



Minutes Cornwall City Council

Meeting ID: 2013-07
Meeting Date: Mon February 25, 2013 07:00 PM
Location: Council Chambers
Chair: Bob Kilger, Mayor
Prepared By: Helen Finn, City Clerk

Attendance Committee Members:

Bob Kilger, Mayor
Denis Thibault, Councillor
Maurice Dupelle, Councillor
Elaine MacDonald, Councillor
André Rivette, Councillor
Bernadette Clément, Councillor
Glen Grant, Councillor
Gerald E. Samson, Councillor
Syd Gardiner, Councillor
David Murphy, Councillor
Denis Carr, Councillor

Attendance Staff:

Norm Levac, Chief Administrative Officer
Helen Finn, City Clerk
Manon L. Poirier, Deputy Clerk
Maureen Adams, G.M. Financial Services
Stephen Alexander, General Manager Planning,
Parks and Recreation
Dail Levesque, Manager Human Resources
Mark A. Boileau, Manager Economic Dev.
Norm Quenneville, Manager Glen Stor Dun Lodge
Robert Hickley, Deputy Chief
Bill de Wit, Division Manager of Municipal Works
Christine Lefebvre, Division Manager, Parks and
Recreation Services
Stephen Wintle, Manager Infrastructure Planning
Division
Tracey Bailey, Accounting Supervisor / Deputy
Treasurer
Christopher Rogers, Chief Building Official

IN-CAMERA SESSION

Motion to **MOVE INTO A CLOSED MEETING** at 6:00 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

- 2 (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

Specifically: Items 1 and 2 Reports 2013-12-IMW-IP and 2013-06-ED

2 (b) personal matters about an identifiable individual, including municipal or local board employees;

Specifically: Items 3 and 4 Reports 2013-19-CL and 2013-11-CL

Moved by: Elaine MacDonald
Seconded by: Syd Gardiner

MOTION APPROVED

Item 1 Report 2013-12-IMW-IP (land acquisition or disposition): Motion to **DEFER** until March 25, 2013.

Item 2 Report 2013-06-ED (land acquisition or disposition): Council directs Administration to proceed according to recommendation.

Item 3 Report 2013-19-CL (personal matters): Council directs Administration to proceed according to recommendation.

Item 4 Report 2013-11-CL (personal matters): Council directs Administration to proceed according to recommendation.

MAYOR reads into the record (of the In-Camera Meeting only)

"There was an In-Camera meeting of Council last week on February 19, 2013, regarding personnel matters. I did not attend that meeting because I wanted to obtain independent legal advice as to whether or not I was in a conflict of interest. If I was in a conflict of interest situation with respect to the matters discussed at that meeting, the Municipal Conflict of interest Act states that, because I was absent at last week's meeting, I must declare that conflict at today's meeting.

On this question, I sought and have received independent legal advice form the national law firm of Blake, Cassels and Graydon. The advice I have received is that I am not, and have not been, in a conflict of interest situation with respect to the matters discussed at last week's in-camera meeting.

Accordingly, I do not have a conflict of interest declaration to make at this meeting.

While I accept my lawyers advice that there is no conflict of interest, I do not intend to participate in Council's consideration of these matters because I would like Council to deal with these matters with as few complications as possible."

OPEN SESSION

**INVOC
ATION**

Père Laurier Rivet
Cathédral de la Nativité

NATIONAL ANTHEM

Assembly

ROLL CALL

ADDITIONS, DELETIONS OR AMENDMENTS

All matters listed under General Consent, save and except "Delegations" are considered to be routine and will be enacted by one motion. Should a Council Member wish an alternative action from the proposed recommendation, the Council Member shall request that this matter be moved to "Communications" at this time.

Amendment

Consent Item #9, Connecting Link Funding Program, was moved to Communication Item #2 for discussion.

DISCLOSURE OF INTEREST

Councillor David Murphy declared an interest in Unfinished Business Item#1, University Project for Cornwall, the United Counties and Akwesasne, due to his employment with one of the organizers.

