



REGULAR COUNCIL #15 -2004

Monday, March 8, 2004
Meeting began at 7:30 p.m.

PRESENT: Acting Mayor Leslie O'Shaughnessy, Councillors Huguette Burroughs, Joël Côté, Glen Grant, Perry Lalonde, Korey Kennedy, Mark MacDonald and Chris Savard

ABSENT: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer, Graham Dart, Deputy Clerk, Stephen Alexander, Dave Dick, Paul Fitzpatrick, Fernand Hamelin, Debora Daigle, Susan Cain, Normand Levac, Enrique Kamm, Bill Lister and Manon Poirier

Acting Mayor Leslie O'Shaughnessy called the meeting to order at 7:30 p.m.

INVOCATION Père René Dubé, Paroisse St. Croix

NATIONAL ANTHEM Syd Gardiner

ADDITIONS / CORRECTIONS / DELETIONS

1. Deletion of Consent Item #6 - Staff Replacement - Clerk/Secretary - Kinsmen Municipal Centre;
2. Deletion of Unfinished Business Item #6 - Franco-Ontarian Youth Event; and
3. Addition of Resolution #05-2004 - CRF Reporting 2004

DISCLOSURE OF INTEREST

Councillors Joël Côté and Chris Savard to Item #5 Unfinished Business - Curling Club because they are both members of the Club.

COMMITTEE OF THE WHOLE

Moved by Councillors Korey Kennedy and Huguette Burroughs that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 044-2004 to 049-2004 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Monday, March 8, 2004, be approved.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

The following Minutes were presented for adoption. There being no corrections noted, the following Minutes stand approved as amended:

1. Special Council Meeting #12-2004, Budget Session #09, of Saturday, February 21, 2004; and
2. Regular Council Meeting #13-2004 of Monday, February 23, 2004.

PRESENTATIONS

1. Festival on the St. Lawrence

Dr. Adrienne Shannon addressed Council and began by explaining what the "Festival on the St. Lawrence" is. Festival on the St. Lawrence is an event that showcases music, art and heritage. This event is for Southeastern Ontario and has been spearheaded by St. Lawrence College and Human Resources Canada. It is being developed with the State University of New York at Potsdam.

Dr. Shannon presented a DVD on the Overture Festival which was held in May, 2003, demonstrating the vision and components of the Festival on the St. Lawrence's new initiative. Dr. Shannon completed her presentation by discussing the current activities in preparation for Festival 2004 and the long range plans.

2. Jeux franco-ontariens

Gérald Samson addressed Council and brought forward this event which will be held in Cornwall on May 21, 22, 23, and 24 at École secondaire la Citadelle. The "Jeux franco-ontariens" organized by "féderation de la jeunesse franco-ontarienne "FESFO". Mr. Samson introduced the students from École secondaire la Citadelle, Joseph Morin et Marie-Pierre Daigle.

Mr. Morin and Ms. Daigle presented their event in french. They described this event to include the following:

- An event created by 350 young leaders;
- The games reunite 500 participants and 250 volunteers from over 60 french and mixed high schools;
- Talents are showcased in the following areas: athletics and sports, visual arts, theatrical improvisation, franco-ontarian quiz and street performance;
- Performance, cooperation and pride are being recognized; and
- The games bring together important partners and collaborators representing the private sector, the educational system at all levels, community groups, the government, the arts industry, the hold municipality and the media.

In conclusion, Mr. Morin and Ms. Daigle indicated that this event is a stimulating and empowering one for everyone.

DELEGATIONS

BY-LAWS

- 044-2004 A By-law to further amend By-law 173-2003 being a By-law to appoint members of Council to Local Boards, Committees and Commissions for this term beginning December, 2003, to November, 2006 (Personnel Committee) *(approved at Regular Meeting of February 9, 2004)*;
- 045-2004 A By-law to authorize The Corporation of the City of Cornwall to enter into a Funding Agreement under Round 1 of the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative with Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs;
- 046-2004 A By-law to authorize The Corporation of the City of Cornwall to enter into a Tax Arrears Extension Agreement for Roll Number 020-003-02200 pursuant to Section 378 of the Municipal Act 2001;
- 047-2004 A By-law to enter into a Lease Agreement with the Township of North Dundas for property legally described as Part of Block 11, Plan 34, Township of North Dundas, County of Dundas, now designated as Parts 1 and 2 on Reference Plan 8R-2165 (Land Ambulance Base in Winchester);
- 048-2004 A By-law to further amend By-law 069-1989 known as the Traffic By-law - Parking Restrictions - Addition of Aberdeen Avenue, north side between Marlborough Street and Gloucester Street at anytime; and
- 049-2004 A By-law to authorize The Corporation of the City of Cornwall to enter into an Agreement Renewal with Family Counseling Centre of Cornwall and the United Counties *(Consent Item #9)*.

