sylvester, Denis Carr, Brian Lynch, Naresh Bhargava, Susan Carter, Chris Savard, Claude Poirier, Angelo Lebrano, and Dean Hollingsworth.

**ABSENT:** Alderman Chuck Charlebois.

**IN ATTENDANCE:** Richard Allaire, Chief Administrator/Clerk, Paul Fitzpatrick, Assistant C.A.O./Manager, Economic Development, Frank McDonald, Graham Dart, Fern Hamelin, Dave Fielding, Steve Alexander, Hilda Seguin, Ken Gauthier, and Denise Labelle-Gelinas, Recording Secretary.

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## INVOCATION

Allan Groeun, Immanuel Christian Reform Church.

## ADDITIONS/DELETIONS

Nil.

## DISCLOSURE OF INTEREST

Alderman Susan Carter declared a Pecuniary Interest on Communication Item #3, Direct Rent Payment to Landlord for all Social Assistance Consumers, because her husband and herself own a four unit property at 1105 Second Street East and do rent to individuals collecting social assistance.

Alderman Chris Savard declared a Pecuniary Interest on by-law 130-1997, a by-law to authorize the Mayor and Clerk to enter into a Purchase and Sale Agreement with U.T.L. regarding property municipally known as 232 Water Street East, because his employer, the Cornwall Chamber of Commerce, has had discussions with the City to negotiate a lease agreement for this parcel of land.

## PRESENTATIONS

**ADOPTION OF MINUTES**

It was moved by Aldermen Angelo Lebano and Naresh Bhargava that the Special Committee of Council minutes of September 18, 1997 be approved as presented.

MOTION CARRIED

It was moved by Alderman Brian Lynch and Brian Sylvester that the Committee of Council minutes of September 22, 1997 be approved as presented.

MOTION CARRIED

It was moved by Aldermen Claude Poirier and Brian Sylvester that the City Council minutes of September 22, 1997 be approved as amended.

MOTION CARRIED

It was moved by Aldermen Brian Sylvester and Naresh Bhargava that the Special Committee of Council minutes of September 25, 1997 be approved as presented.

MOTION CARRIED

It was moved by Aldermen Brian Lynch and Angelo Lebano that the Special City Council minutes of September 25, 1997 be approved as presented.

MOTION CARRIED

It was moved by Aldermen Claude Poirier and Angelo Lebano that the Special City Council minutes of October 7, 1997 be approved as presented.

MOTION CARRIED

## COMMITTEE OF THE WHOLE

It was moved by Aldermen Denis Carr and Brian Sylvester that the 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 125-1997 to 133-1997 inclusive, be given first reading.

### MOTION CARRIED

#### **BY-LAWS - First Reading**

- 125-1997 A by-law to further amend by-law 751-1969, the Zoning By-law as amended of the City of Cornwall, being a by-law respecting the use of land and the use and location of buildings. (Minimum Yard Dimensions)
- 126-1997 A by-law to enter into an Encroachment Agreement with Versa Care Ltd. to allow for the encroachment of a garden area and sign on City property.
- 127-1997 A by-law to authorize the Mayor and Clerk to enter into two Amending Agreements with the Province of Ontario for Provincial-Municipal Infrastructure projects; to undertake testing and pressure grouting of sewers in the Eamers Corners area, and the rehabilitation of the Pitt Street/C.N.R. Overpass respectively.
- 128-1997 A by-law to authorize the Mayor and Clerk to execute a "Certificate of Compliance" acknowledging that the covenants contained in Deed No. 137011 have been complied with.
- 129-1997 A by-law to authorize the Mayor and Clerk to sign a purchase of service agreement with the Cornwall and Area Family Counseling Center to act as trustee for clients in need of credit counseling and support services to meet his/her basic financial responsibilities.
- 130-1997 A by-law to authorize the Mayor and Clerk to enter into a Purchase and Sale Agreement with U.T.L. regarding property municipally known as 232 Water Street East.
- 131-1997 A by-law to authorize the sale of the Cline House located on Part of Lot 9, south side of Second Street, in the City of Cornwall, County of Stormont.
- 132-1997 A by-law to amend by-law 027-1997, a by-law to enter into a lease agreement with Judy Rose and Debbie Kingston for rental of office space at the Kinsmen Municipal Center, in order to increase the square footage rented.
- 133-1997 A by-law to endorse the debt repayment program and the pay-as-you-go Capital Budget Plan, as outlined in the report from the Manager, Finance under date of October 7, 1997, conditional upon the sale of Cornwall Electric being finalized, and that any deviation from this by-law, by any future Council, be subject to a two-thirds vote of the whole Council.