COMMITTEE OF THE WHOLE

Motion to go into Committee of the Whole and to **CONSIDER** and **REFER** all Minutes, Presentations, Delegations, Consent/Correspondence, Resolutions, Reports and By-laws to that Committee.

Moved By: Gerald E. Samson, Councillor
Seconded By: André Rivette, Councillor

MOTION APPROVED


GENERAL CONSENT

ADOPTION OF MINUTES

Motion to **APPROVE** the following Minutes as amended.

1 February 11, 2013 Cornwall City Council Meeting
Click for detail --> 

2 February 19, 2013 Cornwall City Council Meeting

Click for detail 

Moved By: Syd Gardiner, Councillor
Seconded By: Maurice Dupelle, Councillor

MOTION APPROVED

PRESENTATIONS

There were no Presentations.

DELEGATIONS

There were no Delegations.

CONSENT/CORRESPONDENCE

1 Staff Replacement - Machine Operator 2 / Class A Mechanic

Click for detail --> 

That Council approve the hiring of a Machine Operator 2 / Class A Mechanic for the Municipal Works Division.

2 Staff Replacement - Class A Mechanic for Municipal Works

Click for detail --> 

That Council approve the hiring of a Class A Mechanic for the Municipal Works Division.

3 Staff Replacement - Full-time Personal Support Worker (PSW) at Glen Stor Dun Lodge

Click for detail --> 

That Council approve the replacement of one (1) Full-Time Personal Support Worker

4 Staff Replacement - Full-time Personal Support Worker (PSW) at Glen Stor Dun Lodge

Click for detail --> 

That Council approve the replacement of one (1) Full-Time Personal Support Worker

5 PAC Report Number 1 - By-Law to rezone lands situated at the intersection of Boundary Road and Industrial Park Drive, north of Tenth Street East, Cornwall from Manufacturing 40 (MFR 40) to Manufacturing 40 (MFR 40) with a site specific exception to permit the establishment of a Liquefied Natural Gas (LNG) mobile or permanent refuelling facility.

Click for detail --> 

(AS AMENDED)

(a) That the subject lands be rezoned from Manufacturing 40 (MFR 40) to Manufacturing 40 (MFR 40) with a site specific exception to permit the establishment of an LNG mobile or permanent refuelling facility.

(b) That this development be subject to a Site Plan Control Approval Process to ensure adequate design of the initial mobile facility and future permanent facility; and

(c) As amended by PAC (ie. Councillors Rivette, Gardiner, Samson), that Planning Staff conduct initial best efforts to coordinate for take-up, the Gaz Métro (by representatives) offer for their firefighting and any other related applicable safety training program(s) specific to the proposed LNG refuelling operation. Such training is primarily intended to be given to first responders such as: Fire, Police, E.M.S. services and may also include representatives of the City's Emergency Management Committee, for example. Responses from the Fire and Police Chiefs, Manager of EMS / Fire and Chair of the Emergency Management Committee are to be sought.

6 PAC Report No.2 - February 19, 2013, CPPEC Recommendations - Heart of the City CIP & Brownfield Funding Applications

Click for detail --> 

That Council endorse the four (4) PAC recommendation as presented:

(a) File HOTC#2011-20 Addendum - 141-149 Montreal Rd, Wolfe & Judith Vracar applicant

That HOTC#2011-20 Addendum - 141-149 Montreal Rd request be approved as follows:

Program 2 - Building Restoration & Improvement Program - \$30,000

Program 4 - Facade Improvement Grant - \$10,000

Program 5 - Municipal Planning/Development Fees Grant - actual

Program 6 - Discretionary Municipal Tipping Fees Grant- actual

(b) File HOTC#2013-02 - 17 1/2 Second St E, Shannon Trudeau applicant

That HOTC#2013-02 - 17 1/2 Second St E request be approved as follows:

Program 4 - Sign Grant - \$1,205

Program 5 - Municipal Planning/Development Fees Grant - actual

(c) File BR#2013-01 249 Pitt St, Giovanna Galletto & Eric Charron applicant

That BR#2013-01 249 Pitt St request be approved as follows:

Program 2: Environmental Site Assessment - \$5,000

Program 2: Project Feasibility Study Grant - \$3,000


(d) File HOTC#2011-05 - 118 Pitt St, Gina Roach applicant

That HOTC#2011-05 - 118 Pitt St request be approved as follows:

Program 4 - Sign Grant - \$760

Program 5 - Municipal Planning/Development Fees Grant - actual

7 PAC Report No. 3 - January 21, 2013, CPPEC Recommendations - Heart of the City CIP & Brownfield Funding Applications

Click for detail --> 

That Council endorse the one (1) PAC recommendation as presented:

(a) File HOTC#2012-19 - 145 Pitt St, Pierre Boucher applicant

That HOTC#2012-19 - 145 Pitt St request be approved as follows:

Program 2 - Building Restoration & Improvement Program - \$12,500

Program 5 - Municipal Planning/Development Fees Grant - actual

Program 6 - Discretionary Municipal Tipping Fees Grant- actual

8 Proclamation and Flag Raising - Autism Awareness Day

Click for detail --> 

That Council proclaim April 2, 2013, as "Autism Awareness Day" in the City of Cornwall and that the Autism Flag be flown at 340 Pitt Street for that day.

9 Connecting Link Funding Program

Click for detail --> 

This matter was moved to Communication Item

Motion to **APPROVE** all recommendations listed under General Consent.

Moved By: Denis Thibault, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION APPROVED

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

There were no Resolutions.

UNFINISHED BUSINESS REPORTS

Having previously declared an interest in this matter, Councillor David Murphy stepped away from the table at 7:20.

1 University Project for Cornwall and the United Counties and Akwesasne

Click for detail --> 

Motion to **APPROVE** the contribution of \$10,000 from the 2013 Economic Development Department budget, and up to \$40,000 in additional funds from either the Progress Fund or 2013 Budget conditional upon the Steering Committee also being able to secure the remaining funding from other sources including the United Counties and Akwesasne.

Moved By: Denis Thibault, Councillor
Seconded By: Elaine MacDonald, Councillor

Motion to **REFER** this matter to the Budget Steering Committee.

Moved By: Glen Grant, Councillor
Seconded By: Maurice Dupelle, Councillor

MOTION TO REFER APPROVED

Councillor David Murphy returned to the table.

Mayor Bob Kilger left the room and handed the meeting over to Acting Mayor Glen Grant to Chair at 7:28.

2 Subsequent Pigeon Control Report

Click for detail --> 

Motion to **APPROVE** this report's recommendation and a subsequent By-law will be presented for adoption.

Moved By: Elaine MacDonald, Councillor

Seconded By: Denis Carr, Councillor

Motion to **REFER** this matter to the Property Standards Advisory Committee.

Moved By: Maurice Dupelle, Councillor

Seconded By: Denis Thibault, Councillor

MOTION TO REFER APPROVED

3 City to enter into Letter of Intent with La Généalogie et archives Saint-Laurent as per By-Law 2013-035

Click for detail --> 

Motion to **APPROVE** the By-law authorizing the Mayor and Clerk to sign the Letter of Intent which outlines an agreement with La Généalogie et archives Saint-Laurent (GASL) for the lease of 3,000 square feet of space in the Cornwall Public Library basement to accommodate archival materials for a period of 5 years. The terms of a lease would be subject to obtainment of full grant funding by GASL for the necessary renovations of the allocated space in the basement of the Cornwall Public Library.

Moved By: Denis Carr, Councillor

Seconded By: David Murphy, Councillor

MOTION APPROVED

Acting Mayor Glen Grant handed the meeting over to Councillor Denis Carr to Chair at 7:43. Councillor Syd Gardiner abstains from voting.

