

**REGULAR COUNCIL #28-2007**

Monday, June 25, 2007
Meeting called to order at 7:30 p.m.
City Hall - 360 Pitt Street, Cornwall

PRESENT: Mayor Bob Kilger
Councillor Guy Léger
Councillor Elaine MacDonald
Councillor André Rivette
Councillor Bernadette Clément
Councillor Glen Grant
Councillor Denis Carr
Councillor Syd Gardiner
Councillor Kim Baird
Councillor Denis Thibault

REGRETS: Councillor Mark MacDonald

ADMINISTRATION: Paul W. Fitzpatrick, Chief Administrative Officer
Denise Labelle-Gélinas, City Clerk
Manon Poirier, Acting Deputy Clerk
David Dick, G.M. Financial and Social Services
Stephen Alexander, G.M., Planning, Parks and Recreation
Mark Boileau, Manager, Economic Development
Robert Menagh, Manager, Human Resources
Christine Lefebvre, Supervisor, Recreation Services
Normand P. Levac, G.M., Infrastructure and Municipal Works
Chief Victor Leroux, Manager, Fire Services
Chief Myles Cassidy, Manager, Emergency Medical Services
Len Tapp, Division Manager, Transit Services
Richard Bourdeau, C.E.T., Supervisor Facilities and Operations / Civic Complex

Mayor Bob Kilger called the meeting to order at 7:30 p.m.

INVOCATION City Clerk

NATIONAL ANTHEM Assembly

ADDITIONS / CORRECTIONS / DELETIONS - None

DISCLOSURE OF INTEREST - None

COMMITTEE OF THE WHOLE

Moved by Councillors Guy Léger and Kim Baird that Council go into the Committee of the Whole and that all Minutes, Presentations, Delegations, Resolutions, Consent/Correspondence, Reports and By-laws 099-2007 to 105-2007 be referred to that Committee and that the Agenda of the Committee of the Whole for the meeting of Monday, June 25, 2007, be approved.

Motion Carried

GENERAL CONSENT

ADOPTION OF MINUTES

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

1. Regular Meeting of Council #26-2007 of Monday, June 11, 2007; and
2. Special Meeting of Council #27-2007 of Monday, June 18, 2007.

PRESENTATIONS

1. Municipal Employees Commendation

Fire Chief Victor Leroux presented Mike Buyere, Pat Derochie, Derek Lalonde, Steve Paré, Trevor Smith, employees for the Department of Planning, Parks and Recreation, with a letter of commendation. Fire Chief Leroux commended these individuals for their acts of altruism at a fire that occurred on April 23, 2007, at 504 Guy Street. Not only did these employees notify the Fire Services of the active fire, but they also proceeded to alert the tenants residing in the basement apartments who, at that time, were unaware of the structural fire in progress. When a neighbour then advised these individuals that there were cats in one of the basement apartments, forcible entry into the apartment was gained and the cats were rescued.

In order to express their gratitude for such demonstration of courage, thoughtfulness and concern for others, Mayor Bob Kilger and Fire Chief Victor Leroux presented all five individuals with a letter of commendation and with a certificate.

2. Future Arena Committee

Councillor Glen Grant, Chair of the Future Arena Committee, presented Council with its official recommendation for a four multi-pad arena.

Councillor Grant gave a brief history of the Committee's work, its Terms of Reference, and the manner which its final recommendation was arrived at. Councillor Grant also spoke about the demographics that should come into play with Council's decision as well as the economic engine.

Invoking of Rule 3

Moved by Councillors Bernadette Clément and Guy Léger that Council invoke Rule 3 of the Procedural By-law in order to move Items #4 and #5 to Communication at this time.

A vote requiring a 2/3's majority was called.

A recorded vote resulted as follows:

For: Councillors Guy Léger, Elaine MacDonald, André Rivette, Bernadette Clément, Glen Grant, Denis Thibault, Kim Baird, Denis Carr, Syd Gardiner and Mayor Bob Kilger.

Absent: Councillor Mark MacDonald

Motion to suspend the Rules Carried

Communication Item #5

It was then moved by Councillors Bernadette Clément and André Rivette to discuss Communication Item #5 first, followed by Communication #4 at this time.

Motion Carried

5. Bob Turner Memorial Centre and Si Miller Arena Structural Review and Conditions Report Update

Moved by Councillors Denis Carr and Elaine MacDonald that Council approve the funding to cover the following remedial work as recommended by Thompson Rosemount Group and Quaille Engineering Ltd.

