



REGULAR COUNCIL #06 -2000

Monday, February 28, 2000
Meeting began at 7:30 p.m.

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

ABSENT: Denis Carr

ADMINISTRATION: Mr. Cecil Vincent, Chief Administrative Officer, Richard Allaire, City Clerk, Denise Labelle-Gélinas, Deputy City Clerk, Stephen Alexander, Graham Dart, Fernand Hamelin, Paul Fitzpatrick, Susan Cain, Anita Roach, David Fielding and Barry Coleman.

INVOCATION ~ The Venerable Ross Moulton, Trinity Anglican Church

ADDITIONS / DELETIONS / CORRECTIONS

DISCLOSURE OF INTEREST

PRESENTATIONS

ADOPTION OF MINUTES

Moved by Councillors Claude Poirier and Perry Lalonde that the minutes of Regular Council Meeting #03-2000 dated February 14, 2000 be approved as presented.

Motion Carried

Moved by Councillors Naresh Bhargava and Andre Rivette That the minutes of Committee of Council Meeting #03-2000 dated February 14, 2000 be approved as presented.

Motion Carried

Moved by Councillors Brian Lynch and Naresh Bhargava That the minutes of the Special Committee of council Meeting #04-2000 dated February 21, 2000 be approved as presented.

Motion Carried

COMMITTEE OF THE WHOLE

It was moved by Councillors Claude Poirier and Brian Lynch 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 Bylaws 017-2000 and 018-2000 be given first reading.

Motion Carried

BY-LAWS - First Reading

017-2000 A Bylaw to enter into a Service Extension Agreement with Cartwave Realty Limited East Ridge Subdivision Area.

018-2000 A Bylaw declaring the south side of Second Street, in the City of Cornwall, County of Stormont being part of Lot 17 and part of Lot 18 south side of Second Street being part of RP52-3552 surplus land (Cornwallis Hotel).

DELEGATIONS

1. **Vital Services By-law** ~ Mr. Etienne St.-Aubin

Mr. St. Aubin requested Council's endorsement in approving an extension of an additional 5 minutes to enable him to speak on the Vital Services Bylaw.

Moved by Councillors by Claude Poirier and Andre Rivette that the extension be approved.

Motion Carried

Mr. St. Aubin expressed support for the Vital Services Bylaw which has now received two readings. Mr St. Aubin indicated that the bylaw is needed and is a good thing for our community. He indicated that from personal experience , as people turn to the Legal Clinic for help, clients have been left without certain utilities. He reported that Brockville has been successful in adopting a vital services bylaw without the need to hire extra staff and all funds and additional costs have been reserved by adding a 10% administrative fee. He added, under the Tenant Protection Act, the City's financial position is secure. The Act gives clear legal right to direct tenants to pay their rent to the City and the City has a priority over all others for these rents. He concluded his presentation by stating that the time has come to let this bylaw begin its one year trial.

Moved by Councillors Naresh Bhargava and Brian Lynch that this delegation be received.

Motion Carried

2. **Union Gas**

Mr, Mark Murray, Solicitor, challenged that the City Solicitor did not consider Section 128 of the Ontario Energy Board Act which states that this Act prevails over any other general or special Act and over any bylaw passed by a Municipality. This means that municipal bylaws are unenforceable as against Union Gas if these bylaws in any way, regulate the activities of Union Gas. The bylaw in its proposed format, puts Union Gas in a very difficult position. On the one hand, Union Gas sees the value and the necessity of the proposed bylaw, on the other hand, Union Gas must follow the orders of the Ontario Energy Board as well as strictly comply with the Ontario Energy Board Act which is in direct conflict with the proposed vital services bylaw, which does not include the collection of arrears. These arrears would have to be borne by all Union Gas customers, including good paying customers in Cornwall, which has the effect of raising their rates. He concluded his presentation by asking Council to review the bylaw in light of the fact that it conflicts with Section 128 of the Ontario Energy Board Act, Section 153 of the Tenant Protection Act, negates any financial risk by the City and the impact the bylaw will have on Union Gas depriving the company of the only tool available for collection of unpaid gas accounts.

Moved by Councillors Sheila Airey and Claude Poirier that this delegation be received.

Motion Carried

3. **Cornwall Electric** - Mr. Ron Eamer

Mr Ron Eamer, Superintendent Customer and Energy Services requested that if council passes the bylaw, it should include full payment of arrears. To consider implementing this bylaw without full consideration for arrears would be suspending the utility's ability to collect for services rendered and forcing them to continue servicing the delinquent customers. He stated that other communities with bylaws similar to this one have accepted responsibility for the arrears and he hoped Cornwall would do the same. He concluded that increased rates to their customers was a distinct possibility if their ability to collect is short-circuited and forced to recover resulting losses through rate increased.

Moved by Councillors Andre Rivette and Claude Poirier that this delegation be received.