## DELEGATIONS

### #1. Le Village B.I.A. - Parking

Mr. Alain Filion, Chairman of Le Village B.I.A., presented an Executive Summary identifying solutions to a problem they believe threatens the survival of their independent businesses.

Mr. Filion indicated that the presence of parking meters in the Le Village Business District discourages patrons from shopping in their businesses for fear of receiving a \$7.00 penalty. He continued to identify the pro-active approach they have taken over the past year and concluded by requesting that City Council support their endeavors by removing all parking meters (both on-street and in the three off-street municipal lots), and by purchasing (or expropriating) the Emard Lot on behalf of Le Village B.I.A. In return, Le Village B.I.A. will provide all maintenance and snow removal to the three off-street municipal lots, and repay the City the cost of purchasing (or expropriating) the Emard Lot on Lawrence Avenue. He further stated that this arrangement would be accomplished as a type of monthly or yearly "mortgage" payment to the City which will eventually retire the total purchase costs.

In conclusion, it was moved by Aldermen Susan Carter and Angelo Lebano that this matter be referred to Administration and that they return with a response by the regular City Council meeting of October 27<sup>th</sup>, 1997 or soon thereafter.

MOTION CARRIED

### #2. Project 2000 Inc.

The spokesperson for Project 2000 this evening was Mr. Rick Saaltink. Mr. Saaltink provided an Executive Summary identifying the City's need for an improved aquatic facility. A copy plan has been developed for a facility to be located northwest of the Civic Complex and would be in operation by the year 2000. The facility should be comprised of athletic and leisure components in order to meet the needs of a broad spectrum of users. It is estimated that the facility will generate an estimated revue of \$220,000.00 per year. Expenses are predicted to be a total of \$280,000.00 and require an operating subsidy of \$60,000.00 per year.

It is estimated that the project would cost approximately \$5,475,000.00 to construct. The Project Group is hopeful in obtaining voluntary contributions of \$550,000.00 over a three year period and they are seeking a commitment from the City to the remainder of the cost of \$5,000,000.00.

In conclusion, it was moved by Aldermen Denis Carr and Brian Sylvester that Council support the Cornwall Project 2000 feasibility study.

It was then moved by Aldermen Chris Savard and Angelo Lebano that this project be referred to Administration for a full review prior to Council's endorsement and that the report be presented at the regular City Council meeting on October 27, 1997.

MOTION TO REFER CARRIED

## RESOLUTIONS

### CONSENT AGENDA

It was moved by Aldermen Denis Carr and Angelo Lebrano that the Consent Agenda be approved as presented.

MOTION CARRIED

A. Masonic Association of Eastern District

That Council approve the request to declare the week of October 26<sup>th</sup> to November 1<sup>st</sup>, 1997 as Masonic Awareness Week in the City of Cornwall.

B. Dystonia Medical Research Foundation

That Council approve the request to declare the week of October 12<sup>th</sup> to October 19<sup>th</sup>, 1997 as Dystonia Awareness Week in the City of Cornwall.

C. Upper Canada Playhouse

That Council approve the request to sell raffle tickets in the City of Cornwall, draw to be held December 19, 1997.

## COMMUNICATION

### 1. RITA STREET RESIDENTS

It was moved by Aldermen Claude Poirier and Chris Savard that Council approve the report from the Manager, Engineering and Environmental Services under date of October 1, 1997 and that Administration continue to inform Council of the status on a continual basis.

