



REGULAR COUNCIL # 33

Tuesday November 12, 2002
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 Susan Carter, Denis Carr, Donald Deebank, Korey Kennedy, Syd Gardiner, Dean Hollingsworth Naresh Bhargava, Claude Poirier and André Rivette.
- ABSENT:** Councillor Perry Lalonde
- ADMINISTRATION:** Cecil Vincent, Chief Administrative Officer, Denise Labelle-Gélinas, City Clerk; and the following Management Personnel: Graham Dart, David Dick, Dave Fielding, Fernand Hamelin, Stephen Alexander, Susan Cain, Enrique Kamm, Barry Coleman
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Mayor Brian Sylvester called the meeting to order at 7:30 p.m.

INVOCATION: City Clerk - Denise Labelle-Gélinas

ADDITIONS / CORRECTIONS / DELETIONS:

Addition:

Moved by Councillors Claude Poirier and Susan Carter that Council Invoke Rule 10 of the Procedural By-law to allow a delegation by Mr. Etienne St-. Aubin. The delegation wishes to speak on matters dealing with the Vital Services By-law which will be dealt with this evening as report #1 to Unfinished Business Reports.

A recorded vote to Invoke Rule 10 required a 2/3's majority vote of the whole council present and resulted as follows:

For: Councillors Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Against: Councillor Don Deebank

Absent: Councillor Perry Lalonde

Motion Carried

OMB - High School Site under Communication #3

DISCLOSURE OF INTEREST ~ Nil

COMMITTEE OF THE WHOLE

Moved by Councillors Naresh Bhargava and André Rivette that Council go into the Committee of the Whole and that all Minutes, Presentation, Delegation, Resolution, Consent/Correspondence, Reports and By-laws 158 to 163-2002 be referred to that Committee; and that the agenda of the Committee of the Whole for the meeting of November 12, 2002 be approved.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

The following minutes were presented for adoption. There being no corrections noted, the minutes stand approved.

1. That the Regular Council Meeting # 32-2002 dated October 28, 2002, be approved and verified correct.

PRESENTATION

DELEGATIONS

1. Smart City Cornwall

Mr. Bill Manson, Chair along with Mr. Francis Loughheed spoke before Council this evening on its success of promoting high speed Internet access and promoting technology in Cornwall through Smart City Cornwall (SCC). Within the past year, Mr. Loughheed informed the Council that SCC officially launched the Village Hub Portal and SmartCoNet, and continues to work with provincial partners to bring other network services to the community through this network. He indicated that their portal now has 1200 villagers with active participation and that the Ministry of Enterprise, Opportunity and Innovation featured both the City of Cornwall and the Portal within its August business newsletter. As a result, eight communities have been actively looking at this model for possible deployment within their own communities. Adoption of the portal model, according to Mr. Loughheed, will result in licence revenue to SCC.

However, Mr. Loughheed chose to alert Council that Smart City is in an urgent need for short term financial assistance. Delays at the provincial level results in that SCC is experiencing a debilitating short term cash flow crisis that, if unresolved, will result in the full suspension of operations on January 1, 2003. Mr. Manson indicated that short term \$30,000 interim funding amount from the City would demonstrate the community's ongoing commitment to being one of the leading smart community projects in the Province and would provide the support that is essential in leverage provincial funding.

Smart City Cornwall (cont..)

Moved by Councillors Denis Carr and André Rivette that this delegation be received and referred to Administration for a report to be provided at the meeting of November 25th, 2002.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

2. Heart of the City

Heart of the City was represented by Mr. Bryan Merkley this evening seeking Council's endorsement towards an application to the Ontario Ministry of Agriculture and Rural Affairs program (OSTAR). The monies they are seeking will be used to revitalize the downtown by providing project staffing to establish an open air market, conduct a feasibility study for Factory Outlets, prepare a downtown development study and implementation plan, review the flow of traffic through the downtown and assist with commercial development projects of land held by the municipality. Mr. Merkley indicated that the deadline for this application was November 15th, and therefore, it is crucial that the application be tabled at Queen's Park in Toronto no later than Friday November 15th.

