



PUBLIC COUNCIL #28-2008

Monday September 22, 2008
Meeting called to order at 7:00 p.m.
City Hall - 360 Pitt Street, Cornwall

An In-Camera meeting was held at 6:00 p.m. to discuss matters that fell under The *Municipal Act, 2001*, c. 25 s. 239 (2), (3.1):

1. Personal matters about an identifiable individual, including municipal or Local Board employees;
 2. Labour relations or employee negotiations;
 3. A matter in respect of which a Council, Board, Committee other body may hold a closed meeting under another Act; and
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PRESENT: Mayor Bob Kilger
Councillor Mark MacDonald
Councillor Guy Léger
Councillor Elaine MacDonald
Councillor André Rivette
Councillor Bernadette Clément
Councillor Denis Carr
Councillor Syd Gardiner
Councillor Denis Thibault
Councillor Glen Grant

REGRETS: Councillor Kim Baird

ADMINISTRATION: Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gélinas, City Clerk
Maureen Adams, GM Financial Services
Stephen Alexander, GM Planning, Parks & Recreation Services
Debora Daigle, Manager Social and Housing Services
Robert Menagh, Manager Human Resources
Norm Levac, GM Infrastructure and Municipal Works
Christine Lefebvre, Supervisor Recreation Services
Monique Gunn, Supervisor, Child Care Services

Mayor Bob Kilger called the meeting to order at 7:00 p.m.

INVOCATION CITY CLERK

NATIONAL ANTHEM Assembly

ADDITIONS / CORRECTIONS / DELETIONS

DISCLOSURE OF INTEREST

COMMITTEE OF THE WHOLE

Moved by Councillors Guy Léger and André Rivette that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 145-2008 to 150-2008 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Monday, September 22, 2008, be approved.

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

Moved by Councillors Syd Gardiner and Glen Grant that the Minutes of:

- Regular Meeting of Council #26-2008 of Monday, September 8, 2008 ; and
- Special Public Meeting #27-2008 of Thursday, September 18, 2008

Be approved as presented.

Motion Carried

BY-LAWS

- First and Second Reading

- 145-2008 A Bylaw to enter into a five-year Agreement with Glen Fine Foods for the delivery of food and beverages at the Cornwall Civic Complex.
- 146-2008 A Bylaw to enter into a Sale of land Agreement for lands legally known as Part of Lots B, C & D, Concession 2, and being Parts 2 and 3 on Reference Plan 52R2000, Part 2 and Part of Part 3 on Plan of Expropriation 191143 and Part of Parts 3 and 4 on Plan of Expropriation 191353, now in the City of Cornwall, County of Stormont.
- 147-2008 A By-law to further amend By-law 069-1969 as amended - Schedule II (Parking Restrictions) - No Parking East Side of Bedford St. between First St. W. and a point 53 metres south of First St. W.
- 148-2008 A By-law authorizing the Corporation of the City of Cornwall to enter into a lease agreement with 2113467 Ontario Inc. for the use of Big Ben Ski Hill.
- 149-2008 A Bylaw authorizing the Corporation of the City of Cornwall to enter into an operating agreement with Leader Sports for the operation of Big Ben Ski Hill for the 2008-2009 ski season.
- 150-2008 A Bylaw authorizing the Corporation of the City of Cornwall to enter into an Infrastructure Legal Agreement through a Service Contract with Cornwall Compassion Centre (Best Start Capital Grant and Child Care Services).

CONSENT

1. **Position Vacancy Permanent Janitor/Pool Operator**
That Council approve the hiring of a Permanent Janitor/Pool Operator.
2. **Tag Days and Proclamations**
That Council support the following requests:
 1. That the Royal Canadian Air Cadets, 325 Cornwall Kiwanis Squadron, be permitted to hold a tag day on October 25, 2008;
 2. That the Canadian Cancer Society of the SD & G & Prescott-Russell Unit be permitted to conduct a "Pink Ribbon" Tag Day campaign on Saturday, October 4, 2008;
 3. That the week of September 20 to 27th, 2008, inclusive be proclaimed as "National Responsible Dog Ownership Week" and Saturday, September 27th as "RDOG DAY";
 4. That Wednesday, October 22nd, 2008 be proclaimed as Child Care Worker & Early Childhood Educator Appreciation Day";
 5. That November 2008 is proclaimed as "Diabetes Month";
 6. That November 16th to November 23rd, inclusive be proclaimed as "Restorative Justice Week 2008"; and
 7. That October 17th be proclaimed as "Eradication of Poverty Day" in the City of Cornwall
3. **Raising of Franco-Ontarien Flag**
That the Franco-Ontarien Flag be flown at the Justice building on Thursday September 25, 2008, in recognition of Franco-Ontarien Day in the City of Cornwall.