It was then moved by Aldermen Denis Carr and Naresh Bhargava that a timetable also be included in this matter.

AMENDMENT CARRIED  
MAIN MOTION CARRIED AS AMENDED

### 2. PETITION FOR SIDEWALK - BEDFORD STREET

It was moved by Aldermen Angelo Lebano and Naresh Bhargava that this petition be reviewed as part of the Asphalt Resurfacing Program for the 1998 Capital Budget.

MOTION CARRIED

### 3. DIRECT RENT PAYMENT TO LANDLORDS FOR ALL SOCIAL ASSISTANCE CONSUMERS

*Having declared a Pecuniary Interest on Communication Item #3, Alderman Susan Carter left the room and did not take part in the discussion or vote.*

It was moved by Aldermen Brian Sylvester and Brian Lynch that Council authorize the Mayor and Clerk to sign a purchase of service agreement with the Cornwall and Area Family Counseling Center to act as trustee for clients in need of credit counseling and support services to meet his or her basic financial responsibilities by December 1, 1997.

MOTION CARRIED

*Alderman Susan Carter returned.*

### 4. STAFF REPLACEMENT

It was moved by Aldermen Denis Carr and Naresh Bhargava that Council approve the replacement of this position.

MOTION CARRIED

5. **TENDER 97-R09**

It was moved by Aldermen Susan Carter and Denis Carr that Council accept the two Agencies named in the report (Solutions & Manpower Services) to provide employment placement to recipients of Social Services/Ontario Works.

MOTION CARRIED

6. **SUPERVISION OF FACILITIES SECTION**

It was moved by Aldermen Angelo Lebano and Brian Sylvester that Council approve the hiring of an Assistant Supervisor for the Facilities Section of Public Works on a two year contract; and that Council approve the Employment Contract attached and the terms and conditions contained therein.

It was then moved by Aldermen Denis Carr and Angelo Lebano that this matter be postponed and referred to the 1998 budget deliberations.

MOTION TO POSTPONE CARRIED

7. **PROPOSED ACTION PLANS FOR PUBLIC WORKS**

It was moved by Aldermen Susan Carter and Denis Carr that Council receive the action plans for the Public Works Department.

MOTION CARRIED

8. **CAPITAL BUDGET - TRAFFIC SECTION**

It was moved by Aldermen Brian Lynch and Denis Carr that the \$88,500.00 allocated to various Traffic Section Capital Projects be re-allocated towards the purchase of new electronic traffic signal controllers.

MOTION DEFEATED

9. **TENDER 97-T55** - Supply, plant & maintain trees/shrubs at Rotary Eco Garden & on various City streets.

It was moved by Aldermen Denis Carr and Claude Poirier that this tender not be awarded as it has exceeded the budget.

MOTION CARRIED

10. **TENDER 97-T57** - Joint tender for the supply of winter highway coarse salt.

It was moved by Aldermen Denis Carr and Brian Sylvester that this tender be awarded to Sifto Canada Inc., Mississauga, Ontario at the total bid price of \$298,223.75 including all taxes being the lowest bid meeting the tender specifications.

MOTION CARRIED

11. **TENDER 97-T59** - Supply and install aluminum doors and entrances at City Hall.

It was moved by Aldermen Brian Lynch and Denis Carr that this tender be awarded to Dwyer Glass Ltd., Cornwall, Ontario at the total bid price of \$28,997.00 being the only bid received from the list of invited potential suppliers to submit bids.

MOTION CARRIED

12. **P.A.C. REPORT 6-1 - Phase 5 of Northwoods Glen Subdivision**

It was moved by Aldermen Susan Carter and Naresh Bhargava that the application for Draft Plan Approval be deferred until the applicant completes modifications to the Plan.

