

Minutes Cornwall City Council

Meeting ID: 2018-08
Meeting Date: Mon March 26, 2018 07:00 PM
Location: Council Chambers
Chair: CN=Leslie O'Shaughnessy/OU=CITYHALL/O=CityCornwall
Prepared By: Debbie Caskenette, Deputy Clerk

Attendance Committee Members:

Leslie O'Shaughnessy, Mayor
Claude E. McIntosh, Councillor
Elaine MacDonald, Councillor
Denis Carr, Councillor
Maurice Dupelle, Councillor
Bernadette Clement, Councillor
Mark A. MacDonald, Councillor
Andre Rivette, Councillor
Carilyne Hébert, Councillor
Justin Towndale, Councillor
David Murphy, Councillor

Attendance Staff:

Maureen Adams, Chief Administrative Officer
Manon L. Levesque, City Clerk
Debbie Caskenette, Deputy Clerk
Geoffrey Clarke, General Manager, Corporate Services
Pierre Voisine, Fire Chief
Tracey Bailey, General Manager, Financial Services
John St Marseille, General Manager, Infrastructure and Municipal Works
Mark A. Boileau, General Manager, Planning, Development and Recreation
Bill Lister, Manager, Employee Relations
Stacey Ferguson, Manager, Social and Housing Services
Bob Peters, Division Manager, Economic Development
Norm Quenneville, Manager Glen Stor Dun Lodge
James Fawthrop, Division Manager, Parks and Recreation
Scott Porter, Supervisor, Parks & Landscaping

IN-CAMERA SESSION

Motion to move into a Closed Meeting at 5:00 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

Item #1, Report 2018-028-HR, Collective Bargaining Update

d) labour relations or employee negotiations

Action Taken at In-Camera Meeting: Council received this report.

Item #2, Report 2018-02-PDR-RS, Proposed Land Acquisition

c) a proposed or pending acquisition or disposition of land by the municipality or local board

Action Taken at In-Camera Meeting:

Item #3, Report 2018-03-IMW-MW, Building Repairs

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Action Taken at In-Camera Meeting:

Item #4, Report 2018-05-CAO, Potential Land Acquisition

c) a proposed or pending acquisition or disposition of land by the municipality or local board

Action Taken at In-Camera Meeting:

Item #5, Report 2018-022-CL, Lay Appointment to the Economic Strategic Development Implementation Committee

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

Action Taken at In-Camera Meeting:

Item #6, Report 2018-023-CL, Lay Appointment to the Culture Plan Committee

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

Action Taken at In-Camera Meeting:

MOMENT OF PERSONAL REFLECTION

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.

- 1 Addition of the AMCTO Report, Municipal Council Compensation in Ontario, as part of Communications Item #9, Council Compensation for Term of 2019 to 2022 (Part 2).
- 2 Addition of By-law 2018-034 to authorize The Corporation of the City of Cornwall to enter into an Agreement of Purchase and Sale with Canadian National Railway Company for the purchase of properties adjacent to the Benson Centre.
- 3 Amendment to the number of the Confirming By-law from 2018-034 to 2018-035.
- 4 Addition of New Business Item, Edible Landscape Strategy.
- 5 Communications Item #1, Development Charges - 2017 Background Study moved to immediately follow the presentation on the same subject.
- 6 Consent Item #5, PAC Report No. 1 - Application for a Draft Plan of Condominium (Conversion) moved to Communications as Item #10 for discussion.

ADOPTION OF AGENDA

Motion to adopt the Agenda as amended.

Moved By: David Murphy, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

DISCLOSURE OF INTEREST

Councillor Mark A. MacDonald disclosed a conflict of interest related to Presentations - Development Charges and Item #1 under Communications, Development Charges - 2017 Background Study as he is involved in development in the east end.

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: André Rivette, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

Motion to endorse the following Minutes as presented.

1 February 26, 2018 Cornwall City Council Meeting

Click for detail --> 

2 March 2, 2018 Cornwall City Council Meeting

Click for detail --> 

3 March 5, 2018 Cornwall City Council Meeting

Click for detail --> 

Moved By: Maurice Dupelle, Councillor

Seconded By: Bernadette Clément, Councillor

Motion Carried

PRESENTATIONS

1 Caydence Andre, Volunteer and Fundraiser - Book of Recognition

Click for detail --> 

Caydence Andre was congratulated on her fundraising accomplishments and invited to sign the Book of Recognition.

Having declared a conflict of interest on this matter, Councillor Mark A.

MacDonald stepped away from the table.

