

**REGULAR COUNCIL #28-2000**

Monday, December 11, 2000

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 Denis Carr, Perry Lalonde, Susan Carter, André Rivette, Dean Hollingsworth, Syd Gardiner, Don Deebank, Claude Poirier, Corey Kennedy and Naresh Bhargava.

**ADMINISTRATION:** Cecil Vincent, Chief Administrative Officer, Richard Allaire City Clerk, Denise Labelle-Gelinas, Deputy City Clerk and Recording Secretary, and the following Management personnel: David Fielding, Dave Dick, Graham Dart, Fernand Hamelin, Stephen Alexander, Susan Cain, Suzanne Carrier-Armstrong and Frances Lafave.

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**INVOCATION** ~ Mr. Richard Allaire, City Clerk

**ADDITIONS / DELETIONS / CORRECTIONS**

Bylaw 175-2000 and Bylaw 176-2000

**DISCLOSURE OF INTEREST**

Councillor Susan Carter declared an interest on Bylaw 169-2000 as a result of her employment with Team Cornwall.

**PRESENTATIONS** Nil

**ADOPTION OF MINUTES**

It was moved by Councillors Denis Carr and Naresh Bhargava that the Regular Council Meeting minutes #26-00 dated November 20, 2000 be approved as presented.

Motion Carried

It was moved by Councillors Corey Kennedy and Andre Rivette that the Committee of Council Meeting minutes #21-00 dated November 20, 2000 be approved as presented.

Motion Carried

It was moved by Councillors Don Deebank and Perry Lalonde that the Special Inaugural Council Meeting minutes #27-00 dated December 4, 2000 be approved as presented.

Motion Carried

## COMMITTEE OF THE WHOLE

It was moved by Councillors Denis Carr and Andre Rivette 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 159-2000 to 176-2000 inclusive be given first reading.

*Having previously declared an interest on Bylaw 169, Councillor Susan Carter left the room.*

Motion Carried

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

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|----------|---|
| 159-2000 | 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 of buildings, property described as 933 Marlborough Street. |
| 160-2000 | A Bylaw to authorize the execution of a tax arrears extension agreement pursuant to Section 8 of the Municipal Tax Sales Act, 1990, R.S.O. 1990, c.60 (for land municipally located at 100-102-102 ½ York Street).          |
| 161-2000 | A Bylaw to authorize the signing of a Condominium Conversion Agreement between the City of Cornwall and 1206987 Ontario Inc., municipally known as 55, 65, 75 or 85 Race Street.  |
| 162-2000 | A Bylaw to enter into a three party Agreement with Domtar, Leader Sports, and the City of Cornwall for the operation of Big Ben Ski Hill for a two year period.   |
| 163-2000 | A Bylaw to Release restrictive covenant on Part of Lot C, Concession 1, City of Cornwall, County of Stormont to Karl Gutmann Incorporated.  |
| 164-2000 | A Bylaw to adopt, ratify and confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meeting held on the 20 <sup>th</sup> day of November.   |
| 165-2000 | A Bylaw to appoint members of Council to act from time to time in the place and stead of Head of Council for December 2000 to November 2001 inclusive.  |
| 166-2000 | A Bylaw to authorize the Mayor and Clerk to sign the Service Contracts for the Child Care services for the year 2001.   |

- 167-2000 A Bylaw to further amend Bylaw 069-1989 known as the Traffic Bylaw ~ upgrading intersections of Marleau Avenue at Lochiel Street and Marleau Avenue at Boundary Road, including the upgrade of traffic control signals.
- 168-2000 A Bylaw authorizing the option to purchase land on Boundary Road known as Part 1, Reference 52R-1463.
- 169-2000 A Bylaw to enter into a co-operative agreement between with Smart City Cornwall towards the acquisition of the software and purchase of services for an administrator for the Lotus Notes Application Software.
- 170-2000 A Bylaw to enter into a Lease of Lands for use as Ambulance Station in the Village of Alexandria.
- 171-2000 A Bylaw to enter into a Lease of Lands for use as Ambulance Station in the Village of Finch.
- 172-2000 A Bylaw to enter into a Lease of Lands for use as Ambulance Station in the Village of Morrisburg.
- 173-2000 A Bylaw to enter into a Lease of Lands for use as Ambulance Station in the Village of Winchester.
- 174-2000 A Bylaw to release covenants on Part of Lot A, Concession 1, City of Cornwall, County of Stormont to Robert Mitchell Inc., known as 2906 Marleau Avenue.
- 175-2000 A Bylaw to approve a conditional offer for the sale of land on Second Street West.
- 176-2000 A Bylaw to enter into an agreement with the United Counties of Stormont, Dundas and Glengarry and the Serviced Municipalities for a Provincial Offences Intermunicipal Service Agreement.