Motion Carried

RESOLUTIONS

002-2000 ~ **Youth Committee**

Moved by Councillors Korey Kennedy and Perry Lalonde

WHEREAS, the Corporation of the City of Cornwall has always expressed an interest in the quality of life of our youth of this city; and

WHEREAS there appears to be no venue for youth representation

NOW THEREFORE, be it resolved that council consider the establishment of a youth committee to review and report back on certain actions Council may wish to incorporate in year 2001.

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		✓
	3	7

Motion Defeated

It was then moved by Councillors Brian Lynch and Andre Rivette that the City review its membership on the Recreational Advisory Committee and appoint youth representatives as a venue to express their views and that a review of the Recreational Advisory's mandate be conducted by Council.

Motion Carried

003-2000 ~ Private Sector partnership

Moved by Councillors Korey Kennedy and Dean Hollingsworth:

WHEREAS the Corporation of the City of Cornwall is always looking for new, ingenious ways to create partnerships where costs could be reduced or revenues increased; and

WHEREAS with the Province downloading services to the municipality; and\

WHEREAS the City is always looking at maintaining fair municipal taxes and maintain a vibrant quality of life;

NOW THEREFORE, be it resolved that administration prepare a report for council on the process of having private business and corporations enter into partnerships, whereby the private sector may become a sponsor for municipal services or program; including the sponsorships of any and all municipal facilities, properties and assets.

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		✓
	3	7

Motion Defeated

CONSENT

Councillor Claude Poirier requested that Consent Items D be Moved to Communication as items no. 15 for discussion.

It was then moved by Councillors Claude Poirier and Andre Rivette that the Consent Agenda be approved

Motion Carried

A. **Kiwanis Easter Seal Campaign**

That Council approve the flying of the Easter Seal Flag during the month of March 2000.

B. **Worldfest/Festimonde**

That Council support the Worldfest/Festimonde application to the Ontario Millennium Fund for 2000 Worldfest events in the City of Cornwall.

C. **Partir D'Un Bon Pas**

That Council proclaim May 15th 2000 as International Family Day in the City of Cornwall.

D. **Ice Storm - Electric Power cost Recovery (moved to Communication no. 15)**

E. **Ontario Works Community Placement Initiative Funding**

That Council receive the report prepared by Acting Manager of Social Services, Susan Cain under date of February 23, 2000.

F. **Red Cross Society of Cornwall**

That council declare the month of March, 2000 as Red Cross month in the City of Cornwall.

COMMUNICATION

1. **Vital Services Bylaw**

Moved by Councillors Claude Poirier and Andre Rivette:

- a) That Council adopt the proposed Bylaw with no provisions for arrears;
- b) That the Bylaw be in effect for a one year trial; and
- c) That the effective date of the Bylaw be April 15, 2000.

Motion Carried

2. **Staff Replacement ~ Clerk/Security - Kinsmen Centre**

Moved by Councillors Andre Rivette and Claude Poirier That Council approve the replacement of the Clerk/Security position at the Kinsmen Municipal Centre.

Motion Carried

3. **Staff Replacement ~ Secretary - Kinsmen Centre**

Moved by Councillors Brian Lynch and Andre Rivette That council approve the replacement of the Recreation Secretary position at the Kinsmen Municipal Centre.

Motion Carried

4. **Cornwall High Tech Millennium Pilot Project**

Moved by Councillors Andre Rivette and Perry Lalonde that Council not proceed with the Cornwall High-Tech Millennium Pilot Project due to the lack of participation from the senior levels of government.

Motion Carried

5. **Science Park**

Moved by Councillors Naresh Bhargava and Brian Lynch that the feasibility of creating a "Science Park" in Cornwall be part of the Economic Development Strategic Plan project planned for 2000 conditional on the approval of funding to undertake the plan.

Motion Carried

6. **Tender 00-T03 ~ Supply of Electrical Services**

Moved by Councillors Brian Lynch and Perry Lalonde That Tender 00-T03 be awarded to Barry Latreille Electric Ltd., Williamstown, Ontario for a two (2) year period being the lowest bid meeting the tender specifications.

Motion Carried

7. **Quotation 00-Q17 ~ Ground Water Monitoring Wells**

Moved by Councillors Brian Lynch and Claude Poirier that the quotation 00-Q17 for Ground water Monitoring Wells be awarded to Gilles bourgeois W. Drilling Ltd., St. Albert, Ontario at the total bid price of \$14,629.57 being the lowest bid meeting the quotation specifications.

Motion Carried

8. **Employee Benefit Program**

Moved by Councillors Naresh Bhargava and Brian Lynch that as a result of changes in funding methods whereby the City of Cornwall has available to it, one-time revenue in the amount of approximately \$140,000.00, that these monies be placed in a reserve to be used for expenses as per recommendations from the Chief Administrative Officer and directed by City Council.

It was then Moved by Councillors Chris Savard and Andre Rivette that this motion be amended in that the \$140,000.00 be placed in a reserve and that it be used to reduce the 2000 operating budget.

A recorded vote on the amending 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		✓
	5	5

The motion to amend Defeated

A further motion by Councillors Claude Poirier and Chris Savard to defer this matter to budget deliberations.