4 Sponsorship Package Request - 100 Letter Campaign, Cornwall Free News

Click for detail --> 

Motion to **RECEIVE** Report 2013-05-ED.

Moved By: Gerald E. Samson, Councillor

Seconded By: Elaine MacDonald, Councillor

Motion to **REFUSE** Report 2013-05-ED because it had been postponed without Council requesting a report or setting a presentation date. (DEFER INDEFINITELY)

Moved By: Glen Grant, Councillor

Seconded By: André Rivette, Councillor

MOTION APPROVED

5 Ad Hoc Committee for Long Term Goose Control - Unfinished Business Item 2012-27

Click for detail --> 

Motion to **AUTHORIZE** the creation of a "Long-Term Goose Control Committee" with a mandate as described in the attached draft Terms of Reference, and authorize advertising for membership.

Moved By: Glen Grant, Councillor
Seconded By: Gerald E. Samson, Councillor

MOTION APPROVED

Mayor Bob Kilger returned to Chair the meeting at 7:59.

COMMUNICATIONS / REPORTS

1 City of Cornwall Building and Planning Development Fees Review Study - Final Recommendations

Click for detail --> 

Motion to **SUPPORT**

(a) The subject two year phased Building (Permit) and Planning fee increases, as originally and more specifically described in Table 3 - 6: Recommended Development Fees (\$) of the Watson and Associates Fees Review Study. Certain fee exceptions however, are proposed for the following categories or situations; 1) Minor Variance ("Signage/Fencing" and "Zoning/Land Use") application types; 2) A corrected/readjusted dollar distribution between the two Site Plan Control categories; 3) Contribution for defending decisions at the OMB; 4) Part Lot Control Exemption and; 5) Signs Bylaw Amendment fees carried forward from the previously existing Planning Fees Bylaw, as described in this report.

(b) An alternate fee proposal for both Minor Variance application type fees (Signage/Fencing and Zoning/Land Use) over the same two year phase-in period, as described below and including a special fee for 'handicapped accessibility only' matters:

i.) Minor Variance (Signage/Fencing):

Existing:\$ 225.00

Proposed:

- Minor Project (Defined as being Existing Single and Two Unit (Single Family Dwelling, Semi-Detached and Duplex) Dwellings)

..... \$ 375.00 (Yr.1 - April 1, 2013)

.....\$ 500.00 (Yr. 2- 2014)

(as newly identified/proposed for consideration by Staff with initial PAC direction).

- Major Project (Defined as all Non residential, Brand New Residential (under a year old) and all other existing Residential greater than two units)

.....\$1,050.00 (Yr.1 - April 1, 2013)

.....\$1,875.00 (Yr.2 - 2014)

(as identified for consideration by Andrew Grunda in Table 3 - 6).

ii.) Minor Variance (Zoning/Land Use):

Existing:\$ 270.00

Proposed:

- Minor Project (Defined as being existing Single and Two Unit (Single Family Dwelling, Semi-Detached and Duplex) Dwellings)
.....\$ 425.00 (Yr.1 - April 1, 2013)
.....\$ 580.00 (Yr.2 - 2014)
(as newly identified/proposed for consideration by Staff with initial PAC direction)

- Major Project (Defined as all Non residential, Brand New Residential (under a year old) and all other existing Residential greater than two units)
.....\$1,260.00 (Yr.1 - April 1, 2013)
.....\$2,250.00 (Yr.2 - 2014)
(as identified for consideration by Andrew Grunda in Table 3 - 6).

iii.) The Minor Variance (any type) application fee for any facility dealing with a matter of 'handicapped accessibility only', regardless of building type, shall be a Flat Fee / Base Charge of \$ 270.00.

(c) The Draft Building and Planning Fees Bylaws, as illustrated in Attachments to this report, and incorporating the Fees as previously recommended in Items 1 and 2 above of this report, be passed by Council, and become effective April 1, 2013 and that all subsequent applicable Legislative Notice and/or Appeal processes be implemented, as required.

