



REGULAR COUNCIL # 02

Monday, January 14, 2002
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, Susan Carter (arrived at 8:50 p.m.), Donald Deebank, Syd Gardiner, Dean Hollingsworth, Korey Kennedy, Perry Lalonde, Claude Poirier and André Rivette

ABSENT: Councillor Denis Carr

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer; Denise Labelle-Gélinas, City Clerk; and the following Management Personnel: Stephen Alexander, Susan Cain, Barry Coleman, Debora Daigle, Graham Dart, David Dick, David Fielding, Doug Green, Paul Fitzpatrick, Sherman Goodwin and Fernand Hamelin

Mayor Brian Sylvester called the meeting to order at 7:30 p.m.

INVOCATION: The Reverend Réjean G. Lebrun, *La Nativité* Co-Cathedral

ADDITIONS/DELETIONS/CORRECTIONS

Mayor Brian Sylvester took this opportunity to recognize Mr. Stephen Alexander, Manager of Planning and Housing Services and Mrs. Deborah Daigle, Division Manager of Social Housing on being recognized for the dedication displayed towards the Group Renaissance. A certificate of recognition was presented to both these Employees.

In addition, Mayor Sylvester also recognized an award that Mrs. Susan Cain, Manager of Social Services received, from the Minister of Community and Social Services, Mr. John Baird, for having exceeded the 2000-2001 Ontario Works Return to Work Program.

DISCLOSURE OF INTEREST

- Councillor Claude Poirier declared an interest regarding Unfinished Business item titled "Smoking By-law - Follow-up Report", By-law 191-2001 "Smoking in Public Places" and By-law 192-2001 "Smoking in the Workplace", having sought and obtained legal advice that as a Manager of a licenced establishment, it would place him in a conflict of interest.

COMMITTEE OF THE WHOLE

Moved by Councillors Andre Rivette and Claude Poirier that Council go into the Committee of the Whole and that all Minutes, Presentation, Delegation, Resolution, Consent/Correspondence, Reports and By-laws 001 to 006, 2002 be referred to that Committee; and that the agenda of the Committee of the Whole for the meeting of January 14th, 2002 be approved.

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

1. That the Committee of Council Meeting # 25-01 dated December 10, 2001 be approved and verified correct;
2. That the Regular Council Meeting # 35-01 dated December 10, 2001 be approved and verified correct.
3. That the Special Council Meeting # 01-02 dated January 9, 2002 be approved and verified correct.

PRESENTATION

DELEGATION

1. **Resource/Recycling Directory** - was not present

BY-LAWS

That By-laws no. 001 to 006, 2002 having been read a first time be considered as having been read a second time:

- | | |
|----------|--|
| 001-2002 | A By-law to enter into a Cost Sharing Agreement with the United Counties of Stormont, Dundas and Glengarry |
| 002-2002 | A By-law to enter into a temporary substitute agreement with the United Counties of Prescott and Russell for the rental of a vehicle for the Land Ambulance Service |
| 003-2002 | A By-law to authorize the borrowing of up to \$38,500,000 |
| 004-2002 | A By-law to authorize the Mayor and Clerk to sign the Service Contracts for the Child Care services for the year 2002 |
| 005-2002 | A By-law to enter into Service Agreements for the year 2002 with the providers of homemaker and nurses services in the City of Cornwall and United Counties of Stormont Dundas and Glengarry |
| 006-2002 | A By-law authorizing the Mayor and Clerk to sign a new Memorandum of Understanding dealing with the operation of the Aultsville Theatre |

CONSENT / CORRESPONDENCE

A. Smart Growth Management Councils - Moved for Discussion

B. Municipal Litter Abatement Program

That Council receive the resolution presented by the City of Toronto's seeking support and asking that the Province of Ontario amend Bill 90, Ontario's Waste Diversion Act, to include brand owner responsibility for municipal litter abatement by providing full funding for municipal litter abatement programs or by implementing deposit return programs

C. Association of Municipalities of Ontario 2002 Membership - Moved for Discussion

D. Summit of the Americas

That Council receive this correspondence by Percy Downe, Chief of Staff of the Office of the Prime Minister which responded to the City of Cornwall's letter dated November 29, 2001 urging the federal government to review a request for funding reimbursement.

E. Pharmacy Awareness Week

That Council proclaim the week of March 4 - 10, 2002 as "Pharmacy Awareness Week" in the City of Cornwall.