2 Development Charges by Andrew Grunda of Watson & Associates Economists Ltd. - Presentation to Council

Click for detail --> 

Andrew Grunda, Watson & Associates Economists Ltd. presented a brief overview of the 2017 Development Charges (DC) Background Study, the proposed City-Wide DC By-law and the proposed Brookdale Avenue North Corridor DC By-law.

Motion to receive the presentation.

Moved By: André Rivette, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

3 Development Charges - 2017 Background Study

Click for detail --> 

Motion to:

- a) approve the capital project listing set out in Chapter 4 of the DC Background Study dated December 22, 2017, subject to further annual review during the capital budget process, and
- b) that pursuant to Section 10(1) of the *Development Charges Act, 1997*, the 2017 DC Background Study dated December 22, 2017 prepared by Watson and Associates Economists Ltd. be adopted, and
- c) that with Council's endorsement of the 2017 DC Background Study, the DC By-Laws will be included for approval on the Agenda at the Council meeting of April 9, 2018, and
- d) that it be confirmed that Council has determined that no further notice or public meetings are required pursuant to Section 12 of the *Development Charges Act, 1997*.

Amendment to Motion to change the phase-in of development charges from 5 years to 7 years.

Moved By: David Murphy, Councillor

Seconded By: Carilyne Hébert, Councillor

A recorded vote on this matter resulted as follows:

Votes For = 5

Claude E. McIntosh, Councillor
Bernadette Clement, Councillor
Carilyne Hébert, Councillor
Justin Towndale, Councillor
David Murphy, Councillor

Votes Opposed = 5

Leslie O'Shaughnessy, Mayor
Elaine MacDonald, Councillor
Denis Carr, Councillor
Maurice Dupelle, Councillor
Andre Rivette, Councillor

Motion Defeated for Want of Majority

Amendment to the Motion to include Brownsfields to the list of Non-Statutory Exemptions.

Moved By: Bernadette Clément, Councillor
Seconded By: Carilyne Hébert, Councillor

Motion Carried

Mayor Leslie O'Shaughnessy stepped away from the chair to speak on the matter. Acting Mayor Denis Carr presided over the discussion and subsequent vote.

Motion to approve the Main Motion as amended.

Moved By: André Rivette, Councillor
Seconded By: Elaine MacDonald, Councillor

A recorded vote on this matter resulted as follows:

Votes For = 8

Leslie O'Shaughnessy, Mayor
Claude E. McIntosh, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor
Bernadette Clement, Councillor
Andre Rivette, Councillor

Carilyne Hébert, Councillor
Justin Towndale, Councillor

Votes Opposed = 2

Denis Carr, Councillor
David Murphy, Councillor

Motion Carried

Mayor O'Shaughnessy returned to the chair.

DELEGATIONS

There were no Delegations.

CONSENT/CORRESPONDENCE

Councillor Mark A. MacDonald returned to the table.

1 Proclamation of Daffodil Month

Click for detail --> 

Motion to proclaim the month of April, 2018, as "Daffodil Month" in the City of Cornwall.

2 Proclamation of World Autism Day and Raising of the Flag

Click for detail --> 

Motion to proclaim April 3, 2018, as "World Autism Awareness Day" in the City of Cornwall and to allow the Autism Ontario flag to be flown at 360 Pitt Street.

3 Temporary Closure of for Cornwall Food Fest and Kinsmen in Motion Car Show

Click for detail --> 

(a) Motion to approve the temporary closure of Pitt Street, from Water Street to Third Street, and First Street, from Pitt Street to Augustus Street and of First Street, from Augustus Street to Pitt Street, and of George Assaly Lane on Saturday, August 18, 2018, from 5:30 a.m. to 11:00 p.m. subject to the requirements contained in the City's Corporate Policy on Temporary Street Closures for Special Events.

(b) Motion to approve a one-day exemption from By-law 192-2005, Mobile Food Premise, provision 32 (500' radius) and provision 40 (public road prohibition Pitt Street) in order to accommodate food truck on the street for the festival.

4 Petition Opposing the Sidewalk Project on Grant Avenue

Click for detail --> 

Motion to refer this Petition to Administration for a report.

5 PAC Report No. 1 - Application for a Draft Plan of Condominium (Conversion) - PAC File CD-2018-01, located at 1430 and 1450 First Street East, (Lorneville Apartments), legally described as Part of Lot 3, Concession 1, as shown on Reference Plan 52R-762

Click for detail --> 

This matter was moved to Communications as Item #10 for discussion.

6 Response Time Standard Notification

Click for detail --> 

Motion to receive this report.

Motion to approve Consent Items #1 through #4 and #6 of the Consent portion of the Agenda as presented.