Councillor Susan Carter re-joined the meeting in session

**DELEGATIONS**

**RESOLUTIONS**

## CONSENT

It was moved by Councillors Andre Rivette and Naresh Bhargava that the Consent Agenda be approved.

### Motion Carried

A. **Cornwall Lions Club - Tag Day**

That Council approve a request to hold a Tag Day on Saturday, June 23, 2001.

B. **P.A.C. Report No. 10-1 November 20, 2000**

That Council endorse an application for a Zoning Bylaw Amendment from Commercial 11 (COM 11) zone to Commercial 11 (COM 11) zone with a site specific exception to permit the construction of one apartment at the rear of the building and the continuation of two residential uses on the second floor. The subject site is described as Part of Lot 7, Concession 1, more particularly, Parts 1 and 2, Plan 52R-3058, City of Cornwall and having municipal address of 933 Marlborough Street (P.A.C. File #288).

- i That the subject site, legally recognized as Part of Lot 7, Concession 1 being Parts 1 and 2 Plan 52R-3058, and municipally located at 933 Marlborough Street, be rezoned to allow a conversion of the garage at the rear of the site into a residential unit and to continue with the second floor residential apartments in the existing main structure; and
- ii That the applicant obtain all appropriate permits for the conversion of and creation of the apartments.

C. **Staffing - Safety & Training Officer**

**HR Report #24-00**

That Council approve the replacement of the 'Health & Safety, W.S.I.B. & Pension Officer' position with a 'Safety & Training Officer' position as outlined in this report.

D. **IT Technologist/Analyst Position**

**FI Report #113-00**

That Council approve the position of IT Technologist/Analyst within the Information Technology Section of the Finance Department.

E. **City of Port Colborne (moved to Communication #15)**

## **COMMUNICATIONS**

1. **Electromagnetic Fields (EMF)** **PR Report #44-00**

Moved by Councillors Don Deebank and Denis Carr that Council receive the report prepared by Mary Joyce-Smith, Planner under the date of November 20, 2000 on the safety implications of a new transmission line to be constructed through the City of Cedar Rapids.

It was then moved by Councillors Naresh Bhargava and Andre Rivette that Council seek answers on the potential safety concerns from the proposed high voltage transmission line, particularly the long term exposure, on the children and young adults going to School next to the lines. Further be resolved that a copy of this motion be sent to both Federal and Provincial Minister of Health, Area MP and MPP for their support in getting the answer.

**Motion to seek answers Carried**

2. **W.S.I.B. - Workwell Evaluation** **HR Report #26-00**

It was moved by Councillors Denis Carr and Korey Kennedy that Council received the report submitted by Graham Dart, Manager, Human Resources under the date of December 5, 2000

**Motion Carried**

3. **Renewal of "Community Alert Network" /Contract - Update**

**EP Report #02-00**

It was moved by Councillors Denis Carr and Claude Poirier that the City of Cornwall renew its contract with Community Alert Network for the next four years at a cost of \$16,621 (Canadian) for the residents of Cornwall.

**Motion Carried**

4. **Reporting and Accountability Procedures for the Local Housing Corporation (L.H.C. to the Cornwall Service Manager**

**PR Report #46-00**

It was moved by Councillors Claude Poirier and Andre Rivette that a Resolution of Council be approved confirming the following actions:

- i) THAT Council direct the Cornwall Service Manager (C.M.S.M.) to adopt certain procedures, as outlined in the addendum schedules to this report, and further approves that they form the basis of a shareholder Direction to the Local Housing Corporation (LHC) that will come into effect on January 1, 2001. Such shareholder direction is to be revisited once the Local Transfer Business Plan is approved;
- ii) THAT the L.T.P.G., on behalf of the Cornwall Service Manager (C.M.S.M.), meet with the L.H.C. to review the Shareholder Direction and provide clarification thereof;
- iii) THAT any costs incurred by the Service Manager, as the result of the implementation of the Shareholder Direction, including specific services provided by the City as a result thereof are to be recovered from the LHC at full cost;
- iv) THAT the Local Housing Corporation (to be created Jan. 1<sup>st</sup>, 2001) be confirmed in its continuing role until such time as the L.T.P.G., through the Service Manager (CMSM), has received approval from Council and the Ministry of Municipal Affairs and Housing for any proposed change in status, if any;
- v) THAT the L.T.P.G. report at least monthly to Council on the current status of the development of the proposed Local Transfer Business Plan; and
- vi) THAT in accordance with the existing C.M.S.M. Agreement, this report be received by the C.M.S.M. Joint Liaison Committee in order to inform the County Representatives of the process the Service Manager is following in developing a Local Transfer Business Plan and maintaining the same level of service of the L.H.C. past January 1, 2001.