ADOPTION OF GENERAL CONSENT

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

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

1. Courtaulds Spur Line

Moved by Councillors André Rivette and Mark MacDonald

WHEREAS a 1994 Transportation Planning Study identified the lack of a sufficient north-south link east of McConnell Avenue, resulting in a shortage of capacity; and

WHEREAS in 1998, the city widened McConnell Avenue from Marleau to Second Street as a short term solution; and

WHEREAS in 2001, the Industrial Park Transportation Planning Study highlighted the same north-south capacity deficiency; and

WHEREAS the present and future residential development and particularly the industrial development of the northern Industrial Park will exacerbate the north-south capacity deficiency; and

WHEREAS there have been ongoing complaints of traffic and pedestrian safety as a result of cut-through traffic on Glengarry Boulevard and Lochiel Street; and

WHEREAS in order to address these deficiencies, several alternatives have been explored through an Environmental Assessment process with potential positive and negative impacts assessed, resulting in a recommended solution to construct a new 2 lane roadway on the Courtaulds corridor. After extensive public negotiation of the project design was successfully completed in 2003.

In 2004, Council of the day agreed and purchased the Courtaulds spur line for \$215,000 plus legal and staff time. In addition to completing the Environmental Assessment, the city has made expenditure to relocate a Cornwall Electric transmission line which was completed in 2007 at a cost of \$247,000.

NOW THEREFORE BE IT RESOLVED THAT Council allocate the necessary funds to complete the Courtaulds Roadway and that the funds needed be taken from the 4.3 million dollars for infrastructure given to City of Cornwall by the Province.

DEFERRAL

It was then moved by Councillors Glen Grant and Denis Thibault that this resolution be deferred until such time as the Council has had an opportunity to discuss and review its corporate priority list of capital projects.

Motion to Defer CARRIED

2. Council Meeting of October 14, 2008

Moved by Councillors Denis Thibault and Mark MacDonald .

WHEREAS Tuesday October 14, 2008 has been stipulated in the Procedural By-law as a regular Council meeting; and

WHEREAS a Federal election has been duly called for Tuesday, October 14, 2008; and

WHEREAS it is in the best interest of the democratic process to aim for maximum voter participation in the election process; and

WHEREAS the City of Cornwall stands to benefit from coverage of its Council deliberations by the local media, including radio, newspapers and Community television; and

WHEREAS rescheduling a Council meeting for a day other than that where federal elections are being held has been past practice with the most recent event having occurred on June 28, 2004.

NOW THEREFORE BE IT RESOLVED that the regular City Council meeting scheduled by By-law for Tuesday October 14, 2008 be hereby cancelled.

Motion Carried

REPORTS FROM UNFINISHED BUSINESS

1. **Statement of Expenses - Elected Officials (August 31/08)**

Moved by Councillors Glen Grant and Syd Gardiner that Council approve the Statement of Expenses for Elected Officials for the period ending August 31, 2008.

Motion Carried

2. **Election Signs Bylaw**

Moved by Councillors Syd Gardiner and Denis Thibault that Council receive the report and endorse the Signs Bylaw.

Amendment on Time Schedule

It was then moved by Councillors Bernadette Clément and Syd Gardiner that Section 4 of the proposed Election Signs Bylaw be amended to identify a date of October 1st where election signs may be erected or installed, during a regular Municipal Election campaign (40 days prior to Election Day).

**Motion to AMEND Carried
Main Motion Carried as Amended**

COMMUNICATION / REPORTS

1. **Development Charges**

Moved by Councillors Denis Thibault and Syd Gardiner that Council receive the report and that the issue of Development Charges and related consultant Fees be referred to budget 2009.