Moved By: Bernadette Clément, Councillor

Seconded By: André Rivette Councillor

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

There were no Resolutions.

UNFINISHED BUSINESS REPORTS

1 Safety Zone on Eighth Street West between York Street and Augustus Street and on Nick Kaneb Drive between Holy Cross Boulevard and Marleau Avenue

Click for detail --> 

Motion to approve the following recommendations:

(a) That the designation of a "Community Safety Zone" be implemented on Eighth Street West, between York Street and Augustus Street;

(b) That the designation of a "Community Safety Zone" be implemented on Nick Kaneb Drive between Holy Cross Boulevard and Marleau Avenue.

Moved By: André Rivette, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

COMMUNICATIONS / REPORTS

1 Development Charges - 2017 Background Study

Click for detail --> 

This matter was moved to follow the Presentation on the same topic for discussion.

2 Renewal of Domiciliary Hostel Agreements

Click for detail --> 

Motion for the City of Cornwall as Consolidated Municipal Service Manager, authorize renewal of agreements to continue with the Domiciliary Care Program which serves, on average (monthly), 221 vulnerable clients in Cornwall and Stormont, Dundas & Glengarry.

Moved By: Mark A. MacDonald, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

3 Request for Removal of Part Lot Control from C.H. Clément Construction Inc. on Block 10 of Registered Plan 52M-35 - Clément Court Subdivision

Click for detail --> 

Motion to approve the following:

a) That Part Lot Control be removed only from Block 10 of Registered Plan 52M-35, Clément Court Subdivision; and

b) That Part Lot Control be reinstated on the townhouse lots in the Clément Court Subdivision, once the subject lots have been created by the appropriate procedure.

Moved By: Mark A. MacDonald, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion Carried

4 Municipal Accommodation Tax - Follow Up Report

Click for detail --> 

Motion to endorse of the Municipal Accommodation Tax Program, the related By-law will be included for approval on the Agenda for the next Regular Council Meeting of April 9, 2018.

Moved By: Maurice Dupelle, Councillor
Seconded By: Carilyne Hébert, Councillor

Motion Carried

5 Introduction of New Business Items by Council Members at an In-Camera Meeting

Click for detail --> 

Motion to:

(a) Adopt the Notice of Motion procedure and direct Administration to incorporate it into the Procedural By-law

(b) Adopt the New Business procedure and direct Administration to incorporate it into the Procedural By-law

Moved By: Maurice Dupelle, Councillor
Seconded By: Bernadette Clément, Councillor

Motion Carried

6 Bill 68 - Modernizing Ontario's Municipal Legislation Act

Click for detail --> 

Motion to:

(a) Adopt the Notice of Motion procedure and direct Administration to incorporate it into the Procedural By-law

(b) Adopt the New Business procedure and direct Administration to incorporate it into the Procedural By-law

Moved By: Maurice Dupelle, Councillor
Seconded By: Bernadette Clément, Councillor

Motion Carried

7 Hiring Freeze - Motion from Budget Steering Committee

Click for detail --> 

(a) Motion to receive this report.

Moved By: André Rivette, Councillor
Seconded By: David Murphy, Councillor

Motion Carried

(b) Motion to approve a hiring freeze on all positions pending Council approval.

Clerk, Manon Levesque noted that there is a policy in place that authorizes the CAO to take responsibility for decisions related to internal, non-Council operational policy and human resources related matters. If Council wanted to proceed on the motion, it would require 2/3's majority. Should Council become in a lame duck position on July 27, 2018, the powers would revert back to the CAO.

Mayor O'Shaughnessy called for a simple majority vote.

A recorded vote on this matter resulted as follows:

Votes For = 4

Maurice Dupelle, Councillor
Mark A. MacDonald, Councillor
Andre Rivette, Councillor
David Murphy, Councillor

Votes Opposed = 7

Leslie O'Shaughnessy, Mayor
Claude E. McIntosh, Councillor
Elaine MacDonald, Councillor
Denis Carr, Councillor
Bernadette Clement, Councillor
Carilyne Hébert, Councillor
Justin Towndale, Councillor

Motion Defeated

8 2017 Annual Remuneration and Expense Statement - Elected Officials

Click for detail --> 

Motion to receive the 2017 statement of remuneration and expenses paid to members of Council in accordance with Section 284 of the *Municipal Act, 2001* .

Moved By: David Murphy, Councillor
Seconded By: Justin Towndale, Councillor

Motion Carried

9 Council Compensation for Term of 2019 to 2022 (Part 2)

Click for detail --> 

(a) Motion to receive the report.