Moved by Councillors Susan Carter and André Rivette that Council confirm its commitment to the Heart of the City initiatives and endorse its willingness in providing financial assistance required in the OSTAR application pending commitment from other funding sources and stakeholders.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

3. Vital Services by-law ~ Mr. Etienne St.-Aubin

Mr. St. Aubin, legal counsel for the Legal Clinic addressed Council, this evening on issues surrounding the Vital Services Bylaw. Mr. St. Aubin accentuated that this Bylaw was created to protect the most vulnerable law abiding citizens of Cornwall. In his conclusion, he urged that this matter be referred back to Administration in order to work with the Legal Clinic in proposing such changes to the Vital Services Bylaw and to its operation which would allow it to be a cost-effective way to protect residents of Cornwall and to return to Council with its recommendations as to how to accomplish this.

Moved by Councillors Claude Poirier and Denis Carr that Report #1 under Unfinished Business Reports to this evening's agenda be postponed until a meeting between Mr. St. Aubin from the legal clinic and members of Administration from the department of Planning and Housing, including Mr. Vincent, meet in order to address all concerns brought forward under this evening's delegation and that a further report be prepared on how these matters could be best addressed.

A recorded vote resulted as follows:

- For:** Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester
- Absent:** Councillor Perry Lalonde

Motion Carried

BY-LAWS

- 158-2002 A Bylaw to appoint Bylaw Enforcement Officers for the St. Lawrence College.
- 159-2002 A Bylaw to provide exemptions from the *Line Fence Act*, within the Boundaries of The City of Cornwall. (Communication Report CL#12-2002)
- 160-2002 A Bylaw to appoint Members of Council to act from time to time in the place and stead of Head of Council for December 2002 to November 2003 inclusive.
- 161-2002 A Bylaw to amend the Schedule 1 of the Traffic & Parking Bylaw No. 069-1989 on Fifteenth Street between Aubin Avenue and Gallinger Avenue.
- 162-2002 A Bylaw to adopt a Policy for the Giving of Public Notice. (Communication Report CL#14-2002)
- 163-2002 A Bylaw to enter into an Architectural and Engineering Services Agreement between Rounthwaite, Dick and Hadley (RDH) and the City of Cornwall (Project 2000).

CONSENT

A. Staff Replacement - Field Worker

That Council approve the replacement of an Ontario Works Field Worker effective January 1st, 2003 as recommended by the Manager, Social Support Services under date of November 5, 2002. (Report SSS #37-2002)

B. Staff Replacement - Social Assistance Financial Support Worker

That Council approve the replacement of a Social Assistance Financial Support Worker effective January 1st, 2003 as reported by the Manager of Social Support Services under date of November 6, 2002. (Report SSS# 38-2002)

C. Ontario Drug Awareness Partnership

That Council endorse a request from Pat Sanagan, Coordinator, Ontario Drug Awareness Partnership, on behalf of the 200 Drug Awareness Committees in Ontario, to proclaim the week of November 17-23, 2002 as "Drug Awareness Week".

D. City of Brantford Resolution - Grand-parenting Again

That Council receive report SSS #39-2002 prepared by the Manager, Social Support Services under date of November 6, 2002.

E. Children's Christmas Fund

That Council declare Sunday, December 8th, 2002, as "Service Club Day" in support of the Children's Christmas Fund.

Moved by Councillors André Rivette and Susan Carter that all items listed under General Consent portion of this agenda be adopted as presented.

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

REPORTS FROM UNFINISHED BUSINESS

1. Vital Services Bylaw

The report PHS#35-2002 prepared by Manager, Planning & Housing Services under date of November 4, 2002 had been postponed (see Delegation motion).

2. Cornwall Square

Moved by Councillors Denis Carr and Claude Poirier that Council receive report FI#52-2002 prepared by David Dick, Manager, Financial Services, under date of October 23, 2002.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Corey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

3. Sacred Heart School - Traffic Control

Moved by Councillors Claude Poirier and André Rivette

1. That No Stopping restrictions be implemented on the north side of Fifteenth Street, from its intersection with Aubin Avenue to Gallinger Avenue, Monday to Friday, between 8:30 to 9:30 a.m. and 3:00 to 4:00 p.m.
2. That the Parking and Traffic Bylaw enforcement is exercised on a regular basis, particularly at the peak hours of school start and dismissal times.
3. That the situation be monitored after the restrictions are in place.

