

**REGULAR COUNCIL #03**

Monday, February 12, 2001
Meeting began at 7:30 p.m.

PRESENT: A Regular Council meeting was held this evening with the following members present: Mayor Brian Sylvester, Councillors Naresh Bhargava, Denis Carr, Donald Deebank, Syd Gardiner, Dean Hollingsworth, Korey Kennedy, Perry Lalonde, Claude Poirier, and André Rivette.

ABSENT: Councillor Susan Carter

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer, Denise Labelle-Gélinas, Acting City Clerk and the following Management Personnel: Dave Dick, Graham Dart, Fernand Hamelin, Stephen Alexander, Christine Lefebvre, Doug Green, Susan Cain, Heather Arthur, Sherman Goodwin, Roger Desjardins, Gilles Ayotte and David Fielding.

INVOCATION ~ Ross Moulton ~ Trinity Anglican Church

ADDITIONS / DELETIONS / CORRECTIONS Nil

DISCLOSURE OF INTEREST Nil

PRESENTATIONS

ADOPTION OF MINUTES

It was moved by Councillors Naresh Bhargava and Korey Kennedy that the Regular Council Meeting minutes #02-2001 dated January 22, 2001 be approved as presented.

Motion Carried

It was moved by Councillors André Rivette and Don Deebank that the Committee of Council Meeting minutes #02-00 dated January 22, 2001 be approved as presented.

Motion Carried

COMMITTEE OF THE WHOLE

It was moved by Councillors André Rivette and Perry Lalonde 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 021-2001 to 029-2001 inclusive be given first reading.

Motion Carried

BY-LAWS - First Reading

- 021-2001 A Bylaw to further amend Bylaw No. 751-1969, the zoning Bylaw as amended of the City of Cornwall, being a Bylaw respecting the use of Land and the use and location of Buildings housekeeping exercise for technical modifications.
- 022-2001 A Bylaw to further amend Bylaw No. 751-1969, the zoning Bylaw as amended of the City of Cornwall, being a Bylaw respecting the use of land and the use and location of buildings. Cornwall Physiotherapy Clinic on lands legally described Parts 3 and 4, Plan 52R-4432 save and except Part 2, Plan 52R-4569, municipally known as 25 Cumberland Street.
- 023-2001 A Bylaw to further amend Bylaw No. 751-1969, the zoning Bylaw as amended of the City of Cornwall, being a Bylaw respecting the use of land and the use and location of buildings which facilitates redevelopment initiatives in the Cotton Mills/Harbour Area of the Municipality.
- 024-2001 A Bylaw to further amend Bylaw No. 139-1981, designating parts of the City of Cornwall as a site plan control area pursuant to section 41 of the Planning Act and corresponding Bylaw No. 049-1991, being an amending Bylaw which named, by specific name, site plan control areas (Cotton Mills District Redevelopment).
- 025-2001 A Bylaw to adopt, ratify and confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meeting held on the 22nd day of January, 2001.
- 026-2001 A Bylaw to designate a Coordinator of the Municipal Corporation for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.
- 027-2001 A Bylaw to appoint Municipal Law Enforcement Officer for the Cornwall Square Property.
- 028-2001 A Bylaw to authorize the sale of building and land legally described as 2107 Second Street West; Parts of Lots 19 and 20, Concession 1, in the City of Cornwall, in the County of Stormont, to Wyatt Joseph Walsh.
- 029-2001 A Bylaw to authorize the sale of Industrial Land described as fronting on the north side of the Fly Creek Drain, in the City of Cornwall and having frontage of 124 feet more or less abutting the south boundary of Part 2 on Reference Plan 52R-774, to SigmaPoint Technologies Inc.

DELEGATIONS

RESOLUTIONS

Moved by Councillors Korey Kennedy and Dean Hollingsworth

#003-2001 Food Provisions- Council Meetings

WHEREAS Cornwall City Council is always desirous of providing lower taxes and improved services to its constituents; and

WHEREAS by Council eliminating non essential services throughout the Corporation it can achieve its goals and objectives; and

WHEREAS Council presently budgets \$4,700 annually for food provisions under the Council department line item number #2150 to be used towards purchasing meals before City Council meetings and certain committee meetings.

NOW THEREFORE BE IT RESOLVED that Council immediately eliminate line item #2150 from its budget and cease the spending of \$4,700 tax dollars for food provisions and allocate these funds towards a more valuable project or undertaking.