Moved By: Glen Grant, Councillor
Seconded By: Denis Thibault, Councillor

MOTION APPROVED

2 Connecting Link Funding Program

Click for detail --> 

This item was moved from Consent Item #9 for discussion.

Whereas the Province of Ontario has announced that "Connecting Link" funding will no longer be available to Municipalities;

Whereas with the downloading of "Connecting Link" highways from the Province has also added the liability that accompanies ownership of land to the City;

Whereas it is completely unreasonable and unacceptable to end the Provincial "Connecting Link" funding to municipalities, thereby directing the complete onus of 100 percent cost for highway maintenance, repair, replacement and liability protection to Municipalities;

Whereas Connecting Link highway repairs and upgrades funded through the MIII Capital Fund will have a significant negative impact on municipal ability to receive MIII funding to provide necessary repairs or upgrades for any other capital need;

Whereas the Corporation of the City of Cornwall supports the resolution adopted by the Town

of Bancroft;

THEREFORE, BE IT RESOLVED THAT the Council of the Corporation of the City of Cornwall hereby petitions the Provincial Government, Ministry of Finance, to reconsider their decision to end Connecting Link funding opportunity for Municipalities and to consider Provincial significance of Connecting Link highway based on annual use, and in good faith to consider municipal ability to pay, that will have a negative impact on municipal performance and Provincial expectations.

Moved By: Elaine MacDonald, Councillor
Seconded By: Gerald E. Samson, Councillor

MOTION APPROVED

TENDERS

1 Tender No. 13-T06 Supply of Armoured Truck Service - Various Locations

 - Submission


Motion to **AWARD** Tender 13-T06 to Brink's Canada Limited from Mississauga, Ontario, for a three (3) year period with the option of renewal for one (1) additional year at the total bid price of \$27,154.31 (net cost to the Corporation - \$24,453.29) being the best bid meeting the tender specifications.

Moved By: André Rivette, Councillor
Seconded By: Maurice Dupelle, Councillor

MOTION APPROVED

NEW BUSINESS

1 Tax Exemptions

 - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - Tax Exemptions

WHEREAS the City of Ottawa has recently appealed to the Government of Ontario to put a three-year limit on tax write-offs; and

WHEREAS Cornwall has often discussed the problem of inactive and sometimes derelict site, especially former gas bars or service stations

WHEREAS Council has a newly established Property Standards Advisory Committee to assist with proactive property standards enforcement;

WHEREAS notwithstanding that we have to strike a fair balance between assisting commercial property owners who need a temporary respite from taxation and the other extreme of giving a respite that might enable absentee landlords to neglect their properties to the extent that they constitute a blight and danger to the neighbourhood;

NOW THEREFORE BE IT RESOLVED THAT Administration be directed to report on:

1. The extent of the power municipalities currently enjoy in the area of tax exemptions
2. A review of any attempts Council may have made in the matter in the past;
3. The advisability and desirability of our adding our voice to that of the City of Ottawa, to petition the Government of Ontario to revoke the rebate after a three-year period, except in cases where the interest and activity of the property owner is obvious and ongoing.

Moved By: Elaine MacDonald, Councillor
Seconded By: Syd Gardiner, Councillor

PASSING OF BY-LAWS

Motion to **APPROVE** By-laws 2013-031 to 2013-041 inclusive, listed on the Agenda.

By-law 2013-013

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to further amend By-law 2010-142 which By-law is to appoint Members of Council to Boards, Committees and Commissions for this term of Council, December 2010 to November 2014 - Property Standards Advisory Committee by appointing Councillor Maurice Dupelle and Councillor Bernadette Clément

By-law 2013-032

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to extend the contract Agreement for the Cornwall Business Enterprise Centre - Business Consultant, Candace Pollard for a period of one year.