Moved By: David Murphy, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

(b) Motion to defer the Council Compensation for the term of December 1, 2018 to November 30, 2022 to the Council meeting of Monday, April 9, 2018.

Moved By: David Murphy, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

10 PAC Report No. 1 - Application for a Draft Plan of Condominium (Conversion) - PAC File CD-2018-01, located at 1430 and 1450 First Street East, (Lorneville Apartments), legally described as Part of Lot 3, Concession 1, as shown on Reference Plan 52R-762

Click for detail --> 

This matter was moved from Consent Item #5 for discussion.

Motion to endorse the PAC recommendation as presented:

(a) That the application dated June 13th, 2017, from Realstar Management to convert the 248 residential apartments into condominiums at 1430 and 1450 First Street East, legally described as Concession 1, Part Lot 3, be given approval in principle, subject to the Draft Plan conditions dated March 5th, 2018 contained in Appendix "A" to this technical report; and

(b) That upon final condominium drawings being prepared by an Ontario Land Surveyor and being reviewed and confirmed, that final approval be granted to the Plan of Condominium.

(c) That Council endorse the corresponding Resolution 2018-06

Click for detail --> 

Moved By: Justin Towndale Councillor

Seconded By: André Rivette, Councillor

Motion Carried

TENDERS AND REQUESTS FOR PROPOSALS

1 Tender 18-T03 Centreline Pavement Markings

Click for detail --> 

Motion to award Tender 18-T03 to Stoneline Limited, from Whitby, Ontario at the total bid price of \$105,824.50 (net cost to the Corporation - \$95,298.24) with the option to renew for three additional one year extensions, being the best bid meeting the tender specifications.

Moved By: Elaine MacDonald, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

2 Tender 18-T05 Tree Stumping - Spring 2018

Click for detail --> 

Motion to award Tender 18-T05 to AA Landscaping Limited from Greely, Ontario, at the total bid price of \$36,286.56 (net cost to the Corporation - \$32,677.17) being the best bid meeting the tender specifications.

Moved By: Justin Towndale, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion Carried

3 Tender 18-T06 Crack Sealing on Various City Streets

Click for detail --> 

Motion to award Tender 18-T06 to Roadlast Asphalt and Sealing Maintenance Incorporated, from Kemptville, Ontario, at the total bid price of \$31,082.06 (net cost to the Corporation - \$27,990.36) being the best bid meeting the tender specifications.

Moved By: Elaine MacDonald, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion Carried

4 Tender 18-T18 Supply, Delivery and Spring Planting of Various 40mm Caliper Trees

Click for detail --> 

Motion to award Tender 18-T18 to Macdonell's Garden Centre from Cornwall, Ontario, at the total bid price of \$71,190.00 (net cost to the Corporation - \$64,108.80) being the best bid meeting the tender specifications.

Moved By: David Murphy, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

5 Tender 18-T17 Supply of Electrical Services for City Departments - Two Years

Click for detail --> 

Motion to award Tender 18-T17 to MA Electric Poleline from Long Sault, Ontario, for a two year period from May 1, 2018 to April 30, 2020 with an option to renew for an additional one year term, being the best bid meeting the tender specifications.

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

Motion Carried

6 Request for Proposal 17-P20 Municipal Works Yard - Stand-by Power System Assessment and Design

Click for detail --> 

Motion to award RFP 17-P20 to WSP Canada Incorporated, from Cornwall, Ontario, at the total bid price of \$52,096.39 (net cost to the Corporation - \$46,914.41) being the best Proposal meeting the specifications.

Moved By: Carilyne Hébert, Councillor
Seconded By: Elaine MacDonald, Councillor

Motion Carried

NEW BUSINESS

1 Edible Landscape Strategy

Click for detail --> 

Motion to refer the matter to Administration for a report.


Moved By: Carilyne Hébert, Councillor
Seconded By: Bernadette Clément, Councillor


Motion Carried

PASSING OF BY-LAWS


Motion to endorse By-laws 2018-028 to 2018-034 inclusive, listed on the Agenda.


