



## REGULAR COUNCIL #34-99

Monday, December 13, 1999  
Meeting began at 7:30 p.m.

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**PRESENT:** A Regular Council meeting was held this evening with the following members present: Mayor Brian Sylvester, Councillors Chris Savard, Denis Carr, Dean Hollingsworth, Perry Lalonde, Claude Poirier, Korey Kennedy, Brian Lynch, Sheila Airey, André Rivette, and Naresh Bhargava.

**ADMINISTRATION:** Richard Allaire, Chief Administrative Officer / Clerk, David Fielding, Assistant Chief Administrative Officer / Manager, Engineering and Environmental Services, Anita Roach, Graham Dart, Fernand Hamelin, Stephan Alexander, Susan Cain, Sherman Goodwin and Denise Labelle-Gélinas, Deputy Clerk / Recording Secretary.

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**INVOCATION** ~Kate Gregory - Knox St. Paul's United Church

**ADDITIONS / DELETIONS / CORRECTIONS** Nil

### DISCLOSURE OF INTEREST

Councillor Claude Poirier declared an interest on item Communication #4 due to his employment by a food service provider who could be viewed as a possible competitor to the parties in the reports.

**PRESENTATIONS** Nil

### ADOPTION OF MINUTES

It was moved by Councillors Claude Rivette and Perry Lalonde that the Regular Council Meeting minutes #32-99 dated November 22, 1999 be approved as amended.

Motion Carried

It was Moved by Councillors Claude Poirier and Andre Rivette That the Special Regular minutes of Council #33-99 dated Monday November 29, 1999 be approved as presented.

Motion Carried

It was moved by Councillors Brian Lynch and Perry Lalonde that the Committee of Council Meeting minutes #31-99 dated November 22, 1999 be approved as presented.

Motion Carried

## COMMITTEE OF THE WHOLE

It was moved by Councillors Dean Hollingsworth and Denis Carr that Council go into the Committee of the Whole and that all delegations, resolutions, communications and by-laws be referred to that Committee and that by-laws 135-1999 to 141 -1999 inclusive be given first reading.

Motion Carried

### **BY-LAWS - First Reading**

- 135-1999 A Bylaw authorizing the Municipality to enter into a five year lease agreement with Teletech for Municipal telecommunications purposes. [approved by Council Dec.14/98]
- 136-1999 A Bylaw to further amend Bylaw no. 751-1969, The Zoning Bylaw as amended of the City of Cornwall, being a Bylaw respecting the use of land and the use and location of Buildings (Raymond Sullivan at 616, 620 Ridley Avenue, 28 Seventh Street West and the rear portion of 30 Seventh Street West)
- 137-1999 A Bylaw to amend the Official Plan (Amendment no. 61) (Raymond Sullivan )
- 138-1999 A Bylaw to authorize a release of easement to Seaway Valley Farmers Energy Cooperative.
- 139-1999 A Bylaw to enter into an agreement with Cornwall District Heating (CDH) Limited to provide heating to the Justice Building effective January 1, 2000. [explanatory note page 80 ]
- 140-1999 A by-law to name and dedicate Part 3 of Reference Plan 52R-5838 as Public Highway and name it SCM Way
- 141-1999 A Bylaw authorizing the expropriation of lands legally described as the East Half of Lot D, Concession 2, designated as Part 1 on Registered Plan 52R-1495 with Korsch Investments Ltd. [approved by Committee of Council Oct. 12/99]

## DELEGATIONS

Lincien College of Business & Technology - Mrs. Linda Lalonde, President

Mrs. Linda Lalonde, President of Lincien College of Business & Technology appeared before City Council to provide them with a brief overview of the high tech initiatives their college were providing and emphasized on the connectivity, infrastructure and IT ambitions they were entering into.

In conclusion to her presentation, Mrs. Lalonde indicated that she wished to return before Council at a meeting within the near future to provide an indepth presentation on the many services and initiatives they provide.

Moved by Councillors Andre Rivette and Claude Poirier that the delegation be received and they Mrs. Lalonde be invited to make a formal request to appear before City Council at a meeting within the New Year.

