



REGULAR COUNCIL #16-2004

Monday, March 22, 2004
Meeting began at 7:30 p.m.

PRESENT: Mayor Phil Poirier, Councillors Naresh Bhargava, Huguette Burroughs, Joël Côté, Glen Grant, Perry Lalonde, Corey Kennedy, Mark MacDonald, Leslie O'Shaughnessy and Chris Savard

ABSENT: Councillor Jacques Lemire

ADMINISTRATION: Cecil Vincent, Chief Administrative Officer, Denise Labelle-Gélinas, City Clerk, Graham Dart, Stephen Alexander, Dave Dick, Paul Fitzpatrick, Fernand Hamelin, Norm Levac, Susan Cain, Enrique Kamm and Manon Poirier

Mayor Phil Poirier called the meeting to order at 7:30 p.m.

INVOCATION Reverend Janet Evans - St. Andrews / St. Mark's United

NATIONAL ANTHEM Vanessa Régnier

ADDITIONS / CORRECTIONS / DELETIONS

Addition of By-laws:

- 059-2004 A By-law to repeal and replace By-law 066-1994 being a By-law with respect to Sewage Service Rates; and
- 060-2004 A By-law to repeal and replace Schedule "A" of By-law 025-2003 to provide for the supply and distribution of potable water and to set rates for consumers.

Deletion of:

Third Reading of By-law 037-2004 - Pedestrians and Wheelchairs

DISCLOSURE OF INTEREST

Councillors Joël Côté, Chris Savard and Mayor Poirier all declared an interest on Item 5 of the Unfinished Business Listing, citing their involvement with the Cornwall Centre as members.

COMMITTEE OF THE WHOLE

Moved by Councillors Naresh Bhargava and Glen Grant that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 051-2004 to 060-2004 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Monday, March 22, 2004, be approved.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

GENERAL CONSENT**ADOPTION OF MINUTES**

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

1. Special Meeting of Council #14-2004, Budget Session #10, of Saturday, March 6, 2004 as amended; and
2. Regular Meeting of Council #15-2004 of Monday, March 8, 2004 (as amended).

PRESENTATIONS**DELEGATIONS****BY-LAWS**

- 051-2004 A By-law to amend By-law 175-2002 and being a By-law to establish the Fees and Charges to implement the fee for Property Tax Reminder Notices and Water Tax Reminder Notices;
- 052-2004 A By-law to further amend the Traffic and Parking By-law 069-1989 restricting bicycle operations upon City sidewalks to children under the age of twelve (*This item was endorsed by Council under "Communications" at the Council Meeting of Monday, March 8, 2004*);
- 053-2004 A By-law to authorize The Corporation of the City of Cornwall to enter into a Lease Agreement with 854428 Ontario Inc. for the Social Support Services satellite office in Alexandria for a five-year term commencing May 1, 2004;

- 054-2004 A By-law to authorize The Corporation of the City of Cornwall to enter into a Lease Renewal Agreement with Erik Thompson for the Social Support Services satellite office in Chesterville for a three-year term commencing May 1, 2004;
- 055-2004 A By-law to dedicate Part of Lot 48, Plan 6A, City of Cornwall, County of Stormont, now designated as parts 25 and 26 on Reference Plan 52R-799, as a public highway and naming it Pitt Street and a By-law to dedicate Part of Lot 48, Plan 6A, City of Cornwall, County of Stormont, now designated as parts 1 and 2 on Reference Plan 52R-6402, save and except Part 25 on Reference Plan 52R-799, as public highway and naming it Eleventh Street;
- 056-2004 A By-law to repeal By-law 149-2003 and being a By-law to authorize the sale of Part of Lot 48, Plan 6A, City of Cornwall, County of Stormont, now designated as Part 6 and 7 on Reference Plan 52R-799, save and except Parts 1 and 2 on Reference Plan 52R-6402 to Michael Edward Turcotte for the consideration of \$300.00 and a By-law to authorize the purchase of Part of Lot 48, Plan A, City of Cornwall, County of Stormont, now designated as Part 26 on Reference Plan 52R-799 and Part 2 on Reference Plan 52R-6402 from Michael Edward Turcotte for the consideration of \$1.00;
- 057-2004 A By-law to authorize the purchase of land from Hazen Meldrum and Newell Brown on June 28, 1985, which land is legally described as Part of the East Half of Lot 12, Concession 3, City of Cornwall, County of Stormont, now designated as Part 1 on Reference Plan 52R-2429 and a By-law to dedicate the said parcel of land as public highway;
- 058-2004 A By-law to authorize The Corporation of the City of Cornwall (Glen Stor Dun Lodge) to enter into a Service Agreement with Her Majesty the Queen in right of Ontario, as represented by the Minister of Health and Long-Term Care;
- 059-2004 A By-law to repeal and replace By-law 066-1994 being a By-law with respect to Sewage Service Rates; and
- 060-2004 A By-law to repeal and replace Schedule "A" of By-law 025-2003 to provide for the supply and distribution of potable water and to set rates for consumers.