E. Alzheimer Awareness Month

That Council proclaim the month of January 2003 as "Alzheimer Awareness Month" in the City of Cornwall.

F. Staff Replacement - Child Care Home Visitor - Moved for Discussion

G. Service Provider Change of Name

SSS # 02-2002 That Council receive the Report prepared by Child Care Coordinator under date of January 7, 2002

H. Renewal of 2002 Service Contracts for Child Care Program

SSS # 03-2002 That Council endorse By-law 004-2002 authorizing the Mayor and Clerk to sign the Service Contracts for the Child Care services for the year 2002.

I. Homemaker & Nurses Services

SSS # 04-2002

That Council endorse Bylaw 005-2002 authorizing the signing of Service Agreements for 2002 with the providers of homemaker and nurses services in the City of Cornwall and the United Counties of Stormont, Dundas and Glengarry.

General Consent Motion

Moved by Councillors Naresh Bhargava and Syd Gardiner that all items listed under the General Consent portion of this agenda be approved as presented.

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

REPORTS from UNFINISHED BUSINESS

1. Sidewalk Policy Review

EEC # 01-2002

Moved by Councillors Perry Lalonde and Claude Poirier

1. That the policy for sidewalk needs as presented within this report be adopted by City Council in recognition of the fact that sidewalks are a critical element in urban roadway design;
2. That Table IV.1 of the Subdivision Manual, Department of Engineering Services, for a Local Roadway Class without sidewalks be appended as follows:

"A sidewalk is required if it forms part of a sidewalk 'system' regardless of the street length or the number of proposed units."

"A sidewalk is also required if more than forty (40) residential units are being proposed for construction.";
3. That the subdivision manual be the design standard for the construction and reconstruction of sidewalks in the Capital Budget.

2. **Septage Disposal Service**

EEC # 02-2002 Moved by Councillors Naresh Bhargava and Claude Poirier

1. That Council authorize the operation of the septage disposal facility at the City Landfill Site on a permanent basis;
2. That Council authorize the utilization of the computerized landfill weigh scale system to charge users of the septage disposal facility using a weight based levy as described in this report;
3. That Council increase the septage disposal fee to \$12 per metric tonne (equivalent to \$50 per 1,000 gallons)

Having previously declared an interest on this matter, Councillor Claude Poirier left the room and did not take part in any discussions surrounding this matter.

3. **Smoking in Public and Workplaces**

PHS # 01-2002 Moved by Councillors Andre Rivette and Don Deebank:

(a) That **Bylaw 191-2001** be amended to reflect the following:

That 100% No Smoking in all public places effective May 1, 2002 with the exception of bars, bingo halls, billiard halls and private clubs;

That all bars, bingo halls, billiard halls and private club provide for 50% of their public space as unenclosed seating area permitting smoking with adequate outside ventilation until May 1, 2003 at which time a 100% smoking ban shall apply to all bars, bingo halls, billiard halls and private clubs; and

That signs indicating "health warning" and "admittance restriction" to persons 19 years of age and over be posted at all entrances; and

That all owner/operators have a choice to designate their establishment as either a bar or restaurant no later than May 1, 2002 and that they abide with all regulations surrounding their choice; and

That these modifications be made for the third reading of the By-law and that it be scheduled for the January 28, 2002 Council meeting.

A recorded vote on amending Bylaw 191-2001 resulted as follows:

For: Councillors Don Deebank, Perry Lalonde, Korey Kennedy, Andre Rivette, Syd Gardiner, Dean Hollingsworth and Mayor Sylvester

Against: Councillor Naresh Bhargava

Absent: Councillors Susan Carter , Denis Carr and Claude Poirier

Motion to amend Bylaw 191-2001 Carried

Smoking in Public and Workplaces (continued)

(b) That **Bylaw 192-2001** be amended to reflect the following:

That all workplaces may allow smoking in an enclosed and separated ventilated area that is no more than 10% of the total floor area and that any proprietor may choose to allow for less smoking area than the by-law allows and that a 100% no smoking ban be effective May 1, 2003.

A recorded vote on amending Bylaw 192-2001 resulted as follows:

For: Councillors Perry Lalonde, Korey Kennedy, Andre Rivette, Naresh Bhargava ,Don Deebank, and Syd Gardiner,

Against: Councillor Dean Hollingsworth and Mayor Sylvester

Absent: Councillors Susan Carter , Denis Carr and Claude Poirier

Motion to amend Bylaw 192-2001 Carried

Councillor Claude Poirier returned to the ongoing meeting

COMMUNICATIONS/REPORTS

Councillor Susan Carter arrived at the meeting at this time. (8:50 p.m.)