Motion Carried

## RESOLUTIONS

#13-1999 ~ Moved by Councillors Dean Hollingsworth and Claude Poirier

**WHEREAS** the municipality will soon be entering budget deliberations; and  
**WHEREAS** the municipality should be looking to reduce costs anyway possible; and  
**WHEREAS** the police department is among the largest department in the municipality with the largest potential for savings;

**NOW THEREFORE** be it resolved that City Council ask administration for a report on the possibility of a request for a proposal from the O.P.P. regarding the delivery of the police service in the City of Cornwall

A recorded vote on the main motion resulted as follows:

	YEA	NAY
Mayor Brian Sylvester		✓
Sheila Airey		✓
Denis Carr		✓
Perry Lalonde		✓
Chris Savard		✓
Korey Kennedy	✓	
Claude Poirier		✓
Andre Rivette		✓
Dean Hollingsworth	✓	
Brian Lynch		✓
Naresh Bhargava		✓
MOTION DEFEATED	2	9

## CONSENT

It was moved by Councillors Denis Carr and Perry Lalonde that the Consent Agenda be approved.

Motion Carried

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A. **Corporation of the Township of St. Joseph** ~ Moved to Communication #19

B. **Federation of Canadian Municipalities**

That Council approve to pay Membership Fee for April 1, 2000 to March 31, 2001 in the amount of \$4,745.49. (1999 fees ~ \$4550.69)

C. **Petition for Wards System** ~ Moved to Communication #20

D. **Planning Advisory Committee No. 5-1**

That the application for a Zoning Bylaw Amendment from Residential 30 to Residential 30 with site-specific exception and an Official Plan Amendment from Urban Residential to General Commercial with a special policy to allow for the establishment of a commercial parking lot in support of an existing funeral home on subject site municipally known as 616 and 620 Ridley Avenue, 28 Seventh St. West and the rear portion of 30 Seventh St. West in the City of Cornwall. (File #275) be approved as follows:.

That the subject property at Seventh Street and Ridley Avenue be redesignated and rezoned on a site-specific basis, conditional on the following:

- A. That the proponent enter into a Site Plan Agreement with the Municipality to address issues including access, screening and fencing, signage, landscaping;
- B. That this rezoning recognize a variance to the Bylaw requirements for a 3 metre landscape strip to permit a minimum landscape strip of 1 metre;
- C. That the applicant demonstrate, prior to passing the Bylaw, that a proper storm drainage system can be accommodated on site as per the Engineering comments found in this report.

E. **Optimist Club of Cornwall**

That Council endorsement in declaring Wednesday December 15<sup>th</sup> as Youth Appreciation Day in the City of Cornwall.

F. **Audit Committee Minutes** - Meeting 99-06

That Council receive the minutes

## COMMUNICATIONS

1. **Unfinanced Capital Outlay**

Moved by Councillors Brian Lynch and Perry Lalonde

1. That the unallocated surplus from 1998 in the amount of \$750,000 be allocated to the Unfinanced Capital Outlay;
2. That the principal amount of the Progress Fund be reduced by \$4,850,000, and that this amount be used to fund the balance of the Unfinanced Capital Outlay;
3. When the 1999 year-end is finalized, that Council consider directing a portion of the 1999 surplus, if any, to the Progress Fund. A portion should also be contributed to Working Capital so that the City can work towards achieving its target.
4. That any excess interest in the fund, after providing for the Aquatic Centre funding and the CPI adjusted base amount, be added to the principal amount of the Progress Fund until a target of \$25,000,000 is reached.

Further to a lengthy discussion, it was Moved by Councillors by Naresh Bhargava and Andre Rivette that this matter be postponed until the Comprehensive Audit has been completed by BDO Dunwoody and they they be requested to provide an opinion on ways to finance the Capital Outlay.

The motion to postpone CARRIED

2. **Tender 99-T66 ~ Tractor Backhoe, Complete with Operator**

Moved by Councillors Denis Carr and Andre Rivette

1. That this tender be awarded beginning with Hec's Tree & Backhoe for Items 1 - Water works, Item 2- Sewers and Item 3 - Roads at an hourly rate of \$33.50; and
2. That Items 1A - Waterworks, Item 2A - Sewers, be on a "as required" basis beginning with Hec's Tree and Backhoe, D & D Construction and Malyon's Excavation; and
3. That Items 3A-Roads be on a "as required" basis beginning with Hec's Tree and Backhoe, Malyon's Excavation, D & D Construction, and Bob Buiting; and
4. That Item 4-Otherbe on a "as required" basis beginning with Hec's Tree & Backhoe, D & D Construction, Malyon's Excavation and Bob Buiting.

