

**REGULAR COUNCIL # 19**

Monday, April 8, 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, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde (arrived at 8:00 p.m.), Claude Poirier and André Rivette

ABSENT: Councillor Dean Hollingsworth

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer; Denise Labelle-Gélinas, City Clerk; and the following Management Personnel: Stephen Alexander, Heather Arthur, Debora Daigle, Roger Desjardins, David Dick, David Fielding, Paul Fitzpatrick, and Fernand Hamelin

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

INVOCATION: City Clerk - Denise Labelle-Gélinas

ADDITIONS / DELETIONS / CORRECTIONS:

Additions: Bylaw 043-2002 - A by-law to enter into an agreement with Ministry of Agriculture Food and Rural Affairs (OMAFRA) for the Healthy Futures for Ontario Agriculture Program

Bylaw 044-2002- A by-law to appoint Cecil Vincent in an interim basis as Acting Deputy Clerk for the City of Cornwall

Deletion: Consent Item H - MS Society Training Marathon

DISCLOSURE OF INTEREST**COMMITTEE OF THE WHOLE**

Moved by Councillors Andre Rivette and Korey Kennedy that Council go into the Committee of the Whole and that all Minutes, Presentation, Delegation, Resolution, Consent/Correspondence, Reports and By-laws 036 and 044-2002 be referred to that Committee; and that the agenda of the Committee of the Whole for the meeting of April 8th, 2002 be approved.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Dean Hollingsworth and Perry Lalonde

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

The following minutes were presented for adoption. There being no corrections noted, the minutes stand approved.

1. That the Committee of Council Meeting # 09-02 dated March 25, 2002 be approved and verified correct;
2. That the Regular Council Meeting # 17-02 dated March 25, 2002 be approved and verified correct;
3. That the Special Committee of Council Meeting # 10-02 dated March 26, 2002 be approved and verified correct;
4. That the Special Budget # 10-02 - Council # 18-02 dated March 26, 2002 be approved and verified correct.

PRESENTATION

1. Scarborough Cup

The City of Cornwall has been awarded the Scarborough Cup from the Lifesaving Society of Ontario for the year 2001. This award is presented every year to the affiliate member of the Society with the largest life saving program in a community with a population of less than 50,000 residents. The Lifesaving Society annually recognizes affiliate members who deliver the Society's training programs, promote water smart public education and those who raise funds in support of the Society's drowning prevention mission.

Mayor Brian Sylvester presented this award to Gayle Sinfield, Aquatics Coordinator with the City of Cornwall.

DELEGATION

1. National Public Medicare Day

Mr. Gary Besner, co-chair of the Cornwall Health Coalition appeared before Council to speak about public medicare and its connection to the quality of life and good government in Cornwall.

In his presentation, Mr. Besner brushed a brief history of the advent of medicare in Canada. He then informed Council that the Romanow Commission is travelling the country conducting public hearings into the future of public medicare and of the importance to issue a powerful call to preserve the values of Canadian medicare, values that ensures access to quality health services for the next generation..

In conclusion, Mr. Besner asked Council to seriously consider a motion which would:

- support Canada's public health care system and the principles of the Canada Health Act;

- call upon the Romanow Commission and federal and provincial governments to ensure that the principles of the Canada Health Care Act are maintained and the public health care system is publicly delivered and upgraded where necessary and that adequate public funding be provided to do so; and
- proclaim May 15, 2002 as National Public Medicare Day in the City of Cornwall.

Moved by Councillors Claude Poirier and Andre Rivette that Council support the request placed before the Council under Consent Item C to this evening's agenda.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Corey Kennedy, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillors Dean Hollingsworth and Perry Lalonde

Motion Carried

Councillor Perry Lalonde arrived at this time (8:00 p.m.)