CONSENT

- 1. Rick Hansen Wheels in Motion**
Request received from the Kinette Club of Cornwall to hold a Rick Hansen Wheels in Motion event on the Bicycle Path at Lamoureux Park on June 13, 2004.
Action Recommended: That Council approve this request.
- 2. Proclamation - Deaf, Deafened and Hearing Awareness Month**
Request received from The Canadian Hearing Society to proclaim the month of May as "Deaf, Deafened and Hearing Awareness Month".
Action Recommended: That Council approve this request.

3. **Gas Tax Rebate - City of Sarnia**
Request received from the City of Sarnia seeking support for the efforts being made by the mayors of some of the larger Canadian cities to realize full municipal rebates of the GST and five-cent-per-litre share of the Federal Gas Tax.
Action Recommended: That Council support this request.

4. **EMS (Emergency Medical Services) Week**
Request received from Cornwall, Stormont, Dundas and Glengarry Emergency Medical Services to proclaim the week of May 17 to 23, 2004, as "EMS Week".
Action Recommended: That Council approve this request.

5. **Tag Day - 2403 SD&G Army Cadet Corps**
Request received from 2403 SD&G Army Cadet Corps to hold its annual Tag Day on April 10, 2004, from 9:00 a.m. to 5:00 p.m.
Action Recommended: That Council approve this request.

6. **Remuneration and Expenses Report -2003 Year End - Members of Council**
This item was moved for discussion.

7. **New Bill 124 and the New Ontario Building Code Act and Regulations (BRAGG Implementation)**
This item was moved for discussion.

8. **Renewal - Trusteeship Program
Social Support Services
Report SSS #06-2004**
Report prepared by Susan Cain, Manager, Social Support Services, under date of March 3, 2004.
Action Recommended: That Council authorize The Corporation of the City of Cornwall to enter into an Agreement Renewal with Family Counseling Centre of Cornwall and the United Counties and that Council endorse By-law 049-2004 to that effect.

ADOPTION OF GENERAL CONSENT

Moved by Councillors Huguette Burroughs and Glen Grant that all items listed under the General Consent portion of this Agenda be adopted as presented.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Corey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

05-2004 CRF Reporting 2004

Moved by Councillors Joël Côté and Chris Savard

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 BE IT RESOLVED THAT Council of The Corporation of the City of Cornwall acknowledges its intent to use the CRF Allocations it will receive for the direct benefit of taxpayers; and accepts the 2004 CRF Allocations in accordance with the terms and conditions (Conditions of Community Reinvestment Fund Allocations) from the Deputy Ministers of Finance and Municipal Affairs and Housing to municipal Treasurers/Clerk-Treasurers.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

**REPORTS from
UNFINISHED BUSINESS**

1. Safe Application of Crack Sealant Application Program

Moved by Councillors Joël Côté and Mark MacDonald

- (a) That the City of Cornwall continue its yearly crack sealing maintenance program but reduce the overall width of the overband used to level out the hot poured crack sealant in order to minimize any reduction of riding surface stability for motorcyclists and all vehicles;
- (b) That the use of Portland cement or fine wood shavings be used to surface protect the sealant from tire tracking and offer a certain minor degree of skid resistance; and
- (c) That Administration expand this program to all areas. Should the cost be too great, Administration is to report to Council.

as per Report EECS #09-2004 prepared by Jean Lemire, Approvals and Construction Engineer, under date of March 1, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald and Chris Savard

Against: Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

2. Bicycles on Sidewalks (*Item #109-2003 from Unfinished Business Listing*)

Moved by Councillors Mark MacDonald and Joël Côté

- (a) That Council endorse the proposed amendments to the Traffic and Parking By-law 069-1989 restricting bicycle operations upon City sidewalks to children under the age of twelve (12) adding thereto Part - B Traffic, Section "50 (8) No person above the age of twelve years shall drive a bicycle upon a sidewalk";
- (b) That Council amend the definition of bicycles, Section 1(2) of the Traffic and Parking By-law 069-1989 as follows; "**bicycle**" includes any device which has two tandem wheels and is propelled by human power and upon which any person may ride, and includes a tricycle and a unicycle, but does not include a motor assisted bicycle"; and
- (c) That Council endorse a By-law at the next Council Meeting of Monday, March 22, 2004. as per Report EECS #10-2004 prepared by Enrique Kamm, Transportation Engineer, under date of February 27, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Against: Councillor Huguette Burroughs