CONSENT

- 1. Proclamation - Senior's Month**
That Council approve the request received from the Minister Responsible for Seniors to proclaim the month of June as "Senior's Month".
- 2. Proclamation - Young Scientist Month**
That Council approve the request received from Sci-Tech Ontario to proclaim the month of March as "Young Scientist Month".

- 3. Vital Statistics Database - County of Hastings**
That Council support the request received from the County of Hastings to support its Resolution asking the Minister of Consumer and Business Services to make available to the Municipal Property Assessment Corporation (MPAC) on a regular and ongoing basis, records of all births and deaths in the Province of Ontario as recorded in the Vital Statistics database maintained by the Ministry of Consumer and Business Services.
- 4. Disconnection of Electricity in the Winter by Hydro One - City of Kawartha Lakes**
This item was moved for discussion.
- 5. Recreation Facility Professionals Certification - Township of South Stormont**
That Council support the request received from the Township of South Stormont for support of its Resolution requesting the Provincial Government to approve the Private Bill at Queen's Park recognizing the Ontario Recreation Facilities Association in Ontario as the certifying body for recreation facility professionals and grant it Royal Assent before the 2004 summer break at Queen's Park.
- 6. Tribute to Fallen Officers in Ontario**
That Council approve the request received from Cornwall Community Police Services to lower flags at Police Headquarters to half-staff on Sunday, May 2, 2004, as a tribute to all fallen officers in Ontario as recommended by the Minister of Policing Services Division.
- 7. Tag Day - Kiwanis Club of Cornwall Inc.**
That Council approve the request received from Kiwanis Club of Cornwall Inc. to hold its annual Tag Day on Saturday, June 5, 2004.
- 8. Tag Day - Rotary Club of Cornwall Sunrise**
That Council approve the request received from Rotary Club of Cornwall Sunrise to hold its annual Tag Day on Saturday, May 22, 2004.
- 9. Lease Renewal - Alexandria**
That Council authorize The Corporation of the City of Cornwall to enter into a Lease Agreement with 854428 Ontario Inc. for the Social Support Services satellite office in Alexandria for a five-year term commencing May 1, 2004, and that By-law 053-2004 be endorsed as per Report SSS #07-2004 prepared by Susan Cain, Manager, Social Support Services, under date of February 17, 2004.
- 10. Lease Renewal - Chesterville**
That Council authorize The Corporation of the City of Cornwall to enter into a Lease Renewal Agreement with Erik Thompson for the Social Support Services satellite office in Chesterville for a three-year term commencing May 1, 2004, and that By-law 054-2004 be endorsed as per Report SSS #08-2004 prepared by Susan Cain, Manager, Social Support Services, under date of March 8, 2004.
- 11. Planning Advisory and Hearing Committee- PAC Report No. 2-1-04**
This item was moved for discussion.

ADOPTION OF GENERAL CONSENT

Moved by Councillors Leslie O'Shaughnessy and Korey Kennedy that all items listed under the General Consent portion of this Agenda be adopted as amended.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

**REPORTS from
UNFINISHED BUSINESS**

1. **All Night Dance Clubs (Rave Parties)** *(Item #107-2003 from Unfinished Business Listing)*
 Moved by Councillors Korey Kennedy and Perry Lalonde that Licensing of "All Night Dance Clubs (Raves)" not be implemented at this time as per Report PHS #13-2004 prepared by Barry Coleman, Chief Building Official and By-law Enforcement Supervisor under date of March 15, 2004.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

2. **Franco-Ontarian Youth Event** *(Item #011-2004 from Unfinished Business Listing)*
 Moved by Councillors Joël Côté and Huguette Burroughs that Council endorse the request submitted by the Organizing Committee of the Franco-Ontarian Games in providing them the Bob-Turner Centre at no cost in order for them to conduct the Games. Report EDRS #13-2004 prepared by Christine Lefebvre, Recreation Supervisor, under date of March 15, 2004.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Korey Kennedy, Glen Grant, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Against: Councillors Chris Savard and Leslie O'Shaughnessy

Absent: Councillor Jacques Lemire

Motion Carried

COMMUNICATION // REPORTS

1. **Increased Work Week Corporate Services, Clerk's Division**
Moved by Councillors Perry Lalonde and Huguette Burroughs that Council endorse a thirty-five (35) hour work week for unionized staff in the main office of the Clerk's Division as per Report CS.Clerk #06-2004 prepared by Denise Labelle-Gélinas, City Clerk, under date of March 1, 2004.