BY-LAWS

- 036-2002 A by-law to adopt Amendment no. 67 to the Official Plan for the City of Cornwall
- 037-2002 A by-law to further amend By-law no. 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 to permit the establishment of a vehicle dealership on the north west quadrant of Pitt Street and Tollgate Road
- 038-2002 A by-law to further amend By-law no. 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 in order to incorporate textual modifications of a technical nature to various sections
- 039-2002 A by-law to repeal and replace Schedule A of by-law 064, 1997 to provide for the supply and distribution of potable water and to set rates for consumers
- 040-2002 A by-law to authorize the signing of a recreational license with the Ontario Power Generation for the usage of lands for the purpose of soccer fields
- 041-2002 A by-law to restrict the award of tenders, quotations and requests for proposals to contractors/vendors involved in legal actions against the municipality
- 042-2002 A by-law to repeal By-law 034-2002, a by-law to enter into an Escrow Agreement with the Ministry of Municipal Affairs and Housing in accordance with the Social Housing Reform Act, 2000.
- 043-2002 A by-law to enter into an agreement with Ministry of Agriculture Food and Rural Affairs (OMAFRA) for the Healthy Futures for Ontario Agriculture Program
- 044-2002 A by-law to appoint Cecil Vincent in an interim basis as Acting Deputy Clerk for the City of Cornwall

CONSENT / CORRESPONDENCE

A. 2403 S.D. & G. Army Cadet Corps Tag Day

That Council approve the 2403 S.D.&G. Army Cadet Corps' request to change the date of their annual tag day from April 6 to Saturday, April 27, 2002.

B. Municipal Clerks Week - Moved to separate the item for discussion

C. National Public Medicare Day

1. That Council support the request to call upon the Romanow Commission and federal and provincial governments to ensure that the principles of the Canada Health Care Act are maintained and the public health care system is publicly delivered and upgraded where necessary and that adequate public funding be provided to do so; and
2. That Council proclaim Wednesday, May 15, 2002 as National Public Medicare Day in the City of Cornwall.

D. P.A.C. Report No. 01-2002 - March 18, 2002

An application for an Official Plan Amendment and a Zoning By-law Amendment to permit the establishment of an automobile sales operation on land legally described as Lots 8, 9 and 10, Registered Plan No. 117 and Part of Lot 10, Concession 3 and municipally located at the north west corner of Pitt Street and Tollgate Road West

1. That the subject lands be redesignated and rezoned from Environmental Constraint Area (E.C.A.) to Highway Commercial (H.C.) designation and Residential 20 (RES 20) zone to Highway Commercial (C.H.) zone, respectively;
2. That special provisions be incorporated into the Zoning By-law Amendment on a site-specific basis to recognize the development/site characteristics, as identified in this report;
3. That Site Plan Control be applied to the development proposal and that the Raisin Region Conservation Authority (RRCA) be circulated for comments/input on the formal Site Plan vis-à-vis stormwater management/quality and flood proofing, as per the Agency's comments; and
4. That the RRCA be contacted to request participation in a comprehensive tree and vegetation planting project on the lands between the subject development and the South Branch of the Raisin River; and
5. That Council be advised of the final resolution of Site Plan Control.

E. P.A.C. Report No. 02-2002 - March 18, 2002

A City initiated application for a Zoning By-law Amendment to make technical modifications to various sections of the City of Cornwall Comprehensive Zoning By-law No. 751-1969 as amended. The modifications are intended to assist both staff and the public in clarifying certain regulations.

1. That the modifications outlined in the March 14, 2002 PAC staff report be adopted; and
2. That the Transportation Engineer prepare a report on the practicality of enacting a ban on on-street parking of school buses.

**F. Staff Replacement - Plant Operator/Mechanic at Water Purification Plant
(EEC # 12-2002)**

That Council approve the filling of the position of Plant Operator/Mechanic at the Water Purification Plant.

G. Repeal of By-law 034-2002 - Escrow Agreement (PHS # 12-2002)

That Council repeal By-law 034-2002.