- (a) Replace the substandard trusses with new glulam (laminated lumber) bottom chords at an estimated cost of \$15,000.00; and
- (b) Install the post tensioning block and strands to the roof trusses at an estimated cost of \$205,000.00.
- (c) That the City conduct a detailed Mould Investigation and a Designated Substance Survey at the Bob Turner Memorial Centre (BTMC) and Si Miller Arena (SMA) to identify any potentially hazardous materials that may be present at an estimated cost of \$30,000.00;
- (d) That the seating in Sections E to Section M inclusive not be used and barriers be put in place to prevent occupancy in these areas, and that temporary shoring of the walkway be undertaken in order to preserve the exiting at an estimated cost of \$10,000.00;
- (e) That Council authorize Administration to work with existing groups utilizing the SMA regarding the impact of reducing the total occupancy of the facility, including moving the Cornwall Colts to the Cornwall Civic Complex; and
- (f) That funding for the above be taken from the Working Reserves, pursuant to Report #02-2007 prepared by Richard Bourdeau, C.E.T., Supervisor Facilities and Operations / Civic Complex, under date of June 20, 2007.

Motion Carried

**4. Communication Item #4
Future Arena Project**

Moved by Councillors Glen Grant and André Rivette to vote separately on the six recommendations contained in Report CAO-SP #06-2007 prepared by Fernand Hamelin, Manager, Special Projects, under date of June 19, 2007.

Motion Carried

1. Public Sector Comparator

Moved by Councillors André Rivette and Glen Grant that Administration proceed to obtain a public sector comparator for:

- a) four multi-pad arena and an indoor soccer field house facility.

It was then moved by Councillors Denis Thibault and Guy Léger that the main motion be amended to also a public sector comparator for:

- b) a three multi-pad arena and an indoor soccer field house facility.

Motion to Amend Carried

Main Motion Carried as Amended

2. Financing Plan

Moved by Councillors Kim Baird and Denis Thibault that, once the public sector comparators are completed, Administration provide Council with a financing plan for this project after having been reviewed "and recommended" by the Future Arena Committee;

It was then moved by Councillors Glen Grant and Elaine MacDonald that the main motion be amended to include "and recommended" immediately following the words "having been reviewed".

Motion to Amend Carried

Main Motion Carried as Amended

3. Future Arena Committee's Recommendation on Existing Arenas

Moved by Councillors Bernadette Clément and Denis Carr that, in light of the most recent information now being made available to Council on the Bob Turner Memorial Centre and the Si Miller Arena structures, the Future Arena Committee be provided with this information so that it may review same and make its recommendation as it relates to the future arena project and report to Council at the regular scheduled Council meeting of July 9, 2007.

It was then moved by Councillors Glen Grant and André Rivette that this motion be withdrawn.

Motion to Withdraw Carried

4. Fundraising Committee

Moved by Councillors Denis Thibault and Syd Gardiner that, at an appropriate time, Administration proceed to the formation of a Fundraising Committee who will report to Council on a fundraising target along with a proposed plan to achieve this target.

It was then moved by Councillors André Rivette and Syd Gardiner that this matter be deferred until Council has received the comparator report.

Motion to Defer Carried

5. Funding from Working Reserves

Moved by Councillors André Rivette and Syd Gardiner that \$200,000 be allocated from the Working Reserves to the Future Arena Project for the purpose of costing and associated work.

Motion Carried

6. Funding from Provincial and Federal Governments

Moved by Councillors Glen Grant and Syd Gardiner that the City continue its discussions with provincial and federal officials on available funding for this project.

Motion Carried

7. Future Ice Pads Committee Final Recommendations

Moved by Councillors Glen Grant and Syd Gardiner that the Future Arena Committee make its final recommendations on the Multi-Pad Arena at the scheduled Council meeting of September 24, 2007.

Motion Carried

8. Town Hall Meeting

It was then moved by Councillors Bernadette Clément and Elaine MacDonald that Administration hold its Town Hall Public Meeting prior to the Future Arena Committee making its final recommendations.

Motion Carried

INVOKING RULE 3 ~ Suspension of the Procedural Rules

Moved by Councillors André Rivette and Glen Grant to invoke Rule 3 in order to discuss Resolution #10-2007 at this time.

A vote requiring a 2/3's majority was called.