A recorded vote resulted as follows:

- For:** Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier
- Against:** Councillor Chris Savard
- Absent:** Councillor Jacques Lemire

Motion Carried

2. **Review of Honorariums Paid to Committee of Adjustment Members** (see page 75)
Moved by Councillors Glen Grant and Leslie O'Shaughnessy
- (a) That Council authorize the increase of the fee paid to Committee of Adjustment Members in 2005 from \$35.00 to \$45.00 per meeting; and
- (b) That no mileage be paid.
- as per Report PHS #07-2004 prepared by Mary Joyce-Smith, Planner, under date of February 17, 2004.

A recorded vote resulted as follows:

- For:** Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier
- Absent:** Councillor Jacques Lemire

Motion Carried

3. **Awarding of a Previous Tender 03-T31 - Disposal of Surplus Equipment**
Moved by Councillors Joël Côté and Glen Grant that Council cancel the award of item 1 of Tender No. 03-T31 and that Purchasing issue a new Tender at a later date for the disposal of the 1991 Ford F-450 as per Report PU #12-2004 prepared by Paulette Heard, Purchasing Agent, under date of March 10, 2004.

A recorded vote resulted as follows:

- For:** Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier
- Absent:** Councillor Jacques Lemire

Motion Carried

4. **Mayor's Chain of Office**
Moved by Councillors Chris Savard and Perry Lalonde that Council endorse the process and the purchase of a new Chain of Office as per Report CS.Clerk #07-2004 prepared by Denise Labelle-Gélinas, City Clerk, under date of February 25, 2004.

A recorded vote resulted as follows:

- For:** Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier
- Absent:** Councillor Jacques Lemire

Motion Carried

5. Elected Officials Expenses for the Period Ending March 13, 2004

Moved by Councillors Naresh Bhargava and Leslie O'Shaughnessy that Council receive the statement of expenses for elected officials for the period ending March 13, 2004 as per Report FI #10-2004 prepared by David Dick, Manager, Financial Services, under date of March 16, 2004.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried**6. Closing of Capital Projects**

Moved by Councillors Korey Kennedy and Glen Grant

- (a) That the following capital projects be closed to the Amelia Street Reconstruction Project.

'02 - Reconstruction of Pine Street

'02 - Reconstruction of York Street

'02 - Eamers Corners Storm Sewers

The remaining completed capital projects identified in the March 2, 2004 report to Council can be closed to operating surplus as directed in Capital Policy FI.acc02-01; and

- (b) That the capital projects in the Water Division that have been identified with surpluses totalling \$36,683 as well as two having deficits of \$30,914. The deficits can be funded through the surplus identified in the three completed projects with the balance \$5,769 closed to Waterworks surplus.

as per Report FI #011-2004 prepared by David Dick, Manager, Financial Services, under date of March

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried**7. Conditional Withdrawal of Appeal to the Home Depot Development OPA / Rezoning**

(OPA #72 / Zoning By-law 021-2004 / PAC File #01-04)

Moved by Councillors Joël Côté and Perry Lalonde

- (a) That Council enter into a Front-ending Agreement with Home Depot to construct the full sidewalk link along Meadowvale from Brookdale to Cumberland in the 2005 construction year (either by the Home Depot contractor or Municipality as determined to be appropriate). As part of entering into such an Agreement, a notification to all potentially affected landowners should be conducted to determine the level of neighbourhood support;
- (b) That Municipal staff be directed to work with both the Cartwave Realty and Home Depot representatives to ensure the Brookgate Draft Plan of Subdivision receives its final appropriate approvals for registration including, but not limited to, full Engineering/Service information and drawings, entering into a Subdivision Agreement, Grading Plans;
- (c) That as per Draft Plan of Subdivision Condition #20 in File No. 04T-2004-1 (Brookgate Subdivision) in the absence of a noise and vibration study being conducted that an actual continuation of the Noise berm along Tollgate take place towards Emma Street; and

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- (d) That as part of the Brookgate Subdivision approval, a mechanism(s) be sought to expedite the construction of the Emma Avenue link between Cumberland and Tollgate, as Phase 1 of this particular subdivision.

as per Report PHS #14-2004 prepared by Ken Bedford, Senior Planner, under date of March 17, 2004.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Nil

ITEMS SEPARATED FOR DISCUSSION

Consent Items

4. **Disconnection of Electricity in the Winter by Hydro One - City of Kawartha Lakes**
Moved by Councillors Huguette Burroughs and Perry Lalonde that Council support the request received from The Corporation of the City of Kawartha Lakes to support its Resolution asking the Premier and Minister of Energy to take immediate steps to permanently reinstate the prohibition on the disconnection of electricity in the winter by Hydro One put in place by the previous Provincial Government.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

11. **Planning Advisory and Hearing Committee (moved for discussion)**
PAC Report No. 2-1-04

Moved by Councillors Leslie O'Shaughnessy and Joël Côté Report prepared by Stephen Alexander, Manager, Planning and Housing Services, under date of February 16, 2004.