Report EEC#44-2002 prepared by Transportation Engineer under date of November 5, 2002.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

4. Disposition of Negotiations between the SD&G Historical Society and City of Cornwall for an Operating Agreement for the Cornwall Community Museum in the Wood House

Moved by Councillors Claude Poirier and Syd Gardiner that Planning Department staff, after further consultation with the SD&G Historical Society, prepare a follow-up report, detailing alternative possible working relationship models for Council's consideration, in order to enter into an operating agreement for the Cornwall Museum in the Wood House.

Report PHS#36-2002 prepared by Ken Bedford, Senior Planner, Planning & Housing Services under date of November 4, 2002.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

COMMUNICATIONS / REPORTS**1. Line Fences Act - non-application**

Moved by Councillors André Rivette and Syd Gardiner that Council endorse Bylaw 159-2002 which provides that the *Line Fences Act* not apply to any land within the Boundaries of the City of Cornwall, unless it is zoned Agricultural land under its Official Plan and Zoning Bylaw or where the land in question is identified under Section 20 "duties of owner of former railway right-of-way" under the *Line Fences Act*. Report CL#12-2002 prepared by Denise Labelle-Gélinas, City Clerk under date of October 30, 2002.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

2. Enhanced Funding Approval

Moved by Councillors Denis Carr and Don Deebank that Council receive Report SSS#36-2002 prepared by Susan Cain, Manager, Social Support Services under date of November 4, 2002 for information purposes

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

3. New Municipal Act 2001

Moved by Councillors Naresh Bhargava and Korey Kennedy that Council receive report CL#14-2002 for information purposes and that it adopt the Notice Requirement Bylaw 162-2002, for issues dealt with under the *New Municipal Act* of 2001, effective January 1, 2003.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

4. **OMB Decision - New High School Site**

Moved by Councillors Claude Poirier and André Rivette that Council receive the memo under date of November 8, 2002 prepared by the Manager of Planning and Housing Services that the City contact all parties involved, being the School Board, South Glengarry and the City of Cornwall and urge the Ontario Municipal Board to hold a "pre-hearing conference" in order to expedite this matter and to assist in finding a solution to the problem and attempt to obtain an indication on how this matter may be solved; and

That prior to the pre-hearing conference being held, that a meeting be held with members of the School Board, South Glengarry and the City to clear any misinformation that has been circulated and that all members work together for a possible solution.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

TENDER and REQUEST FOR PROPOSAL BLOCK

Moved by Councillors André Rivette and Naresh Bhargava that the Tenders and Request for Proposals within this block be approved as follows:

❶ **Request for Proposal No. 02-R24 - Operation of the Bob Turner Concessions**

PS# 80-2002

That Request for Proposal No. 02-R24 be awarded for a three (3) year period to Cornwall Minor Hockey Association, Cornwall, Ontario, for a minimum annual fixed amount of \$8,400.00 or 11% of net sales annually being the only bid received.

❷ **Request for Proposal No. 02-R26 -
Supply & Erect a Portable Covered Fabric Building for Land Ambulance**

PS #81-2002

That Request for Proposal No. 02-R26 be awarded to John Gordon Construction, Cornwall, Ontario at the total bid price of \$28,986.90 (net cost to the Corporation - \$27,978.72) being the best bid meeting the RFP specifications.

③ **Tender No. 02-T49 - Purchase of Winter Parkas and Insulated Winter Coveralls**

PS #74-2002

That Tender No. 02-T49 be awarded as follows:

1. That the purchase of 28 winter parkas be awarded to:
R. Nicholls Distributors, Longueuil, Quebec at the total bid price of \$3,145.70
(net cost to the Corporation - \$3,036.30)
2. That the purchase of 82 insulated winter coveralls be awarded to:
Carleton Uniforms Inc., Carleton Place at the total bid price of \$20,718.68
(net cost to the Corporation - \$19,998.08) being the best bid meeting the tender specifications.

④ **Tender No. 02-T52 - Water Tower Outlet Ditch Reconstruction**

PS#92-2002

That Tender No. 02-T52 be awarded to Malyon Excavation Ltd., Cornwall, Ontario, at the total bid price of \$37,086.20 (net cost to the Corporation - \$35,699.87) being the best bid meeting the tender specifications.