MOTION CARRIED

13. **P.A.C. REPORT 6-2 - Cornwall Martial Arts School**

It was moved by Aldermen Susan Carter and Brian Sylvester that the subject site at 105 Third Street West be rezoned from Residential 40 (RES 40) zone to Special Uses 20 (SPU 20) zone with special provisions to recognize the existing front, side and rear yards.

MOTION CARRIED

14. **P.A.C. REPORT 6-3**

It was moved by Aldermen Susan Carter and Brian Sylvester that the present procedures for the naming of streets be maintained; and that naming/renaming of parks, continue to follow the procedures set out in Attachment V of the August 25, 1997 staff report.

MOTION CARRIED



**ADOPTION OF THE COMMITTEE OF THE WHOLE**

**BY-LAWS - Second Reading**

*Having declared a Pecuniary Interest to by-law 130-1997, Alderman Chris Savard left the room and did not take part in the discussion or vote.*

It was moved by Aldermen Brian Sylvester and Susan Carter that the Committee of the Whole be adopted as reported and that by-laws 125-1997 to 133-1997, inclusive be given second reading.

MOTION CARRIED

**BY-LAWS - Third Reading**

It was moved by Aldermen Angelo Lebano and Naresh Bhargava that by-laws 125-1997 to 133-1997, inclusive be taken as read a third time and finally passed.

MOTION CARRIED

*Alderman Chris Savard returned.*

**REPORTS FROM AD HOC COMMITTEES OF COUNCIL**

**NOTICES OF MOTION**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**#1. KIDNEY DIALYSIS TREATMENT FACILITY**

It was moved by Aldermen Angelo Lebano and Brian Lynch that:

WHEREAS it has been over 18 months since the Ontario Minister of Health first announced that a kidney dialysis treatment facility would be available in Cornwall; and

WHEREAS court proceedings with the first government-selected service provided concluded in August; and

WHEREAS kidney dialysis patients, their families, and health care representatives in the greater Cornwall area are asking the Ontario Minister of Health to provide a specific time frame as to when the Cornwall and area will receive a much needed kidney dialysis treatment facility.

NOW THEREFORE BE IT RESOLVED THAT Cornwall City Council request the Ontario Minister of Health to set a firm date for the establishment of a kidney dialysis treatment facility in Cornwall.

AND FURTHER THAT copies of the resolution be forwarded to the Ontario Health Minister, Elizabeth Witmer, and Cornwall M.P.P., John Cleary.

MOTION CARRIED

#2. RELIEF FUNDS, MEGA WEEK EXERCISE

It was moved by Aldermen Claude Poirier and Denis Carr that:

WHEREAS Council adopted at a special meeting of Council on October 7, 1997 a Memorandum of Understanding regarding the sale of Cornwall Electric; and

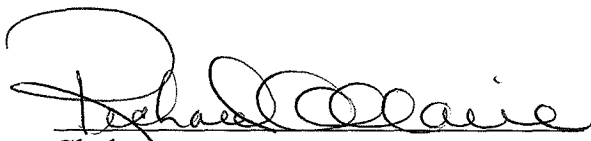
WHEREAS, if the sale of Cornwall Electric is concluded, that important sums of monies needed to fund the pay-as-you-go capital works budget would be liberated; and

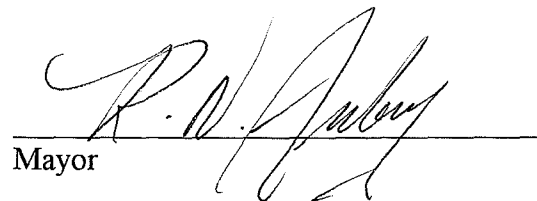
WHEREAS we have yet to receive clear indications from the Minister of Municipal Affairs how special relief funds will be distributed to municipalities who are in need as a result of the Mega week Exercise.


NOW THEREFORE BE IT RESOLVED THAT we request an immediate meeting with the Minister of Municipal Affairs, Al Leach, to properly present the City of Cornwall's care on these matters.

MOTION CARRIED

The meeting adjourned at 10:00 p.m.

  
Clerk

  
Mayor

  
Recording Secretary