It was then moved by Councillors Denis Carr and André Rivette that the main motion be amended to read "*That the report be received and that no further action be taken on this matter until Council Members have had the opportunity to meet and discuss their position on the issue of Development Charges and if the Municipality should move forward with this project.*"

**Motion to Amend Carried
Main Motion Carried as amended**

2. **Request for Funding – Social Housing Reserve Fund**

Moved by Councillors Mark MacDonald and André Rivette that Council approve a draw on the Social Housing Reserve Fund of \$30,000 to assist with a recreation initiative at 1630 Brookdale Avenue (Westgate Court).

Motion Carried

Having previously declared an interest on the following subject matter, Councillor Denis Thibault removed himself from the Council Table and did not take part in the discussion.

3. Big Ben Ski Hill 2008-2009 Season

Moved by Councillors Glen Grant and Syd Gardiner, that Council authorize the continued partnership with Paris Holding through a lease agreement and Leader Sports through an operating agreement for the use of Big Ben Ski Hill for the 2008-2009 seasons.

Motion Carried

Councillor Thibault returned to the ongoing meeting

4. Staff Replacement - Cornwall Civic Complex

Moved by Councillors Guy Léger and Elaine MacDonald that Council authorize the replacement of the Facility Scheduler and that the position be reclassified as a Facilities Rental Clerk, therefore becoming part of the CUPE 3251 Collective Agreement.

Motion Defeated

5. 2009 Budget/Budget Steering Committee

Moved by Councillors Glen Grant and Syd Gardiner that Council approve:

1. Preparation of a draft Budget which represents a 2% tax levy increase.
2. No new staff positions to be included in the 2009 draft Budget.
3. The creation of three Budget Steering Committees to work with Administration on the preparation of the 2009 Budget as outlined in this report.

Following a lengthy debate on this Resolution, Councillor Mark MacDonald requested that each item be voted on separately.

5.1 Preparation of a draft Budget which represents a 2% tax levy increase.

Moved by Councillors Glen Grant and André Rivette, that Council endorse a 2% tax levy increase.

Amendment:

It was then moved by Councillors Mark MacDonald and Denis Thibault, that the main motion be amended to read an endorsement of 0% tax levy increase.

A recorded vote on the amended motion resulted as follows:

For a 0% tax levy increase: Councillors Denis Carr, Mark MacDonald and Denis Thibault.

Against: Councillors Guy Léger, Elaine MacDonald, André Rivette, Bernadette Clément, Glen Grant, Syd Gardiner and Mayor Bob Kilger.

Absent: Councillor Kim Baird

**Motion for a 0% Tax Levy Increase DEFEATED
Main Motion for a 2% tax levy increase CARRIED**

5.2 No new staff positions to be included in the 2009 draft Budget

Moved by Councillors André Rivette and Syd Gardiner that there be no new staff positions included within the 2009 draft Budget.

Motion Carried

5.3 The Creation of three Budget Steering Committees to work with Administration on the preparation of the 2009 Budget as outlined in this report.

Moved by Councillors Denis Thibault and Mark MacDonald that a three (3) Budget Steering Committee be created for the preparation of the 2009 Budget.

A Recorded vote resulted as follows:

For: Councillors Mark MacDonald, Glen Grant and Denis Thibault.

Against: Councillors Guy Léger, Elaine MacDonald, André Rivette, Bernadette Clément, Denis Carr, Syd Gardiner and Mayor Bob Kilger.

Absent: Councillor Kim Baird.

Motion DEFEATED

It was then moved by Councillors Denis Carr and Guy Léger that there be one (1) Budget Steering Committee with four (4) Members of Council and the Mayor. Three new Members and one Member who sat during the 2008 Budget process.

It was then moved by Councillors Mark MacDonald and Denis Thibault, that the motion be amended to include representatives of the Business Community and Labour Council.

The Amending motion was DEFEATED

The Main motion Carried

6. Municipal Environmental Advisory Committee (MEAC) Progress

Moved by Councillors André Rivette and Mark MacDonald, that Council receive this report and act upon the recommendations including minor Terms of Reference (TOR) amendments.