Motion Defeated

The vote on the main motion took place and was DEFEATED for want of a majority.

9. **Blue Box Food Drive - Proposal**

Moved by Councillors Korey Kennedy and Andre Rivette that Council support initiating a food drive program as part of the regular Blue Box collection program and direct staff to coordinate a meeting between the food bank agencies and the Blue Box collection Contractor in order to establish a blue box food drive program.

Motion Carried

10. **School Bus Stop ~ St. Paul's School**

Moved by Councillors Claude Poirier and Perry Lalonde that Council receive the report prepared by the Transportation Engineer, Mr. Doug Green under date of February 21, 2000.

Motion Carried

11. **Marleau Avenue Re-Alignment**

Moved by Councillors Claude Poirier and Andre Rivette that subject to the approval of the 2000 capital budget;

1. That the Corporation of the City of Cornwall enter into a partnership with the Township of South Glengarry for the improvements to the Marleau Avenue / Boundary Road / Tyotown Road intersection at a gross cost of \$800,000 with a cost sharing arrangement of \$500,000 to the Corporation and \$300,000 to the Township of South Glengarry;
2. That the actual cost to the Township of South Glengarry be based on the cost of the actual work associated with the realignment of Tyotown Road and Fly Creek, plus 25% of the cost of the installation of traffic signals; and
3. That the Council appoint the appropriate number of representatives from City Council to meet with the Township of South Glengarry council to discuss other matters concerning Boundary Road and that these representatives be the present Liaison Committee

Motion Carried

12. **1999 Remuneration and Expenses**

Moved by Councillors Perry Lalonde and Andre Rivette That Council approve the Statement of Remuneration and Expenses for Elected Officials for the year 1999.

Motion Carried

13. **Field Worker proposal with ERO concentration**

Moved by Councillors Andre Rivette and Perry Lalonde That Council support the submission of a proposal to the Ministry of Community and Social Services to access the 100% funding available for an *Eligible Review Officer* (ERO).

Motion Carried

14. **Public Library Board ~ Internet Policy**

Moved by Councillors Corey Kennedy and Claude Poirier That Council receive a report prepared by Mr. Robert Hubsher, CEO and Chief Librarian under date of February 23, 2000.

Motion Carried

It was further Moved by Councillors Sheila Airey and Brian Lynch That the report being debated at the Library Board during their next meeting of April be returned to City Council explaining the five issues identified in Mr. Hubsher's report dated February 23, 2000.

Motion Carried

15. **Ice Storm - Electric Power cost Recovery**

Moved by Councillors Claude Poirier and Andre Rivette

That Council receive the correspondence from Mr. Bob Kilger, local M.P. under date of January 28th and that Council meet with government officials to discuss the level of funding requested by the City of Cornwall.

Motion Carried

ADOPTION OF THE COMMITTEE OF THE WHOLE

ByLaws - Second Reading

It was Moved by Councillors Perry Lalonde and Andre Rivette That the Committee of the Whole be adopted as reported, and that By-laws 017 and 018-2000 inclusive be given second reading.

Motion Carried

Bylaws - Third Reading

It was Moved by Councillors Andre Rivette and Naresh Bhargava That Bylaws 017 and 018 of 2000 be given third and final reading.

Motion Carried

REPORTS FROM AD HOC COMMITTEES OF COUNCIL

NOTICES OF MOTION

UNFINISHED BUSINESS

NEW BUSINESS

1. **Home Care Services Program**

Moved by Councillors Andre Rivette and Claude Poirier:

WHEREAS there is a greater need for home care service because of the health care cut backs in our community; and

WHEREAS many residents have elderly parents or family members who need the type of services provided through home care such as VON services or Homecare Services; and

WHEREAS home care services was at one time part of the City's responsibility through social services on a 80/20 recovery basis from the province; and

WHEREAS at the present time through Ontario Works the Counties are provided home care services for their residence on and 80/20 recovery basis subsidy from the province.

NOW THEREFORE be it resolved that the Manager of Ontario Works prepare a report on the feasibility of implementing a home care service program for the residents of Cornwall through Ontario Works on the 80/20 recovery basis subsidy from the province.

Motion Carried

2. **Image Enhancement**

Moved by Councillors Chris Savard and Korey Kennedy that the Council of the Corporation of the City of Cornwall rescind both new business motions with respect to Image Enhancement, passed at the regular council meeting of February 14, 2000.

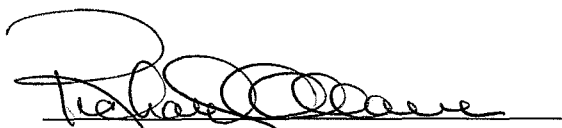
A 2/3's majority to reconsider its motion of February 14th was required.
A recorded vote on reconsideration resulted as follows:

	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	✓	
	10	

Motion to reconsider CARRIED

A vote on the main motion CARRIED

ADJOURNED 10:30 p.m.


Richard Allaire
City Clerk


Mayor Brian Sylvester


Denise Labelle-Gélinas
Deputy City Clerk ~ Recording Secretary