A recorded vote resulted as follows:

FOR: Councillor Korey Kennedy.

AGAINST: Mayor Brian Sylvester, Councillors Naresh Bhargava, Denis Carr, Donald Deebank, Syd Gardiner, Dean Hollingsworth, Perry Lalonde, Claude Poirier, and André Rivette.

Recorded Vote 9-1
Motion Defeated

CONSENT

It was moved by Councillors André Rivette and Denis Carr that the Consent Agenda be approved.

Motion Carried

A. **Town of Caledon - Joint Capital Projects**

That the City of Cornwall initiate a similar request that all four District School Boards represented in the City of Cornwall be encouraged to develop similar protocols for more efficient planning and use of public funds.

B. **Town of Caledon - Agricultural Funding Extension**

That Council receive the Town of Caledon Resolution requesting Council's support that the Provincial Government through the Ministry of Food and Rural Affairs be lobbied to become more fully involved by providing funding.

C. **P.A.C. Report No. 01-01 January 15, 2001**

Review of a City-initiated application for a Zoning Bylaw Amendment to make technical modifications to various sections of the City of Cornwall Comprehensive Zoning Bylaw No. 751, 1969 as amended. The modifications are intended to assist both staff and the public in clarifying certain regulations. The proposed changes include such items as, creating a definition to consider the use of Propane Cylinder Sales and Propane filling as permitted under Service Station definition, add gas and fireplaces as structural encroachments into yards and so on. The application is textual in nature, and is commonly referred to as a Housekeeping exercise (P.A.C. File #289).

D. **P.A.C. Report No. 02-01 January 15, 2001**

Review of an application for a Zoning Bylaw amendment from Residential 40 (RES 40) zone to Institutional 10 (INS 10) zone to permit the establishment of a physiotherapy clinic on lands legally described as Part of Lot 27, North Side of Water Street, more particularly Parts 3 and 4, Plan 52R-4432 save and except Part 2 on Plan 52R-4569. The property is municipally located along Cumberland Street is known as 25 Cumberland Street (P.A.C. File #290).

- i That the subject site, legally recognized as Part of Lot 27, North Side of Water Street, being Parts 3 and 4 Plan 52R-4432, save and except Part 2, Plan 52R-4569 and municipally located at 27 Cumberland Street, be rezoned to Institutional 10 (INS 10) to allow for the establishment of a physiotherapy clinic on the site.

E. **P.A.C. Report #03-01 January 15, 2001**

Review of an application for a Zoning Bylaw Amendment from Manufacturing 20 (MFR 20) to a new zone entitled Cotton Mills District Redevelopment (CMDR) zone to permit the ongoing renovation and adaptive reuse of the existing built form on lands legally described as Part of Lot 7, Concession 1, City of Cornwall. The properties are municipally located on Cotton Mill Street between McConnell Avenue and Edward Street, and includes several of the Cotton Mills buildings such as the Weave Shed, Finishing Mill and the Canada Cotton Mill (P.A.C. File #291).

- i That the subject lands, described legally as Part of Lot 7, Concession 1, and municipally known as 709 (and 1 McConnell Avenue), 710 Cotton Mill Street and 150 Edward Street (The Weave Shed, The finishing Mill and the Cotton Mill respectively), City of Cornwall, be rezoned from Manufacturing 20 (MFR 20) zone to the new Cotton Mills District Redevelopment (CRDC) zone;
- ii That the entire Cotton Mills District, as defined by this particular rezoning, be subject to Site Plan Control and that the Site Plan Control Bylaw be amended appropriately; and
- iii That the municipally-owned portion of lands with frontage on Cotton Mill Street commonly referred to as Mattice Park, which is presently zoned Manufacturing 20 (MFR 20), be rezoned to Residential 40 (RES 40) zone to be consistent with the remaining zoning in the immediate area.

F. **Use of the "Notice of Motion"**

CL Report #03-01

That Council receive this report.

G. **Temporary Staff Replacement - Fire Prevention**

FR Report #01-01

That Council authorize the replacement of a Fire Prevention Officer, and as a result of a promotion, and that the Corporation hire a Probationary Firefighter as identified in report #01-01.

H. **Temporary Staff Replacement - Suppression**

FR Report #02-01

That Council authorize the hiring of two Probationary Firefighters as identified in report #02-01.