General Consent Motion

Moved by Councillors Donald Deebank and André Rivette that all items listed under the General Consent portion of this agenda be approved as presented.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

002-2002 CRF Reporting 2002

Moved by Councillors Perry Lalonde and Naresh Bhargava that:

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);

NOW THEREFORE, BE IT RESOLVED that the Council of the Corporation of the City of Cornwall acknowledge their intent to use the CRF Allocations they will receive for the direct benefit of taxpayers; and accept the 2002 CRF Allocations in accordance with the terms and conditions (Conditions of Community Reinvestment Fund Allocations) attached to the letter of November 9th, 2001 from the Deputy Ministers of Finance and Municipal Affairs and Housing to municipal Treasurers/Clerk-Treasurers.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

REPORTS from UNFINISHED BUSINESS

1. **Visible Address Numbers** - Unfinished Business Item No. 001-2002 (EEC # 10-2002)

It was moved by Councillors Donald Deebank and Claude Poirier that Council endorse Option 2 of Report EEC # 10-2002 and that Administration be directed to amend bylaw 036-1993 accordingly.

Option 2: to have the City of Cornwall implement an amendment to the existing By-law No. 036-1993 and include a minimum size character and to ensure that these size characters comply with a maximum setback from the travelled surface; and that the characters are placed on contrasting backgrounds, as outlined in this report. This should be implemented with a public relations campaign and with an active enforcement procedure to ensure compliance.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

2. Resource Stewardship of SD&G - Resource Recycle Directory by Resource - Unfinished Business Item No. 003-2002 (EEC # 04-2002)

Moved by Councillors Perry Lalonde and Susan Carter that Council authorize the printing and distribution of the proposed Resource Recycle Directory as outlined in Report EEC # 04-2002 and that the cost of \$750 be funded from the existing budget for Solid Waste Management.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

3. Hazardous Materials Response Agreement (PS.fir # 04-2002)

Moved by Councillors Andre Rivette and Korey Kennedy that this matter be deferred until the next meeting of April 22nd, 2002.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

COMMUNICATIONS/REPORTS

1. Sewer Lateral Repairs/Replacements Financing Program (FI # 23-2002)

Moved by Councillors Andre Rivette and Naresh Bhargava that Council approve the continuation of the sewer lateral financing program as follows:

- interest rate to be set at Bank of Canada prime + 3%;
- term of loan not to exceed five (5) years; and
- work to include replacement of sewer laterals only.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

2. Financial Policy No. - Restrictions on Tenders, Quotations, and Requests for Proposals (FI # 031-2002)

Moved by Councillors Naresh Bhargava and Andre Rivette that Council approve the attached policy governing the restricting of awarding of tenders, quotations and requests for proposals to contractors involved in legal actions against the City.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

3. Signage for the Exterior of the Ambulance Bases (PS.amb # 05-2002)

Moved by Councillors Perry Lalonde and Claude Poirier that Council approve signage for the exterior of the ambulance bases.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

4. Vehicles/Department of Economic Development and Recreation Services (EDR # 10-2002)

Moved by Councillors Korey Kennedy and Syd Gardiner that Council receive this report.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Moved by Councillors Syd Gardiner and Naresh Bhargava that Council approve the tender and requests for proposals listed within this block:

➡ **Tender No. 02-T13 - Lease of Window Van - Economic Development**

That Tender 02-T13 be awarded to Miller Hughes Ford Sales Ltd., Cornwall, Ontario, at the total bid price of \$565.47 per month (net cost to City - \$545.80 per month) for a period of thirty-six (36) months being the only bid received meeting the tender specifications.

➡ **Request for Proposal 02-R06 - Peer Review of Landfill Hydrogeological Investigation**

That RFP 02-R06 be awarded to Intera Engineering, Ottawa, Ontario at the total bid price of \$10,614.40 (net cost to the City - \$10,217.62) being the bid best meeting the RFP specifications.

➡ **Request for Proposal 02-R08 - Proposed Bridge Railing Replacement Project**

That RFP 02-R08 be awarded to Trow Consulting Engineers Ltd., Ottawa, Ontario at the total bid price of \$13,375 (net cost to City - \$12,875.02) being the bid best meeting the RFP specifications.

➡ **Request for Proposal 02-R09 - Provision of Digital Topographic Mapping**

That R.F.P. 02-R09 be awarded to Triathlon Ltd., Richmond, B.C. at the total bid price of \$159,103.65 (net cost to the City - \$153,156.15) being the bid best meeting the RFP specifications.