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

3. Bicycle Lanes on City Streets (*Item #112-2003 from Unfinished Business Listing*)

Moved by Councillors Perry Lalonde and Glen Grant that Council receive Report EECS #11-2004 prepared by Enrique Kamm, Transportation Engineer, under date of March 1, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

4. PAC Composition Report (Lay Appointments) (*Item #009-2004 from Unfinished Business Listing*)

Moved by Councillors Korey Kennedy and Glen Grant that the current PAC structure remain with the full Council sitting as PAC members as per Report PHS #09-2004 prepared by Stephen Alexander, Manager, Planning and Housing Services, under date of February 20, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

Having previously declared a conflict of interest in this matter, Councillors Joël Côté and Chris Savard left the room.

5. Cornwall Curling Club (Item #010-2004 from Unfinished Business Listing)

Moved by Councillors Perry Lalonde and Glen Grant

(a) That Council increase the guarantee for the construction component of the financing requirements of the Cornwall Curling Centre to a maximum of \$360,025.00 for a ten year period. This would increase the decision made by the previous Council by \$60,025.00; and

(b) Should the Curling Centre determine that costs will exceed the approved budget, they can make further representation to Council at that time.

as per Report FI #09-2004 prepared by David Dick, Manager, Financial Services, under date of March 3, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, ~~Joël Côté~~, Glen Grant, Corey Kennedy, Perry Lalonde, Mark MacDonald, ~~Chris Savard~~ and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Against:

Motion Carried

Councillors Joël Côté and Chris Savard returned to the ongoing meeting.

COMMUNICATION / REPORTS

1. Well Water Testing

Moved by Councillors Perry Lalonde and Corey Kennedy that Council approve the transfer of \$60,000.00 from the 2003 Social Housing Transfer budget surplus to the Social Housing Operating Reserve to be used to cover costs associated with well water testing by two Social Housing Providers as per Report PHS.SHD #06-2004 prepared by Debora Daigle, Manager, Social Housing Division, under date of February 9, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Corey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

2. Bridge Studies Update

Moved by Councillors Joël Côté and Glen Grant

(a) That Council receive this Report as background information; and

(b) That Council support the position that the Brookdale Avenue corridor as the preferred location for both the low level and the international bridge crossing.

as per Report PHS #08-2004 prepared by Stephen Alexander, Manager, Planning and Housing Services, under date of February 20, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Corey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

3. Midget Provincial Lacrosse Championship 2004

Moved by Councillors Chris Savard and Perry Lalonde that Council approve the request made by Cornwall Minor Lacrosse Association on the use of the Bob Turner Memorial Centre for the 2004 Midget Provincial Lacrosse Championship. (See Report EDRS #14-2004 prepared by Paul Fitzpatrick, Manager, Economic Development and Recreation Services, under date of March 3, 2004.)

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

4. High School Graduation / Cornwall Civic Complex

Moved by Councillors Mark MacDonald and Korey Kennedy that Council authorize Administration to finalize arrangements with Cornwall Collegiate and Vocational School (CCVS) for the use of the Cornwall Civic Complex/Ed Lumley Arena for their graduation ceremony to be held Wednesday, June 23, 2004 at the rate of \$1,000.00 as per Report EDRS #12-2004 prepared by Paul Fitzpatrick, Manager, Economic Development and Recreation Services, under date of March 1, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

5. Update on Objections to the Proposed Home Depot Development (OPA #72 / Zoning By-law 021-2004) Approvals (PAC File No. Z01-04)

Moved by Councillors Perry Lalonde and Glen Grant

- (a) That Council move the Meadowvale sidewalk project (including the Cobblehill and Cline portions) up the listing on the 5-year Capital Plan for sidewalks;
- (b) That Planning staff inform the Meadowvale Residents' Group of Council's position on sidewalks; and
- (c) That Planning staff continue to negotiate a timeline for construction of the Emma to Cumberland roadway link with the residential developer, Cartwave Realty as per Report PHS #10-2004 prepared by Stephen Alexander, Manager, Planning and Housing Services, under date of March 2, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Moved by Councillors Joël Côté and Mark MacDonald that the tenders listed within this block be approved as follows:

1. **Request for Proposal No. 04-R01 - Operation of Marina 200 for the 2004 Boating Season**
That Request for Proposal 04-R01 be awarded to William B. McDonald, Cornwall, Ontario, at the total management fee of \$15,540.00 being the best bid meeting the specifications as per Report PU #11-2004 prepared by Paulette Heard, Purchasing Agent, under date of March 2, 2004.