I. **Staff Replacement-Clerk/Security Kinsmen Municipal Centre**

PR Report #04-01

That Council approve the replacement of the Clerk/Security position at the Kinsmen Municipal Centre as identified in report #04-01.

J. **Staff Replacement - Waterworks Pipefitter I**

PW Report #05-01

That Council approve the filling of the Waterworks Pipefitter I position as identified in report #05-01.

K. **Staff Replacement - Transit Coordinator**

TR Report #02-01

That Council approve a replacement for the position of Transit Coordinator in the Transit Department as identified in report #02-01.

COMMUNICATIONS

1. **Pay Direct Drug Card**

HR Report #08-01

It was moved by Councillors André Rivette and Perry Lalonde

1. That Council receive this report.
2. Direct administration to explore cost sharing options with the Bargaining Units and Non-Union employees.
3. Direct administration to research other options that may be available.

Motion Carried

2. **Summer Student Recruitment**

HR Report #05-01

It was moved by Councillors Denis Carr and Naresh Bhargava that Council approve the policy on Summer Student Hiring Criteria.

Motion Carried

3. **Performance Appraisals**

HR Report #06-01

It was moved by Councillors Naresh Bhargava and Syd Gardiner that Council approve the revised policy on Performance Appraisals.

Motion Carried

4. **Salary Determination Policy**

HR Report #07-01

It was moved by Councillors André Rivette and Don Deebank that Council approve the policy on Salary Determination when an employee is the successful candidate for a position vacancy posting.

Motion Carried

5. **Domiciliary Hostel Per Diem Rate**

OW Report #02-01

It was moved by Councillors Korey Kennedy and André Rivette that Council defer the decision to increase the domiciliary hostel per diem rate pending further information from the Ministry of Community and Social Services with respect to funding.

Motion to Defer Carried

6. **Ontario Home Renewal Program**

PR Report #02-01

It was moved by Councillors Perry Lalonde and André Rivette that Council advise the Province to write-off the debt to the Ontario Home Renewal Program in the amount of \$14,844.00.

Motion Carried

7. **Set Fines Update (Part 2 of the Provincial Offences Act)**

PR Report #03-01

It was moved by Councillors Dean Hollingsworth and Syd Gardiner that the update report on Set Fines be received.

Motion Carried

8. **Extension of Water Services - Tollgate Road**

EE Report #03-01

It was moved by Councillors Don Deebank and André Rivette

1. That Council not proceed with the construction of a watermain at this time or in the foreseeable future.
2. That Council direct Administration to advise the property owners in question that the construction of a watermain on Tollgate Road between Vincent Massey Drive and Brookdale Avenue is not listed on the Five Year Capital Forecast, therefore will not be considered at this time.
3. That Council not proceed with the construction of a sanitary sewer at this time or in the foreseeable future.

It was then moved by Councillors Dean Hollingsworth and Korey Kennedy that Council postpone discussions on this matter until Monday April 23rd in order to provide the Planning Advisory Committee an opportunity to review.

The Motion to Postpone Carried

19/10 4.9 **Boundary Road - Public Access Road**

EE Report #04-01

It was moved by Councillors Don Deebank and Perry Lalonde that the City of Cornwall approve that the developer be permitted to construct a public access road on the east side of Boundary Road at approximately 1,000 feet south of Tyotown Road at no cost to the City of Cornwall.

Motion Carried

19/10 5.10 **Power Dam Drive at Vincent Massey Drive-Traffic Signalization Requirements**

EE Report #06-01

It was moved by Councillors André Rivette and Korey Kennedy that Council include the installation of traffic control signals for the intersection of Power Dam Road at Vincent Massey Drive in the 2001 Capital Budget deliberations.

Motion Carried

19/10 6.11 **Land Ambulance Service Update**

LA Report #02-01

It was moved by Councillors Claude Poirier and André Rivette

1. That Council review and approve the funding template and business plan submitted to the Ministry of Health and Long Term Care on February 2nd, 2001(see appendix C).
2. That Administration be authorized to extend the hours of on-site coverage at both the Winchester and Alexandria bases at an added cost of \$136,881.00 per annum (see appendix A).
3. That as a result of the recommendation in the aforementioned (1.), that Administration be authorized to hire an additional seven (7) full-time paramedics.
4. That Administration be authorized to hire an additional four (4) paramedics as temporary full-time to provided full-time relief during the summer months.
5. That Administration be authorized for expenditures necessary for the recruitment of paramedics outside of the Province of Ontario up to a limit of \$12,000.
6. That Administration inform the County Council of the City's intention to request financial assistance from the Province to enhance the Land Ambulance Service.