Motion Carried

3. **Tender 99-T64 ~ Supply of Topsoil**

Moved by Councillors Andre Rivette and Denis Carr That this tender be awarded for a two (2) year period to Malyon Excavation Ltd., Cornwall, Ontario at the total bid price of \$12.50 per cubic meter + GST being the lowest bid meeting the tender specifications.

Motion Carried

*Having declared an interest, on This matter, Councillor Claude Poirier left the room and did not take part in any discussion.*

4. **Tender 99-T70 ~ Concessions at the Bob Turner Memorial Centre and Si Miller Arenas for a period of 36 months**

It was requested by Councillor Lynch that this recommended be voted on separately.

Moved by Councillors Naresh Bhargava and Korey Kennedy That this tender be awarded to:

1. Country Catering for the Bob Turner Memorial Centre at \$1,025.00 per month or 15.9% of annual sales whichever is greater; and

Motion Carried

2. To Glen Services for the Si Miller Community Arena at \$853.00 per month or 13.6% of annual sales whichever is greater.

Motion Defeated

It was then moved by Councillor Andre Rivette and Sheila Airey that the highest bidder for this tender, Country Catering be also awarded the concessions at the Si Miller Community Arena.

Motion Defeated

*Councillor Claude Poirier returned to the Regular Meeting*

5. **Tender 99-T71 ~ Purchase of a Water Leak Noise Correlator**

Moved by Councillors Denis Carr and Sheila Airey That this tender be awarded to Heath Consultants Ltd of London Ontario at the total bid price of \$43,016.90 being the lowest bid meeting the tender specifications.

Motion Carried

6. **Update Report on Former McDonald Campbell Family Burial Ground**

Report prepared by Senior Planner, Ken Bedford under date of November 18, 1999.

Moved by Councillors Denis Carr and Perry Lalonde

1. That the recommendations of A.F.B.Y. Archeological and Heritage Consultants, as outlined in Part #C) of the report, be endorsed and implemented by the Municipality;
2. That the interested parties (as identified in Part #E) be provided with the results of the A.F.B.Y. report; and
3. That any future development proposals in proximity to the subject former burial ground be analyzed with sensitivity to further archaeological potential, including the need to provide some level of recognition of the existence of the historic site.

Motion Carried

7. **Licencing Fees - year 2000**

Report prepared by the Deputy Clerk under date of December 7, 1999 requesting fee increases within the aspects of the Licencing Program.

Moved by Councillors Naresh Bhargava and Sheila Airey

That the following be approved as revised fees for the year 2000:

- a) Dog Licences for **non** spayed or neutered dogs @ \$35.00
- b) All birth and death registrations @ \$15.00
- c) Marriage Licences @ \$80.00
- d) Commissioner for Affidavits @ \$18.00

Motion Carried

8. **Y2K Update**

Report prepared by the Acting Manager of Finance under date of December 6, 1999.

Moved by Councillors Claude Poirier and Andre Rivette That Council receive this report

Motion Carried

9. **Staff Replacement - Sewer Pipe Layer**

As a result of the filling of a recent posting, the Public Works Department requires the replacement of a Sewer Pipe Layer . The filling of this position is necessary to enable the Department to perform its various maintenance programs, i.e. catchbasin, manhole, sewer mains, and lateral repairs.

It was Moved by Councillors Chris Savard and Korey Kennedy that Council approve the hiring of a Sewer Pipe Layer.

Motion Carried

10. **Staff Replacement - Maintenance Man "B"**

As a result of the filling of an internal job posting in the Public Works Department, there now exists two vacancies for the position of Maintenance Man "B" Refrigeration (40 hours/week, \$16.30/hour). The filling of this position is necessary to comply with the Provincial Regulations governing the operation of the plant at the Civic Complex.

It was Moved by Councillors Naresh Bhargava and Claude Poirier that Council approve the hiring of two Maintenance Men "B" Refrigeration

Motion Carried

11. **Employee Conduct - Public Speech or Expression**

Report from the Manager of Human Resources under date of December 2, 1999 as a result of an unfinished business.

It was Moved by Councillors Sheila Airey and Korey Kennedy

1. That City Council approve the policy on "Employee Conduct - Public Speech or Expression"; and
- ii That this policy be communicated to all employees.