A recorded vote resulted as follows:

For: Councillors Guy Léger, Elaine MacDonald, André Rivette, Bernadette Clément, Glen Grant, Denis Thibault, Kim Reid, Denis Goss, Syd

NAV Canada

Moved by André Rivette and Glen Grant

WHEREAS NAV Canada is operating illegally in regards to the City of Cornwall's Zoning By-law.

NOW THEREFORE BE IT RESOLVED THAT NAV Canada be sent a letter from the City's solicitor indicating the following: "With the information the City of Cornwall has in regards to this issue, it has been determined that NAV Canada is operating illegally with respect to its zoning designation"; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT NAV Canada is to immediately stop all illegal business practices contrary to its present zoning designation other than the initial intended use of the facility at its inception. Failure to abide with this order, the City of Cornwall will take the necessary steps, as with all zoning infractions, and that is to take every legal step with respect to illegal business operations contrary to any City of Cornwall Zoning By-law designation.

Amendment

It was then moved by Councillors Denis Carr and Syd Gardiner to defer this matter until this issue is addressed by the Planning Advisory and Hearing Committee (PAC) at its August meeting.

Motion to Defer Carried

DELEGATIONS - None**BY-LAWS**

- 099-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into Short Term Lease Agreements with Cornwall Square (Redcliff Realty Management Inc.) for space used on a short term period;
- 100-2007 A By-law to establish recovery costs for the Fire Services;
- 101-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Lease Renewal Agreement with the Cornwall Youth Centre Inc. for the facility's use at the Clubhouse at 499 Henry Street for a period of two years commencing in June 2007 and ending in June 2009;
- 102-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Subdivision Agreement with Northwoods Glen Development Corporation (Cornwall) for Northwoods Glen Subdivision Phase 8 (Completion of Gail Elizabeth Court, northeast of Blessed Sacrament Drive;

- 103-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Subdivision Agreement with Cartwave Realty Limited for Brookgate Subdivision Phase 2, Stage 1 (just south of intersection of north end of Cumberland Street and Emma Avenue);
- 104-2007 A By-law to appoint Mayor Bob Kilger, Chief Administrative Officer, Paul W. Fitzpatrick and General Manager of Financial Services, David Dick, as Municipal Signing Officers for The Corporation of the City of Cornwall's financial purposes; and
- 105-2007 A By-law to authorize The Corporation of the City of Cornwall to enter into a Cross-Border Land Ambulance Billing Agreement with other Municipalities.

CONSENT

1. Integrity Commissioner (Inspector)

That Council receive Report CL #27-2007 prepared by City Clerk, Denise Labelle-Gélinas under date of June 19, 2007, for information purposes.

2. Planning Advisory and Hearing Committee Heart of the City Program and Brownfields Program

That Council approve the following HOTC / Brownfields Funding Applications as per the recommendations from the CPPEC's May 25, 2007 regular meeting and are detailed as follows:

- (a) File # HOTC 07-06 (Addendum Request) (625 Montreal Road - Groupe Renaissance Group, Chuck Charlebois);
- (b) File # HOTC 03-07 (New) (251-257 Pitt Street - Alpin's Interiors, René Alepins and Lynn Robertson);
- (c) File # HOTC 04-07 (New) (16 Second Street East - former Beauty Rock Office - Nick Chintakis);
- (d) File # BR 01-07 (New Brownfields Application) (1150 Montreal Road property - former Courtaulds' Administration Building site, Jack Haines of the Heritage Institute/Micro Age Computers);
- (e) File # HOTC 18-06 (Addendum Request) (254-266 Pitt Street - McLennan Building, Angelo Sacco and Antonella Sacco Diachenko - Agent); and
- (f) File # HOTC 02-06 (Addendum Request) (227-229 and 231 Pitt Street - Rubino Block, Liz and Chris Nurse),

pursuant to PAC Minutes #06-2007-1 prepared by Stephen D. Alexander, MCIP, RPP, Secretary, Planning Advisory and Hearing Committee.

3. Services Subject to Fees and Charges 2007

That Council approve the list of fees and charges for 2007 pursuant to Report CL #18-2007 prepared by Manon Poirier, Deputy Clerk, under date of June 20, 2007.

4. Pesticide Committee Structure

This item was moved to Communication Item #7 for discussion purposes.

ADOPTION OF GENERAL CONSENT

Moved by Councillors Glen Grant and Bernadette Clément that all items listed under the General Consent portion of this Agenda be adopted as presented.