2018-025 A By-law to appoint Scott Porter as Municipal Weed Inspector
Click for detail --> 


2018-026 A By-law to dedicate lands as public highway and name them Tenth Street East
Click for detail --> 


Explanatory Note 2018-026 Explanatory Note to Bylaw to dedicate lands as public highway and name them Tenth Street East
Click for detail --> 


2018-027 A By-law to authorize The Corporation of the City of Cornwall to enter into a Renewal Agreement with The Minister of Infrastructure for Hydro One lands used for the purpose of four monitoring wells
Click for detail --> 


Explanatory Note 2018-027 Explanatory Note to By-law entering into a Renewal Agreement with the Minister of Infrastructure for the monitoring wells
Click for detail --> 


2018-028 A By-law to provide that Sub-Section (5) of Section 50 of the Planning Act, R.S.O. 1990, Chapter p.13 (as amended), does not apply to Block 10 of Registered Plan 52M-35, in the City of Cornwall, designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 on Plan 52R-8100, and municipally known as 1121, 1123, 1125, 1127, 1129, 1131, 1133 and 1135 Clément Court
Click for detail --> 


Explanatory Note 2018-028 An Explanatory Note to request removal of Part Lot Control from C.H. Clément Construction Inc. on Block 10 of Registered Plan 52M-35 - Clément Court Subdivision.
Click for detail --> 


2018-029 A By-law to authorize The Corporation of the City of Cornwall to enter into a Temporary Supplemental Agreement to Lease with The St. Lawrence Seaway Management Corporation for the use of lands for the bicycle path (SLSMC Lease #64-662)
Click for detail --> 


2018-030 A By-law to authorize The Corporation of the City of Cornwall to renew its Annual Agreements with the current Domiciliary Hostel Care Providers for 2018, as proposed in the 2018 Municipal Budget
Click for detail --> 

2018-031 A By-law to authorize The Corporation of the City of Cornwall (on behalf of the Glen Stor Dun Lodge) to update and amend Schedules A, B, C, D and E of the 2018-2019 fiscal year of the current Long Term Care Home Service Accountability Agreement that is in place from April 1, 2016, to March 31, 2019, with the Champlain Local Integration Network (LHIN)
Click for detail --> 

2018-032 A By-law to enter into a one year Operating Agreement for Marina 200 with Leader Sports beginning April 2018 to November 2018
Click for detail --> 

2018-033 A By-law to authorize The Corporation of the City of Cornwall to enter into a Service Agreement with the Mohawk Council of Akwesasne to accept its curbside residential garbage for a fee at the Cornwall Waste Disposal Site
Click for detail --> 

Explanatory Note 2018-033 Explanatory Note to By-Law to enter into a Service Agreement with the Mohawk Council of Akwesasne to accept its curbside residential garbage for a fee at the Cornwall Waste Disposal Site
Click for detail --> 

2018-034 A By-law to authorize The Corporation of the City of Cornwall to enter into an Agreement of Purchase and Sale with Canadian National Railway Company for the purchase of properties adjacent to the Benson Centre
Click for detail --> 

Moved By: Mark A. MacDonald, Councillor
Seconded By: Bernadette Clément, Councillor

Motion Carried

REPORTS FROM STANDING / SPECIAL COMMITTEES OF COUNCIL

1 Councillor David Murphy commended City Staff for their involvement and dedication towards the success of the recently held Rogers HomeTown Hockey event.

2 Councillor Elaine MacDonald acknowledged the recognition of Akwesasne by ways of new signage throughout the City and area.

3 Councillor André Rivette mentioned that Dr. Paul Roumeliotis of the Eastern Ontario Health Unit had concerns with the level of grass cutting budget reductions due to a possible increase in ticks along walking and cycling routes and that these reduction recommendations would be reconsidered.

4 Councillor Bernadette Clément expressed her appreciation to the flying of the Drapeau Franco Ontarien in the Council Chambers. Mayor O'Shaughnessy thanked the francophone community for the donation of the flag.

5 Councillor Mark A. MacDonald provided updates from the Joint Services Liason Committee and the Fire Master Plan Committee.

6 Mayor Leslie O'Shaughnessy requested dates for the next Budget Steering Committee meeting. Monday, April 9, 2018 at 1:00 pm was established for the next budget meeting.

NOTICES OF MOTION

There were no Notices of Motion.

PENDING BUSINESS LISTING

The Pending Business Listing was presented and no discussion ensued.

1 Unfinished Business Listing for March 26, 2018

Click for detail --> 

Motion to receive the Unfinished Business Listing for March 26, 2018.

Moved By: Bernadette Clément, Councillor

Seconded By: Maurice Dupelle, Councillor

Motion Carried

CONFIRMING BY-LAW

Motion to endorse By-law 2018-035, 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, March 26, 2018.

1 A By-law to adopt, ratify and confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, March 26, 2018

Click for detail --> 

Moved By: Bernadette Clément, Councillor
Seconded By: Carilyne Hébert, Councillor

Motion Carried

ADJOURNMENT

Motion to adjourn the Public Meeting of Council at 9:28 p.m.

The next regular public meeting of Council is to be held on Monday, April 9, 2018.

Manon L. Levesque
City Clerk

Leslie O'Shaughnessy
Mayor