By-law 2013-033

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize The Corporation of the City of Cornwall to enter into various Heart of the City (HOTC) Program 2: Building Restoration and Improvement Program Funding Agreements
☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - Explanation of Purpose and Effect for HOTC Application Program 2 Agreement to By-law 2013

By-law 2013-034

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to further amend By-law No. 751-1969, as amended, by the Corporation of the City of Cornwall, being a By-law respecting the use of land and location of building described as Part of Lot D, Concession 2, being Part of Part 1 on Plan 52R-1495, situated at the southwest corner of Boundary Road and Industrial Park Drive, north of Tenth Street East, Cornwall.
☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - Explanatory Note to By-law 2013 - 34 Site specific Zoning By-law Amendment to the Manufacturing 40 zone (MFR 40) to allow the establishment of a Liquefied Natural Gas (LNG) mobile or permanent refuelling station (Gaz Métro) on lands situated at the intersection of Boundary Road and Industrial Park Drive, north of Tenth Street East, Cornwall. (PAC File Z-12-12).

By-law 035

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize the City

to enter into a Letter of Intent with La Généalogie et archives Saint-Laurent (GASL).

By-law 2013-036

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize The Corporation of the City of Cornwall (on behalf of the Glen Stor Dun Lodge) to enter into Funding Agreement-Community Support Services Common Assessment Project)

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - Explanatory Note for MOH Funding Agreement-Community Support Services Common Assessment Project

By-law 2013-037

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize The Corporation of the City of Cornwall, as Consolidated Municipal Service Manager, to renew Domiciliary Care Program Agreements with various providers for 2013

By-law 2013-038

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize The Corporation of the City of Cornwall to enter into a Purchase and Sale Agreement with Gilles Proulx and to repeal By-law No. 2013-018

By-law 2013-039

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to authorize The Corporation of the City of Cornwall to enter into a Purchase and Sale Agreement with George Belis and to repeal By-law No. 2013-017.

By-law 2013-040

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to fully Repeal and Replace By-law # 034-2008, as further amended, to establish new revised fees for the processing of applications made in respect of Planning Matters and to come into effect commencing April 1, 2013.

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - Explanatory Note to a Repeal and Replace Bylaw to Amend Certain Fees of By-law # 034-2008, the Planning Fees Bylaw.

By-law 2013-041

☐ - Submission Cornwall City Council - 25/02/2013 7:00:00 PM - A By-law to amend By-law #146-2005, a By-law cited as the 'Building By-law' respecting building permits, and related matters including fees.

Moved By: Glen Grant, Councillor
Seconded By: André Rivette, Councillor

MOTION APPROVED

REPORTS FROM STANDING / SPECIAL COMMITTEES OF COUNCIL

There were no Reports from Standing nor Special Committees of Council.

NOTICES OF MOTION

There were no Notices of Motion.

PENDING BUSINESS LISTING

The Pending Business Listing was presented and no discussion ensued.

CONFIRMING BY-LAW

Motion to **APPROVE** By-law 2013-042, being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meeting held on Monday, February 25, 2013.

Moved By: André Rivette, Councillor
Seconded By: Maurice Dupelle, Councillor

MOTION APPROVED

ADJOURNMENT

Motion to **ADJOURN** the Public Meeting of Council at 8:17 p.m.

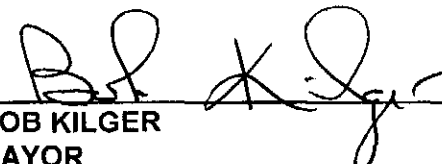
Moved By: Denis Thibault, Councillor
Seconded By: Glen Grant, Councillor

MOTION APPROVED

The next regular public meeting of Council is to be held on Monday, March 25, 2013.



**HELEN FINN
CITY CLERK**



**BOB KILGER
MAYOR**



**MANON L. POIRIER
DEPUTY CITY CLERK**

Moved By: Elaine MacDonald, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION APPROVED

Moved By: Elaine MacDonald, Councillor
Seconded By: Bernadette Clément, Councillor

MOTION APPROVED