Motion Carried

RESOLUTIONS / BUSINESS ARISING FROM NOTICE OF MOTION

10-2007 NAV Canada

This item was discussed earlier in the meeting.

11-2007 Purchasing Policies

Moved by Councillors André Rivette and Denis Carr

WHEREAS there has been complaints from local contractors in regards to certain departments not adhering to purchasing policies which have allowed external contractors an unfair advantage; and

WHEREAS Senior Administration and the Office of the Mayor have been advised of these unfair practices occurring with respect to these departments not following purchasing policies and procedures; and

WHEREAS after meetings were held with Senior Administration and with the Mayor about these complaints, no immediate action was taken to rectify the problem, therefore, allowing these unfair practices to continue.

NOW THEREFORE BE IT RESOLVED THAT Council request that the Chief Administrative Officer bring back to Council amendments to these purchasing policies for its consideration that would clearly address and rectify the unfair practices that have occurred in regards to these complaints and that the amendments be presented to Council at the next Council meeting for its review.

It was then moved by Councillors André Rivete and Denis Carr to table this matter.

Motion to Table Carried

REPORTS FROM UNFINISHED BUSINESS

1. Funding for Upgrade to Highway 138

Moved by Councillors Bernadette Clément and Glen Grant that Council receive Report ED #08-2007 prepared by Mark A. Boileau, Manager, Economic Development, under date of June 19, 2007, for information purposes and that Administration continue to provide progress information on the subject.

Motion Carried

2. User Fees / Room Rental at the Civic Complex

Moved by Councillors Glen Grant and Denis Carr that Council approve the user fee model for the Civic Complex banquet and meeting rooms as presented in "Appendix A" of Report PPR #10-2007 prepared by Janice Robinson, Facilities Rental Coordinator and Supervisor of Recreation Programming, and that it form part of the existing "User Fee Policy" as approved by Council in March of 2005.

It was then moved by Councillors Bernadette Clément and Kim Baird to defer this matter until information on charitable organizations and subsidies is available.

Motion to Defer Carried

3. Petition by Residents Along Balmoral Avenue

Moved by Councillors Denis Carr and Glen Grant that Council receive Report PPR #12-07 prepared by Barry Coleman, CBCO, CPSI, Chief Building Official and By-law Enforcement Supervisor under date of June 12, 2007, and that staff continue to enforce the Property Standard By-law for dust control.

Motion Carried

COMMUNICATION / REPORTS

1. Request from Social Housing Reserve Fund: Consultant Operational Review for Cornwall and Area Housing Corporation

Moved by Councillors André Rivette and Bernadette Clément that Council approve the transfer of \$20,000 from the Social Housing Reserve Fund to complete the Operation Review of Cornwall & Area Housing Corporation pursuant to Report SHS #20-2007 prepared by Debora Daigle, BA, MPA, Manager, Department of Social and Housing Services, under date of June 11, 2007.

Motion Carried

2. Cornwall Fire Service Annual Report 2006

Moved by Councillors Denis Carr and Glen Grant that Council receive Report #04-2007 prepared by Chief Victor Leroux, Manager, Fire Services, under date of June 19, 2007, for information purposes.

Motion Carried

3. Domtar - Big Ben Landfill Site - Certificate of Approval

Moved by Councillors Denis Carr and Glen Grant that Council receive Report IMW #22-2007 prepared by the General Manager, Infrastructure and Municipal Works, Norm Levac under date of June 13, 2007, for information purposes.

Motion Carried

4. Future Arena Project

This item was discussed earlier in the meeting.

5. Bob Turner Memorial Centre and Si Miller Arena Structural Review and Conditions Report Update

This item was discussed earlier in the meeting.

6. Cornwall City Soccer Field

Moved by Councillors Elaine MacDonald and Syd Gardiner that Council receive Report CAO-SP #08-2007 prepared by Fernand Hamelin, C.E.T., Manager, Special Projects, under date of June 21, 2007, for information purposes.

Motion Carried

7. Pesticide Committee Structure

(a) Moved by Councillors Elaine MacDonald and André Rivette that Council rescind its motions made on June 11, 2007, in which:

- (i) It set up a Working Committee to consider the issue and report back to full Council with recommendations on the final content, timing and other elements of a Pesticide By-law / Program;
- (ii) This new Committee was charged with the responsibility of seeking community and stakeholder input; and
- (iii) Appropriate staff was assigned to the Committee to enable it to conduct research, secure stakeholder input and prepare final recommendation.