⑤ **Request for Proposal No. 02-R22
Landfill Gas Utilization**

PS#83-2002

That Request for Proposal No. 02-R22 not be awarded.

A recorded vote on the adoption of all tenders and request for proposals resulted as follows:

For: Councillors Naresh Bhargava, Susan Carter, Donald Deebank, Korey Kennedy, Claude Poirier, André Rivette, Denis Carr, Syd Gardiner, Perry Lalonde, Dean Hollingsworth and Mayor Brian Sylvester

Motion Carried

ITEMS SEPARATED FOR DISCUSSION

NEW BUSINESS

1. **Dial-a-bus Service**

Moved by Councillors Dean Hollingsworth and Korey Kennedy

Whereas Council could be facing a budget shortfall as high as 6 or 7 million; and
Whereas Council must strive to maintain services, yet minimize tax increases; and
Whereas the transit service is a basic municipal service that council has direct and complete control.

Therefore be it resolved that administration report on the feasibility of operating dial-a-bus during non peak hours between 9 a.m. to 3 p.m.

Further be it resolved that if there is a significant savings, administration determine the feasibility of using that savings to operate a Sunday dial-a-bus service.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner , Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Carried

2. Civic Complex - Operations

Moved by Councillors Korey Kennedy and Claude Poirier

Whereas, Cornwall City Council is continuously seeking options to reduce our operational and capital budget; and

Whereas, the Corporation is facing a potentially high shortfall for the 2003 budget; and

Whereas the Cornwall Civic Complex is one area within the Corporation that has been a continuous financial strain on our operational and capital budget since its inception, October 1976, with a shortfall of \$1,425,007 in 2001 and a projected shortfall of \$1,247,194 for 2002; and

Whereas, the Corporation of the City of Cornwall does not have a potential tenant for the rental of the Civic Complex; and

Whereas, the Cornwall Civic Complex has been assessed at 19.8 million for the year 2002 actual.

Now Therefore, be it resolved that administration prepare a report which would explore the financial and operational impact of the following options:

1. The merit of the city divesting itself of the asset by putting it up for sale
2. The merit of leasing all floor space on the convention side of the building to other municipal departments, other levels of government, public institutions and private sector companies
3. Report on any other action(s) which could offset the operating and capital loss of the Civic Complex.

A recorded vote resulted as follows:

For: Councillors Korey Kennedy, Claude Poirier, Dean Hollingsworth,

Against: Councillors Syd Gardiner, Susan Carter, André Rivette, Denis Carr, Don Deebank, Naresh Bhargava and Mayor Brian Sylvester

Absent: Councillor Perry Lalonde

Motion Defeated

3. Volunteer Firefighters - Bill 30

Moved by Councillors Don Deebank and Denis Carr that administration be directed to send a letter to Mr. John Cleary, our local MPP asking that he support Bill 30 on behalf of The Corporation of the City of Cornwall.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester
Against: Councillor Dean Hollingsworth,
Absent: Councillor Perry Lalonde

Motion Carried

PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors André Rivette and Denis Carr that Bylaws 158 to 163-2002 inclusive, listed on the Agenda for third reading is taken as read a third time and finally passed.

A recorded vote resulted as follows:

For: Councillors Don Deebank, Denis Carr, André Rivette, Korey Kennedy, Claude Poirier, Susan Carter, Dean Hollingsworth, Syd Gardiner, Naresh Bhargava and Mayor Brian Sylvester
Absent: Councillor Perry Lalonde

Motion Carried

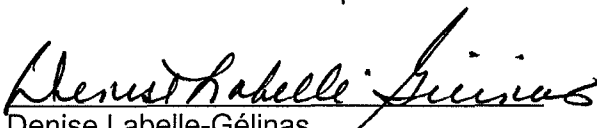
NOTICE OF MOTION

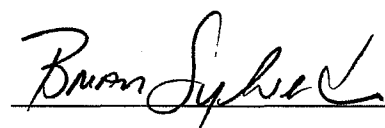
UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

Moved by Councillors Denis Carr and André Rivette that By-law 164-2002 being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cornwall at its meetings held on Tuesday November 12, 2002, having been read a first, second and third time be now taken as read and passed.

ADJOURNMENT: 10:30 p.m.


Denise Labelle-Gélinas
City Clerk


Brian Sylvester
Mayor