Motion Carried

ADOPTION OF THE COMMITTEE OF THE WHOLE

By-laws - Second Reading

It was moved by Councillors André Rivette and Korey Kennedy that the Committee of the Whole be adopted as reported, and that by-laws 021-2001 to 029-2001 inclusive be given second reading.

Motion Carried

By-laws - Third Reading

It was moved by Councillors Naresh Bhargava and Syd Gardiner that by-laws 021-2001 to 029- 2001 inclusive be given third and final reading.

Motion Carried

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

NOTICES OF MOTION

NOTICE OF MOTION BY COUNCILLOR KOREY KENNEDY

WHEREAS on certain occasions throughout this term of Council as well as the previous term of Council, during the open and closed door sessions there have been motions which have died due to the lack of majority around the Council table even though all 11 members of Council were present, (10 members of Council and 1 Mayor); and

WHEREAS no motion, policy, or item should die due to lack of majority when there are all 11 members present to vote, therefore ensuring that Council gives direction towards Administration; and

WHEREAS all members of Council including the Mayor have been elected to vote on each and every issue unless there is a conflict of interest or otherwise; and

WHEREAS the Mayor being the Leader of Council should be the ultimate tie breaker when there is a tie vote at the table; and

WHEREAS under the City's current Procedural Bylaw 014-1999 section 1.11 B- Duties of the Mayor (Acting Mayor), it reads that Mayor (Acting Mayor): *"May vote with the members on all questions, except where disqualified from voting by reason of interest or otherwise. Any question on which there is an equality of votes, the question shall be deemed lost for want of a majority"*.

NOW THEREFORE BE IT RESOLVED that the City's Procedural Bylaw 014-1999 section 1.11 B- Duties of the Mayor (Acting Mayor) be re-introduced and read that the Mayor (Acting Mayor): Must vote with the members on all questions, except where disqualified from voting by reason of interest or otherwise. Any question which there is an equality of votes, the question shall be deemed lost for want of majority. Therefore reducing the amount of times a motion, policy, or item is defeated due to lack of majority.

UNFINISHED BUSINESS

NEW BUSINESS

1. Stormont Federation of Agriculture

It was moved by Councillors André Rivette and Claude Poirier

WHEREAS farmers from across Canada wish to trade their produce and special crops within a competitive global market; and

WHEREAS farmers from the Stormont Federation of Agriculture wish to petition and seek support from both levels of government and their local M.P. and M.P.P. to change the unfair subsidy practices of higher tariffs imposed on Canadian farmers; and

WHEREAS the Stormont Federation of Agriculture wishes to seek the support of the Council of the City of Cornwall in its efforts to obtain fairer subsidy practices from the Federal Government

NOW THEREFORE, Be it Resolved that the Council of the Corporation of the City of Cornwall support the farmers of the Stormont Federation of Agriculture in petitioning the Federal Minister of Agriculture and the Provincial Minister of Agriculture, Food and Rural Affairs along with the local M.P., Mr. Bob Kilger and our M.P.P., Mr. John Cleary for changes to subsidy practices, and that the Federal government recognize the need for farmers across Canada to be given an opportunity for better competitive prices across the global market.

Motion Carried

2. **O.P.A.C. Assessment System**

It was moved by Councillors Claude Poirier and Naresh Bhargava

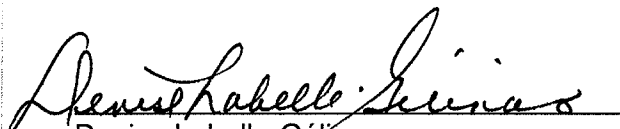
WHEREAS the effects of Bill 140 has had a detrimental effect on the taxation revenue derived from the most recent property assessment exercise; and

WHEREAS there has been no significant improvements to the assessment system since the last exercise in 1998.

NOW THEREFORE BE IT RESOLVED that the City of Cornwall present a report to Marcel Beaubien, MPP for Lambton Kent Middlesex who is presently reviewing the operation and structure of OPAC and the regulations which define property classification. In this report the City will outline its concerns and problems with the existing assessment system and its impact on local ratepayers.

Motion Carried

Adjournment: 9:10 p.m.


Denise Labelle-Gélinas
Acting City Clerk


Brian Sylvester
Mayor