**Motion Carried**

5. **Lease Extension - City of Cornwall tenancy at 111 Water Street East**

**OW Report #28-00**

It was moved by Councillors Naresh Bhargava and Susan Carter that Council authorize the Mayor and Clerk to sign the Lease extension, for the period of April 1, 2001 to March 31, 2002, between the City of Cornwall and the Public Works and Government Services Canada.

**Motion Carried**

6. **Renewal of Child Care Service Contracts**

**OW Report #29-00**

It was moved by Councillors Perry Lalonde and Claude Poirier that Council authorize the Clerk to prepare the necessary Bylaw to authorize the Mayor and Clerk to sign the Service Contracts for the Child Care services for the year 2001.

**Motion Carried**

7. **Request for Proposal R17-SCADA Instrumentation**

It was moved by Councillors Claude Poirier and Naresh Bhargava that R.F.P. 00-R17 be awarded to TRG Intelicon Inc., Cornwall, Ontario for a two (2) year period at the total bid price of \$45,179.68 being the only bid received meeting the R.F.P. specifications.

**Motion Carried**

8. **Placement Innovation Fund**

**OW Report #30-00**

It was moved by Councillors Denis Carr and Claude Poirier that Council approve the Ontario Works Placement Innovation Fund proposal.

**Motion Carried**

9. **Tender No. 00-T65 - Elevator Service & Maintenance**

**PU Report #108-00**

It was moved by Councillors Denis Carr and Syd Gardiner that Tender 00-T65 be awarded for a three (3) year period as follows:

**Kone Inc., Nepean, Ontario**  
Item 1 - Civic Complex

\$390.00 per month

Item 3 - Glen-Stor-Dun Lodge	\$585.00 per month
Item 4 - City Hall	\$175.00 per month
Item 5 - Public Library	\$390.00 per month

for a total bid price of \$57,073.80 including taxes.

**Thyssen Dover Elevator, Ottawa, Ontario**

Item 2- Justice Building	\$915.00 per month
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for a total bid price of \$23,497.20 including taxes.

being the low bids meeting the tender specifications.

**Motion Carried**

10. **Tender No. 00-T69 - Tractor Backhoe with Operator**

**PU Report#109-00**

It was moved by Councillors Perry Lalonde and Naresh Bhargava that Tender 00-T69 be awarded to as follows:

Item 1 - Waterworks	D & D Construction at a rate of \$32.50 per hour
Item 2 - Sewers	D & D Construction at a rate of \$32.50 per hour
Item 3 - Roads	D & D Construction at a rate of \$32.50 per hour

On an "as required" basis in the order noted.

Item 1A - Waterworks	D & D Construction at a rate of \$34.00 per hour Hec's Tree & Backhoe Service at a rate of \$45.00 per hour
Item 2A - Sewers	D & D Construction at a rate of \$34.00 per hour Hec's Tree & Backhoe Service at a rate of \$45.00 per hour
Item 3A - Roads	D & D Construction at a rate of \$34.00 per hour Malyon Excavation at a rate of \$42.50 per hour Hec's Tree & Backhoe Service at a rate of \$45.00 per hour 120832 Ontario Ltd. at a rate of \$45.00 per hour David Brown Const. Ltd. at a rate of \$55.00 per hour
Item 4 - Others	D & D Construction at a rate of \$32.50 per hour Hec's Tree & Backhoe Service at a rate of \$33.50 per hour Malyon Excavation at a rate of \$42.50 per hour 120832 Ontario Ltd. at a rate of \$45.00 per hour David Brown Const. Ltd. at a rate of \$55.00 per hour

being the low bids meeting the tender specifications.

**Motion Carried**

11. **Request for Proposal 00-R14 Purchasing Card** **PU Report #111-00**

It was moved by Councillors Denis Carr and Perry Lalonde that Council approve the implementation of a Purchasing Card with U.S. Bancorp Canada Co. (Royal Bank).

**Motion Carried**

12. **Request for Proposal 00-R16 Purchase & Installation of Carpeting**  
**- Glen Stor Dun Lodge**

**PU Report #112-00**

It was moved by Councillors Claude Poirier and Naresh Bhargava that R.F.P. 00-R16 be awarded to Styrotile Sales, Cornwall, Ontario at the total bid price of \$220,915.41 being the lowest bid meeting the R.F.P. specifications

**Motion Carried**

13. **Resolution for use of Municipal Right-of-Way** **EE Report #56-00**

It was moved by Councillors Denis Carr and Korey Kennedy that approve the following:

1. That the City of Cornwall forward a Resolution to CRTC, FCM, our Members of both Federal and Provincial Parliament and to all municipalities with a population greater than 45,000.
2. That the City of Cornwall also forward a copy of the Resolution to AMO and request that this item be placed on the 2001 Association Meeting Agenda so that this item be passed and supported by AMO and forwarded to the Provincial Government for further action.