Motion Carried

7. Investing Ontario \$4.3M Provincial Funding

Moved by Councillors André Rivette and Denis Carr that Council approve the recommended list of projects funded from the \$4.3M provincial surplus as follows:

Courtaulds Spur - Road / Bike Path	\$2,800,000
Pitt St. Bridge Rehab - Tollgate/Pitt	\$ 990,000
Asphalt Resurfacing	\$ 583,491

And; That Administration prepares a subsequent report for the first meeting in October, for *The Building Canada Fund Communities Component*.

Amended Motion

It was then moved by Councillors Glen Grant and Syd Gardiner that this Resolution be deferred until such time as the Council have had an opportunity to meet and discuss its priorities on how the 4.3M funding is to be disbursed.

A recorded vote on the deferral resulted as follows:

For: Councillors Guy Léger, Elaine MacDonald, Glen Grant, Denis Thibault, Denis Carr, Syd Gardiner and Mayor Bob Kilger.

Against: Councillors André Rivette, Mark MacDonald and Bernadette Clément.

Absent: Councillor Kim Baird.

Motion to DEFER Carried

8. Best Start Infrastructure Legal Agreement and Service Contract with Cornwall Compassion Centre

Moved by Councillors Elaine MacDonald and Bernadette Clément that Council authorize a Bylaw to enter into an Infrastructure Legal Agreement and Service Contract with the Cornwall Compassion Centre in order to release Best Start capital grant and start-up funding and to purchase child care services for families deemed eligible under fee subsidy guidelines

Motion Carried

TENDER AND REQUEST FOR PROPOSALS

1. Tender No. 08-T60 Public Address System - Aquatic Centre

Moved by Councillors Glen Grant and Guy Léger that Ranguard Security & Electronics System, Cornwall, Ontario, at the total bid price of \$17,323.95 (net cost to the Corporation - \$16,499.00) being the best bid meeting the tender specifications, be awarded the Tender.

Motion Carried

2. RFP No. 08-R24 Repairs to Various Tennis Courts

Moved by Councillors Denis Thibault and Bernadette Clément that RFP 08-R24 be awarded to Barber Sports Surfaces Ltd., Markham, Ontario as follows:

Repair cracks at the Broadview courts and the Kinsmen courts, post repairs to the courts at Terry Fox and the painting of the courts at Mattice Park for a total bid price of \$53,602.50(net cost to the Corporation - \$ 51,050.00)

That the shortfall of \$1,050.00 will be funded from the Tennis Court operation budget.

Motion Carried

3. Tender no. 08-T56 - Fall Prevention Barriers

Moved by Councillors Syd Gardiner and Glen Grant that Tender 08-T55 be awarded to Unistruct Canada Ltd., Ajax, Ontario at the total bid price of \$56,137.20 (net cost to the Corporation - \$53,464.00) being the best bid meeting the tender specifications.

Motion Carried

PRESENTATIONS

DELEGATIONS

NEW BUSINESS

PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors Guy Leger and Elaine MacDonald

That By-laws 145-2008 to 150-2008 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

Motion Carried

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

NOTICES OF MOTION

1. **Multi-Sport Complex Site**

Moved by Councillors Mark MacDonald and André Rivette:

WHEREAS as a result of an incident at Brenntag Industries in late July, where according to Cornwall Fire Department notes cite: *"The Employees from the area detected a smell which appeared to be chlorine as well as seeing a plume of white smoke coming from the Brenntag Site; and*

WHEREA according to the same notes *"The Employees began to return to work when they detected the possibility of chlorine once against"; and*

WHEREAS The Ministry of Environment has issued a strongly worded letter regarding the selection of our proposed Multi-Sport Complex site; and

WHEREAS time is always an issue when it involves projects of this size

THEREFORE Be it Resolved that an Ad-Hoc Committee of Council be formed to prepare for other site selection options, in the event that the proposed site fails.

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW - First, Second and Third Readings

Moved by Councillors Glen Grant and Bernadette Clément that By-law 151-2008, being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meeting held on September 22, 2008, having been read a first, second and third time be now taken as read and passed.

Motion Carried


ADJOURNMENT

Moved by Councillors Glen Grant and Andre Rivette that the Special Council Meeting of Monday September 22 2008, be adjourned at 9:10 p.m.

Motion Carried

NEXT REGULAR MEETING OF COUNCIL to be held on Monday October 27, 2008


DENISE LABELLÉ-GÉLINAS
CITY CLERK


MAYOR BOB KILGER