Motion Carried

**12. Request for Proposals 99-R18 - Comprehensive Auditing Services**

It was Moved by Councillors Denis Carr and Naresh Bhargava that Council authorize that BDO Dunwoody be engaged to undertake the comprehensive audit as outlined in the terms of reference in RFP 99-R18

Motion Carried

**13. Traffic Signal Controllers**

Report from the Manager, Engineering & Environmental Services under date of December 6, 1999.

It was Moved by Councillors Perry Lalonde and Korey Kennedy that Council approve the deviation of the purchasing policy by permitting the Department of Engineering & Environmental Services to sole source their purchase of traffic signal controllers to one supplier.

Motion Carried

**14. National Child Benefits Initiative**

Report from the Acting Manager of Social Services as a result of the Federal Government's initiative to designate a National Child Benefits action aimed at lowering the Social Assistance costs.

It was Moved by Councillors Andre Rivette and Denis Carr that Council approve the process of reinvestment of the National Child Benefits (NCB).

Motion Carried

**15. Staff Requirement - Ontario Works**

Report from Acting Manager - Susan Cain under date of December 7, 1999.

It was Moved by Councillors Brian Lynch and Perry Lalonde that Council authorize the Acting Manager of Social Services to proceed to fill the position of "Filing Clerk" as soon as possible.

Motion Carried

16. **Staff Requirement** ~ Child Care System Management

Report from Acting Manager - Susan Cain under date of December 7, 1999.  
It was Moved by Councillors Brian Lynch and Perry Lalonde that Council authorize the Acting Manager of Social Services to proceed to fill the position of Administrative Clerical Support as soon as possible.

Motion Carried

17. **Justice Building Renovations - Update**

Report under date of December 7<sup>th</sup> by the Manager of Public Works - Fernand Hamelin.

It was Moved by Councillors Brian Lynch and Claude Poirier that the additional cost of \$211,428.00 for the Justice Building renovations be included in the year 2000 Capital Budget.

Motion Carried

18. **Back-Up Generator at Civic Complex**

Report from Manager of Public Works under date of December 9 .

It was Moved by Councillors Claude Poirier and Perry Lalonde that \$30,000 be allocated from the Contingency Fund for the leasing of a back-up generator at the Civic Complex.

Motion Carried

19. **Corporation of the Township of St. Joseph**

Moved by Councillors Brian Lynch and Sheila Airey That Council endorse the resolution requesting Council's support to Home Care Services Funding petitioning the Government of Ontario to increase funding to Community Care Access Centres to levels sufficient to meet the increased demand for services.

Motion Carried

20. **Petition for Wards System**

Moved by Councillors Brian Lynch and Denis Carr that this item be debated this evening due to time sensitivity.

Motion Carried

Moved by Councillors Brian Lynch and Sheila Airey the City of Cornwall remain with an election at large for the election 2000 and that it not divide itself into wards.

Motion Carried

## **ADOPTION OF THE COMMITTEE OF THE WHOLE**

### **By-laws - Second Reading**

It was moved by Councillors Perry Lalonde and Denis Carr that the Committee of the Whole be adopted as reported, and that by-laws 135-1999 to 141-1999 inclusive be given second reading.

Motion Carried

### **By-laws - Third Reading**

It was moved by Councillors Andre Rivette and Brian Lynch that :

**Bylaw 138-1997** - A Bylaw to further amend Bylaw no. 751-69 the zoning Bylaw as amended of the City of Cornwall being a bylaw respecting the use of land and the use and location; and

By-laws 135 -1999 to 141-1999 inclusive be given third and final reading.

Motion Carried

## **REPORTS FROM AD HOC COMMITTEES OF COUNCIL**

Councillor Claude Poirier spoke on Land Ambulance Service and a recent communique received from the Ministry of Health indicating that by January 1, 2001, the Minister will designate a delivery agent within the Counties of S.D. & G and the City of Cornwall and that it was imperative that the Mayor contact the Warden of the United Counties to discuss the matter.

It was Moved by Councillors Claude Poirier and Naresh Bhargava that the Mayor contact the Warden of the United counties to discuss Land Ambulance Services and make every effort to bring a resolution to an agreement or proposal that would identify the delivery agent. Furthermore, if necessary, that the Mayor request assistance from the Ministry of Health to resolve the matter.