- Councillor Susan Carter declared an interest regarding the Unfinished Business item titled "Smoking By-law - Follow-up Report", By-law 191-2001 "Smoking in Public Places" and By-law 192-2001 "Smoking in the Workplace".

1. Contract Operations

TR # 10-2001 Moved by Councillors Don Deebank and Syd Gardiner

1. That the City of Cornwall continue to provide transit service into neighbouring municipalities subject to the following conditions:
 - a request for service from a neighbouring municipality;
 - no net cost for the City of Cornwall to provide the service;
 - the neighbouring municipality assumes financial responsibility for the net cost of the service; and
 - execution of a satisfactory contractual agreement between the City of Cornwall and the contracting municipality prior to commencement of service.
2. That the City of Cornwall continue to provide transit service into the Township of South Stormont subject to the conditions of recommendation (1) above, being met.

Motion Carried

2. Leasing of Defibrillators

#FI 06-2002 Moved by Councillors Susan Carter and Andre Rivette That Council approve the leasing of the recently acquired defibrillators from CyberLease at a monthly cost of \$3,300.63 excluding taxes with an option to purchase at the end of the term of \$49,548.91. (note... It is not expected the option to purchase would be executed.)

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Moved by Councillors Don Deebank and Susan Carter that Council adopt the tenders and request for proposal listed within this block:

➡ **Tender No. 01-T72 - Disposal of Surplus Equipment - Cornwall Transit**

Moved by Councillors That item number 4 of Tender 01-T72 be awarded to Kent Wereley, Finch, Ontario, at the total bid price of \$144.90 being the only bid received.

Motion Carried

**ITEMS SEPARATED FOR
DISCUSSION**

A. Smart Growth Management Councils

Moved by Councillors Andre Rivette and Don Deebank That the Corporation of the County of Grey's request for support of a resolution which asks that the Province of Ontario reconsider its proposal of creating Smart Growth Management Councils and invite further consultation from the Municipal sector prior to reintroducing any similar Smart Growth proposals be received.

Motion Carried

C. Association of Municipalities of Ontario 2002 Membership

Moved by Councillors Claude Poirier and Perry Lalonde That Council approve payment of the 2002 Membership fee for the period of January 1, 2002 to December 31, 2002 in the amount of \$7,924.43

Motion Carried

F. Staff Replacement - Child Care Home Visitor

Moved by Councillors Perry Lalonde and Claude Poirier That Council approve the replacement for a Child Care Home Visitor position at the Social Support Services department (report SSS # 01-2002)

Motion Carried

NEW BUSINESS

1. Eastern Ontario Health Unit - Budget Submission

Moved by Councillors Andre Rivette and Perry Lalonde

WHEREAS Council is accountable to the taxpayers of Cornwall to properly administer taxpayers dollars; and

WHEREAS, this Council when funding any outside agencies have the right to ask and receive any information concerning their budget before committing any tax dollars as we do with our City departments; and

WHEREAS concerns from taxpayers have been raided on the way their tax dollars are being spent by the Eastern Ontario Health Unit;

NOW THEREFORE be it resolved through the Mayor's office that the Board of The Eastern Ontario Health Unit be advised that City Council expect a copy, two weeks prior the City's scheduled budget deliberation ,of its fully detailed proposed budget for the year 2002 for review; and

FURTHERMORE that The Board make a presentation of its full 2002 budget at the City's budget deliberation which is open to all ratepayers.

A recorded vote on this matter resulted as follows:

For: Councillors Perry Lalonde, Korey Kennedy, Andre Rivette, Claude Poirier, Don Deebank, Dean Hollingsworth and Mayor Sylvester

Against: Councillors Naresh Bhargava, Susan Carter and Syd Gardiner

Absent: Councillor Denis Carr

Motion Carried

BY-LAWS - Third and Final Reading

Moved by Councillors Andre Rivette and Don Deebank that By-laws 001 to 006-2002 listed on the Agenda for third reading be taken as read a third time and finally passed.

Motion Carried

NOTICE OF MOTION

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

Moved by Councillors that By-law 007-2002 being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meeting held on Wednesday January 9th, 2001 and Monday, January 14, 2002 having been read a first, second and third time be now taken as read and passed.

ADJOURNMENT: 9:45 p.m.


Denise Labelle-Gélinas
City Clerk


Brian Sylvester
Mayor