A recorded vote on the Tender and R.F.P. block resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

**ITEMS SEPARATED FOR
DISCUSSION**

B. Municipal Clerks Week

Moved by Councillors Donald Deebank and Claude Poirier that Council proclaim the week of April 28 through May 4, 2002 as Municipal Clerks Week in the City of Cornwall.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Against: Councillor Donald Deebank

Absent: Councillor Dean Hollingsworth.

Motion Carried

NEW BUSINESS

1. **Valspar Industries**

Moved by Councillors Syd Gardiner and Donald Deebank that:

Whereas the City of Cornwall has spent hundreds of thousands of dollars upgrading and beautifying the west entrance to our City via Power Dam Drive; and

Whereas Valspar Industries has chosen to cut the trees and brush surrounding their plant, therefore; creating an eyesore both for visitors and the home owners of the Power Dam Drive area;

Now therefore be it resolved that the City of Cornwall approach Valspar to partner with the City in erecting cedar trees either on Valspar property edge, or to erect cedar trees on City property east of the plant thus eliminating an eyesore and possibly some of the foul odor which still exists from their production process.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

2. **Assessor Position**

Moved by Councillors Claude Poirier and Susan Carter that:

Whereas, in 2002, OPAC will undertake a review of all properties in the City of Cornwall to determine their assessed value as per Ministry of Finance regulations; and

Whereas, in the past, we have relied solely on Ministry of Finance staff and have not been in a position to question their reasoning as to the arguments which justify a decrease in assessment on any significant property; and

Whereas these reassessments may have a negative impact on the City of Cornwall's revenue; and

Whereas we are not in a position to determine whether any new assessment is reported to us in a timely manner;

Now therefore be it resolved that Administration examine the merits of hiring a qualified assessor to review any minutes of settlement prior to their signing. This individual would assist our Finance Department in assuring that the municipality generates all assessment revenue that it is entitled to.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

3. Aquatic Building

- ➔ Moved by Councillors Claude Poirier and Susan Carter that:

Whereas the City of Cornwall has indicated its support to construct an aquatic centre, gymnasium and curling club has part of its Superbuild project; and

Whereas the province of Ontario and the Government of Canada recently announced its share of funding for a pool and gymnasium but made no mention of the curling club; and

Whereas, in a press release dated March 2, 2002 from the Mayor's Office, the Mayor, the Chair of the Project 2000 Aquatic Centre Committee and the Chair of Cornwall Building Committee stated "the working meeting confirmed our commitment to work together to accomplish all three projects";

Now therefore be it resolved that we express to the Governments of Canada and Ontario our hope that the agreement governing the Superbuild fund and the City of Cornwall will permit us the flexibility to see all three projects completed.

- ➔ It was then moved by André Rivette and Perry Lalonde that Administration be directed to report on the current evaluation of the gymnasium.

A recorded vote on the amendment resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Amendment Carried

A recorded vote on the main motion resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Main Motion Carried as Amended

BY-LAWS - Third and Final Reading

Moved by Councillors Denis Carr and Andre Rivette that By-laws 036 and 044-2002 listed on the agenda for third reading be taken as read a third time and finally passed.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

NOTICE OF MOTION

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

Moved by Councillors Denis Carr and Korey Kennedy that By-law 045-2002 being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meetings held on Tuesday, March 26 and Monday, April 8, 2002 having been read a first, second and third time be now taken as read and passed.

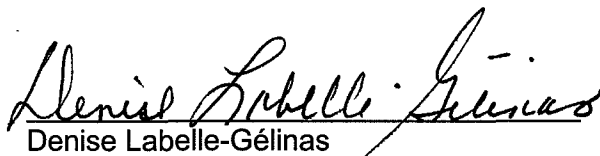
A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Denis Carr, Susan Carter, Donald Deebank, Syd Gardiner, Korey Kennedy, Perry Lalonde, Claude Poirier, André Rivette and Mayor Brian Sylvester

Absent: Councillor Dean Hollingsworth.

Motion Carried

ADJOURNMENT: 8:45 p.m.


Denise Labelle-Gélinas
City Clerk


Brian Sylvester
Mayor