Motion Carried

## **NOTICES OF MOTION**

Proposed by Councillor Korey Kennedy

**WHEREAS**, the City of Cornwall is a prosperous and vibrant municipality with many complex and diverse issues; and

**WHEREAS**, the position of Mayor for the city of Cornwall is part-time; and

**WHEREAS**, the position of Mayor is accountable to the citizens of Cornwall and must be available to deal with the many concerns and issues that impact its citizens; and

**WHEREAS**, there is an increase in new challenges facing the municipalities as a result of the province divesting itself of and downloading services onto municipalities;

**NOW THEREFORE BE IT RESOLVED**, that the position of mayor of the City of Cornwall become full time, in addition to fulfilling the duties and obligations of the office of Mayor effective the 2000 municipal elections;

**FURTHERMORE BE IT RESOLVED** that the position of Mayor see:

1. An increase in salary from \$36,500 annually to \$53,235 annually.
2. A car allowance of \$150.00 a month plus mileage at .34 cents per kilometre, converted to a car expense of \$350.00 per month.
3. A benefit package equivalent to the management, non-union employees
4. An amount equal to 6% of the annual salary put towards on R.R.S.P.

For the changes in responsibility and furthermore be it resolved, that the Mayor's honorarium for sitting on committees remain the same.

## **UNFINISHED BUSINESS**

**NEW BUSINESS**

1. **Blue Box Food Drive**

Moved by Councillors Korey Kennedy and Perry Lalonde:

**WHEREAS**, Cornwall agencies periodically require non-perishable goods to assist the needy within our community; and

**WHEREAS** a Blue-Box food drive could be on innovative and creative way to collect non-perishable goods; and

**WHEREAS**, such a drive has been implemented successfully elsewhere in Ontario;

**NOW THEREFORE** BE IT resolved that Administration prepare a report on the possibility of initiating such a program and that this report be brought back to council before the end of March.

Motion Carried

2. **Brookdale Ave - Heavy Trucks**

Moved by Councillors Korey Kennedy and Perry Lalonde

**WHEREAS**, the buildings on Brookdale Street between Tollgate and Vincent Massey Street are predominantly residential; and

**WHEREAS**, heavy trucks are passing through this residential zone to get to the Brookdale commercial sector; and

**WHEREAS** there has been complaints made by residents living within this section with regards to the noise and nuisance these trucks cause.

**NOW THEREFORE** be it resolved that administration prepare a report on the feasibility of relocating heavy trucks from this route and explore other routes for these trucks to travel, i.e. possibly down Vincent Massey onto Brookdale;

**FURTHERMORE** BE IT resolved, that within this report administration prepare and conduct a survey dealing with comments and concerns of the residents living within this zone and business who would be affected.

Motion DEFEATED

3. **Concessions - Tenders**

Moved by Councillors Dean Hollingsworth and Andre Rivette:

**WHEREAS** the City of Cornwall must have someone to operate our concession stands at the Bob Turner and Si Miller Arena; and

**WHEREAS** Council is deadlocked over concession tenders.

**NOW THEREFORE** be it resolved that administration maintain status quo and provide council with a report on the feasibility of operating our concession stands with our own staff.

Motion Carried

4. **Sewer Laterals costing to 1983**

Moved by Councillors Korey Kennedy and Perry Lalonde

**WHEREAS**, during the last open council meeting of November 22, 1999, Council approved a motion to re-establish the sewer lateral policy and asked administration to prepare a report on a rebate program for those who covered the cost on sewer lateral, repairs on Municipal property from 1996 on; and

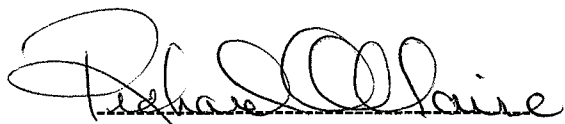
**WHEREAS**, between the years 1976 to 1983 the property owner paid for the sewer lateral repairs, therefore paying for the repairs on the city property; and

**WHEREAS** between the years 1983 to 1995 the city altered the Bylaw to that of the municipality funding the full cost of the repairs, however the homeowner still had to pay anywhere from \$300 to \$1500 even when the repairs were 100% on city property.

**NOW THEREFORE** BE it resolved that administration incorporate in their upcoming report on the rebate program on sewer laterals, the number of people affected and the cost of additional funding for the home owner affected prior to 1996.

Motion DEFEATED

Adjournment: 11:00 p.m.



Richard Allaire ~ Chief Administrator  
City Clerk



Brian Sylvester  
Mayor



Denise Labelle-Gélinas  
Deputy Clerk ~ Recording Secretary