**Motion Carried**

14. **Police Contingency Fund**

It was moved by Councillors Andre Rivette and Denis Carr that Cornwall City Council approve the release of \$30,000.00 of the police contingency money, to be applied to the Bell telephone lease.

**Motion Carried**

15. **City of Port Colborne (moved to Communication #15)**

Moved by Councillor Dean Hollingsworth and Denis Carr that Council support the resolution from the City of Port Colborne to Enact Remembrance Day as a Statutory Holiday throughout Canada and that this matter be forwarded to FCM for support.

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

Having earlier declared a pecuniary interest on Bylaw 169-2000, Councillor Susan Carter left the room and did not take part in any discussion on the Second and Third Reading of Bylaws

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

It was moved by Councillors Andre Rivette and Syd Gardiner that the Committee of the Whole be adopted as reported, and that by-laws 159-2000 to 176-2000 inclusive be given second reading.

**Motion Carried**

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

It was moved by Councillors Naresh Bhargava and Perry Lalonde that by-laws 159-2000 to 176-2000 inclusive be given third and final reading.

**Motion Carried**

Councillor Susan Carter re-entered the ongoing meeting

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

## **NOTICES OF MOTION**

### ***NOTICE OF MOTION BY COUNCILLOR KOREY KENNEDY***

**WHEREAS** no present legislation exists on how elected members of Council are selected to sit on various Council committees; and

**WHEREAS** past practices do not necessarily mean that this is the best mechanism for making these appointments; and

**WHEREAS** elected Council members should have the ability to actively participate in the appointments selection; and

**WHEREAS** Council should introduce a policy giving direction on how elected members are to be appointed to various Council committees.

**NOW THEREFORE BE IT RESOLVED THAT COUNCIL ADOPT THE FOLLOWING POLICY:**

1. That the City Clerk provide the Mayor elect and Councillors elect, no later than the third Monday of November following election day, a list of existing committees which identify the present elected Council members.
2. That the Councillors elect meet with the Mayor elect on the fourth Monday of November following election day to finalize the appointments.
3. That the selection process provide that the Mayor identify those committees to which the Mayor's office is legislated to be appointed to, and include his/her other choices and that those selections become final.
4. That the selection process further provide that all other elected members participate by having the City Clerk randomly pick all elected members names with the first name picked as having the first choice of appointment and that the subsequent names picked will follow in numerical order.
5. This random selection will then proceed in reverse order until all elected members have subsequently had an opportunity to participate in the process and that all appointments have been finalized (i.e. 1,2,3...3,2,1...1,2,3...etc...)
6. That the final selection of the appointments be introduced to Council at its inaugural meeting in the form of a By-law.
7. That this policy be implemented immediately, and that Council repeal By-law 158-2000.

**It was Moved** by Councillor Korey Kennedy and Dean Hollingsworth that Council Invoke Rule 10 in order to debate this matter this evening.

A 2/3 majority is required in order to debate and therefore, the Mayor asked for the vote.

Motion Defeated for want of a 2/3 majority

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. **C.P.Rail - Snowmobile Club**

Moved by Councillor Andre Rivette and Claude Poirier:

WHEREAS C.P. Rail has entered into an agreement with a local snowmobile club to use their abandoned rail corridor from Sixth Street to the Quebec Border for Recreational purposes; and

WHEREAS using this corridor for these recreational vehicles could generate a dangerous situation crossing major roadways in our community; and

WHEREAS these recreational vehicles would also cause a high noise level in these neighbourhoods.

NOW THEREFORE, Be it Resolved that Administration be instructed to ask C.P. rail to modify their lease agreement with the Skidoo Club to prohibit the use of this corridor within the city limits.

Motion Carried

2. **Courtaulds Railway**

Moved by Councillor Dean Hollingsworth and Andre Rivette

WHEREAS the residents living in the Glengarry Blvd Lochiel Street area have been seeking relief from traffic flows for over 10 years; and

WHEREAS a roadway on the old Courtaulds railway line would alleviate traffic problems in that area of the City;

THEREFORE be it resolved that administration report on the feasibility of acquiring that railway line and the costs to build a roadway.

Motion Carried

Adjournment: 8:50 p.m.

  
Richard Allaire - City Clerk

  
Brian Sylvester - Mayor

  
Denise Labelle-Gélinas  
Deputy Clerk-Recording Secretary