A vote requiring 2/3's majority (8) or majority of the entire membership (6), whichever is less, was called.

The motion was 6 for and 4 against.

Motion to Rescind Carried

(b) It was then moved by Councillors Elaine MacDonald and Bernadette Clément that the Municipal Environmental Advisory Committee be given the mandate to review elements of Pesticide By-law / Program and make recommendations to City Council.

Motion to Refer Defeated for Want of Majority

- (c) It was then moved by Councillors Denis Carr and Glen Grant
- (i) That the Committee structure be accepted as 3 Councillors, a representative from E.O.H.U./Public Health and 3 community members (*add 3 more members*);
 - (ii) That staff advertise for the community members, and they be reviewed by the Lay Appointments Committee; and
 - (iii) That Councillors interested in serving on the Committee submit names to the Mayor's office for appointment,
- pursuant to Report PRP #13-2007 prepared by Stephen D. Alexander, MCIP, RPP, General Manager, Department of Planning, Parks and Recreation, under date of June 21, 2007.

Amendment

It was then moved by Councillors Glen Grant and Denis Carr that the main motion be amended to increase the community members on this Committee from 3 to 6.

Motion to Amend Carried

Main Motion Carried as Amended

TENDERS AND REQUESTS FOR PROPOSAL

1. Request for Proposal 07-R15 - Comprehensive Study of Cornwall Transit

Moved by Councillors Bernadette Clément and Kim Baird that RFP 07-R15 be awarded to Dillon Consulting, Ottawa, Ontario, at the total bid price of \$71,192.78 (net cost to the Corporation - \$67,613.00) being the best bid meeting the specifications pursuant to Report PU #49-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of June 19, 2007.

Motion Carried

2. Tender 07-T31 - Supply of Traffic Signal Materials

Moved by Councillors André Rivette and Syd Gardiner that Tender 07-T31 be awarded to Fortran Traffic Systems Ltd., Toronto, Ontario, at the total bid price of \$36,840.24 (net cost to the Corporation - \$34,901.28) being the best bid meeting the tender specifications pursuant to Report PU #50-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of June 19, 2007.

Motion Carried

3. Tender 07-T36 - Purchase of Spare Parts for Moyno Pump

Moved by Councillors Denis Carr and Guy Léger that Tender 07-T36 be awarded to Weir Canada, Lasalle, Quebec at the total bid price of \$21,093.96 (net cost to the Corporation - \$19,983.69) being the best bid meeting the tender specifications pursuant to Report PU #51-2007 prepared by Paulette Heard, CMTC, Purchasing Agent, under date of June 19, 2007.

Motion Carried

NEW BUSINESS

PASSING OF BY-LAWS - Third and Final Reading

Moved by Councillors Denis Thibault and André Rivette that By-laws 099-2007 to 105-2007 inclusive, listed on the Agenda for third reading be taken as read a third time and finally passed.

Motion Carried

AD HOC COMMITTEES

Councillor Syd Gardiner briefed Council on the recent "Assosiation française des municipalités de l'Ontario" (AFMO) Annual Conference in Ottawa.

NOTICE OF MOTION

1. Support our Troops - Yellow Ribbon

Moved by Councillors Glen Grant and Guy Leger

WHEREAS Municipalities across Canada are showing support for our troops by displaying the yellow ribbon "Support Our Troops" decals on municipal response vehicles; and

WHEREAS this display of support across our nation would demonstrate moral support for the brave women and men in our armed forces.

NOW THEREFORE BE IT RESOLVED THAT the City of Cornwall participate in this admirable demonstration of support by having the yellow ribbons placed on all our emergency vehicles.

UNFINISHED BUSINESS LISTING

CONFIRMING BY-LAW

Moved by Councillors Denis Carr and Bernadette Clément that By-law 106-2007 being a By-law to confirm the proceedings of the Council of The Corporation of the City of Cornwall at its meetings held on Monday, June 25, 2007, having been read a first, second and third time be now taken as read and passed.

Motion Carried

ADJOURNMENT

The Regular Council Meeting of Monday, June 25, 2007, was adjourned at 10:30 p.m.


DENISE LABELLE-GÉLINAS
CITY CLERK


MAYOR BOB KILGER


MANON POIRIER
RECORDING SECRETARY /
ACTING DEPUTY CLERK