2. **Tender No. 04-T06 Supply & Installation of Reservoir Membranes**
That Tender 04-T06 be awarded to Robert J. Bourgon & Associates Ltd., Cornwall, Ontario, at the total bid price of \$254,717.46 (net cost to the Corporation - \$245,195.78) being the best bid meeting the tender specifications as per Report PU #10-2004 prepared by Paulette Heard, Purchasing Agent, under date of February 25, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

ITEMS SEPARATED FOR DISCUSSION

Consent Item #6

Remuneration and Expenses Report -2003 Year End - Members of Council

Moved by Councillors Glen Grant and Korey Kennedy that Council receive the Statement of Remuneration and Expenses for 2003 as per Report FI #08-2004 prepared by David Dick, Manager, Financial Services, under date of February 25, 2004.

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

Consent Item #7**New Bill 124 and the New Ontario Building Code Act and Regulations
(BRAGG Implementation)**

Moved by Councillors Joël Côté and Perry Lalonde that Council receive this Report and support further initiatives toward compliance to the New Building Code Act and Regulations (Bill 124).

A recorded vote on this matter resulted as follows:

For: Councillors Huguette Burroughs, Joël Côté, Glen Grant, Korey Kennedy, Perry Lalonde, Mark MacDonald, Chris Savard and Acting Mayor Leslie O'Shaughnessy

Absent: Mayor Phil Poirier, Councillors Naresh Bhargava and Jacques Lemire

Motion Carried

NEW BUSINESS ~ Nil**PASSING OF BY-LAWS - Third and Final Reading**

Moved by Councillors Joël Côté and Perry Lalonde that By-laws 044-2004 to 047-2004 and By-law 049-2004, listed on the Agenda for third reading be taken as read a third time and finally passed.

NOTICE OF MOTION ~ Nil**REPORTS FROM AD HOC COMMITTEES OF COUNCIL****1. Cornwall /Akwasasne Liaison Committee**

A meeting of the Cornwall/Akwasasne Liaison Committee was held on Thursday, March 4, 2004, in the Village of St. Regis. Councillor Mark MacDonald reported that the following issues were raised during the said meeting:

- The possible joint acquisition and operation of the Port of Cornwall;
- The development of a low level bridge between Cornwall and Cornwall Island and bridge tolls;
- The significant contribution Akwasasne residents make to the Cornwall economy;
- the need for Cornwall businesses to honour the status of Akwasasne residents and to provide fair currency exchange;
- Waterfront development issues;
- Various development projects in Cornwall and Akwasasne;
- Community policing issues; and
- Cooperation between the two communities in lobbying federal and provincial governments on issues of mutual concern.

As a result of discussions between mayor Phil Poirier, Grand Chief Angie Barnes and the Cornwall/Akwasasne Liaison Committee, efforts are underway to arrange a meeting between the Councils of The Corporation of the City of Cornwall and the Mohawk Territory of Akwasasne to be held in Akwasasne on April 7, 2004. Councillor MacDonald invited his colleagues to attend what is sure to be a very productive session.

UNFINISHED BUSINESS LISTING

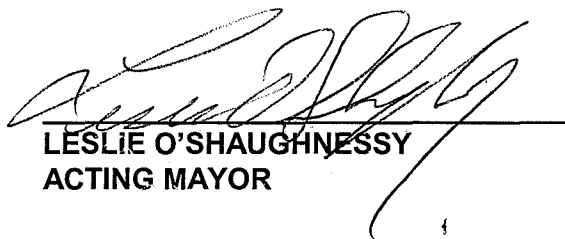
CONFIRMING BY-LAW

Moved by Councillors Korey Kennedy and Glen Grant that By-law 050-2004 being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, March 8, 2004, having been read a first, second and third time be now taken as read and passed.

Adjourned at 9:45 p.m.



GRAHAM DART
DEPUTY CLERK



LESLIE O'SHAUGHNESSY
ACTING MAYOR