- (a) That Council reaffirm its support of the revitalization project;
(b) That Council commit to the continued assistance of City staff to the project and promotion of the project within various City Departments and Committees; and
(c) That the HOTC Group have input at all relevant times with respect to proposed developments or decision that impact on the project.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

NEW BUSINESS

Having previously declared an interest on this matter, Councillors Chris Savard, Joël Côté and Mayor Phil Poirier left the room. Councillor Naresh Bhargava assumed the position of Acting Mayor and Chair.

1. Curling Club - Purchase of Service Agreement (By-law 120-2003)

WHEREAS a member of the present Council has stated to the local media the legal ability of the previous Council to enter into a Purchase of Service Agreement with Cornwall Curling Club;

WHEREAS the previous Council, at its regular meeting of July 14, 2003, fully endorsed entering into a Service Agreement with the Cornwall Curling Club Inc. for the operation of the Curling Centre through By-law 120-2003 and in accordance with all legal requirements under the Ontario Municipal Act; and

WHEREAS the construction project for the New Curling Centre is well under way.

NOW THEREFORE be it resolved that this Council reaffirms the decision of the previous Council, in that it fully endorses Bylaw 120-2003 and its Services Agreement which was subsequently signed on November 18, 2003.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Perry Lalonde, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Huguette Burroughs

Against: Councillor Mark A. MacDonald

Absent: Councillors Jacques Lemire, Chris Savard, Joël Côté and Mayor Phil Poirier

Motion Carried

PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors Naresh Bhargava and Perry Lalonde

1. That By-law 006-2004 (A By-law to authorize The Corporation of the City of Cornwall to renew its "Household Special Waste Agreement" with The Corporation of the Township of South Stormont for a period of two years) (*First and Second Reading - January 12, 2004*) be read a third time and finally passed;
2. ~~That By-law 037-2004 (A By-law to a further amend the Traffic and Parking By-law 069-1989 by adding the Definitions and Interpretations of "Pedestrian" and "Wheelchair") (*First and Second Reading - February 23, 2004*) be read a third time and finally passed;~~
REMOVED
3. That By-law 041-2004 (A By-law to authorize The Corporation of the City of Cornwall to operate an Ambulance Service in the City of Cornwall and the geographical limits of the three United Counties of Stormont, Dundas and Glengarry) (*First and Second Reading - February 23, 2004*) be read a third time and finally passed; and
4. That By-laws 051-2004 and 053-2004 to 060-2004 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

A recorded vote resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

Absent: Councillor Jacques Lemire

Motion Carried

By-law 052-2004 was separated for discussion. It was moved by Councillors Leslie O'Shaughnessy and Naresh Bhargava that this By-law be deferred until Administration reports on the analysis of creating bicycle lanes on City Streets and further that the Police Service Board be asked for information on streets where most complaints of improper use of bicycles on sidewalks are occurring.

A recorded vote on Bylaw 052-2004 resulted as follows:

For: Councillors Naresh Bhargava, Joël Côté, Perry Lalonde, Chris Savard, Korey Kennedy, Glen Grant, Leslie O'Shaughnessy, Mark A. MacDonald, Huguette Burroughs and Mayor Phil Poirier

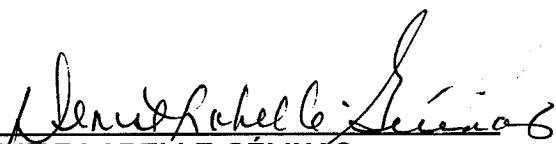
Absent: Councillor Jacques Lemire

Motion Carried

NOTICE OF MOTION**UNFINISHED BUSINESS LISTING****CONFIRMING BY-LAW**

Moved by Councillors Leslie O'Shaughnessy and Glen Grant that By-law 061-2004-2004 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 22, 2004, having been read a first, second and third time be now taken as read and passed.

Adjourned at 8:35 p.m.


DENISE LABELLE-GÉLINAS
CLERK


PHIL POIRIER
MAYOR